

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

69th Legislative Day

5/31/2003

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. We ask the guests in the gallery to rise and join us for the invocation. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield."

Pastor Crawford: "Let us pray. Most gracious and sovereign King, we so humbly come before You giving You praise for all things. For Your word says that we are to bless the Lord at all times and that Your praises should and will continually to be in our mouths. Father, we praise You with the confidence that all things work together for the good of them who love God and are called according to Your purpose. Father, we realize that some things we cannot control, but we also realize that You, O Lord, are in control of all things. So, we place our trust and our confidence in You. This we ask in Your Son's name. Amen."

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

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

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

Currie: "Thank you, Speaker. I have no excused absences to report today."

Speaker Madigan: "Mr. Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Pihos and Representative Eddy are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 841, Motion to Concur with Senate Amendments 1 and 2 to House Bill 1023, and Motion to Concur with Senate Amendment #1 to House Bill 1043. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 2362. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 943, Floor Amendment #2 to Senate Bill 1075, Floor Amendment #1 to Senate Bill 1601, and Floor Amendment #1 to Senate Bill 1901, as well as, Senate Joint Resolution 36

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and Motion to Concur with Senate Amendment #1 to House Bill 3640. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendments #2 to House Bill 1543. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 666. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 785, a Motion to Concur with Senate Amendments 1 and 2 to House Bill 276, Motion to Concur with Senate Amendment #1 to House Bill 858, a Motion to Concur with Senate Amendment #1 and 2 to House Bill 860. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 687, a Motion to Concur with Senate Amendment #1 to House Bill 1038.

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Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #4 to Senate Bill 1127, a Motion to Concur with Senate Amendment #1 to House Bill 2504. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 684."

Speaker Madigan: "Mr. Clerk, on the Order of Concurrence there appears House Bill 719. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I move that we nonconcur in Senate Amendment 2 to House Bill 719."

Speaker Madigan: "The Lady has moved that the House nonconcur. Mr. Clerk. The Lady moves that the House nonconcur in Senate Amendment #2. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Se... the House does nonconcur in Senate Amendment #2. Mr. Clerk, what is the status of Senate Bill 823? 823."

Clerk Bolin: "Senate Bill 823, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

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Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Bolin: "Senate Bill 823, a Bill for an Act concerning the executive branch. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. There are four components to Amendment #1 to Senate Bill 823. Basically, what the Amendment does is make the lieutenant governor the chairman of the board of four entities. First, the Illinois Clean Energy Trust, the purpose of this entity is to provide financial assistance and support to public and private entities for programs that benefit the public by improving energy efficiency. The second component is House Bill 3038, my Bill, which names the lieutenant governor the chairman of the Community Development Finance Corporation. The corporation is a quasi nonprofit entity that makes loans and grants to not-for-profit and community development entities. The third component adds the lieutenant governor as the chairman of the Illinois Investment and Development Authority which helps to grow and create community development financial institutions. And finally, the lieutenant governor is made the chairman of the Illinois Asthma Council which... whose purpose is to make recommendations about the control of asthma. I move for the adoption of the Amendment."

Speaker Madigan: "Mr. Parke."

Parke: "Good morning, Mr. Speaker."

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Speaker Madigan: "Good morning, Mr. Parke. It is a beautiful coat you're wearing today."

Parke: "Thank you."

Speaker Madigan: "I hope that it signifies..."

Parke: "It's my end of Session coat."

Speaker Madigan: "...what a beautiful day... Very good, very good."

Parke: "Well..."

Speaker Madigan: "Hope it indicates it will be beautiful day for everybody."

Parke: "With your leadership... and with your leadership and help we will be out of here today."

Speaker Madigan: "That's our goal."

Parke: "I believe that's a good one to have. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Good morning, Representative."

Younge: "Good morning, Representative Parke."

Parke: "I understand that there's funding involved in this program. Can you tell us where the funding's gonna come from?"

Younge: "The lieutenant governor testified that he had resources within his budget to fulfill these purposes."

Parke: "I'm just curious if he has sources in his budget, do you know what he is not gonna fund? Because it's such a tight budget, I'm surprised he has any discretionary money. I would think that all monies in his budget would have been allocated and accounted for. What is he cutting to fund this program?"

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Younge: "Well, these are councils and authorities and there's no budget money needed except for travel and his testimony in committee was that he would be able to fulfill these functions as chairman. This Amendment merely makes him the chairman, Representative Parke, and there's no cost associated with what he is asked to do."

Parke: "Is... In committee, did anybody object to this Bill or anybody speak to it?"

Younge: "No, it was... It came out of committee on a unanimous vote."

Parke: "Well, Representative, I just wanna know, is that your purple boa that's sitting over there? I was just wondering if that was yours, Representative."

Younge: "No, I think that's Representative Currie's."

Parke: "Is... That's not yours, huh?"

Younge: "But it's beautiful, isn't it?"

Parke: "Is that the Majority Leader's boa?"

Younge: "It is."

Parke: "It's very attractive, Representative. I like that."

Younge: "And isn't it beautiful."

Parke: "Yes, I do. Thank you very much, Representative."

Younge: "You're welcome."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take... Have all voted who wish? Have all... Mr. Biggins. The Clerk shall take the record. On this question, there are 115 people voting 'yes', 1 person

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voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 860? I believe it's on the Order of Concurrence. 860."

Clerk Bolin: "House Bill 860 is on the Order of Concurrence."

Speaker Madigan: "The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move that we do concur in Senate Amendments 1 and 2 to House Bill 860. This issue deals with the valuation of affordable housing projects, low-income housing projects. The current statute provides that the income method is the appropriate one if the subsidies come through a rural support program. We think it's important to provide uniform methodology across the state for all of these projects that have federal tax credits in order to encourage more of these developments. I'd be happy to answer your questions and I'd appreciate your support for the concurrence Motion."

Speaker Madigan: "The Lady moves for the passage of the Bill and she also moves that the House concur in Senate Amendments #1 and 2. And on that question, those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Joe Lyons voted? No. All right. Mr. Clerk, record Mr. Lyons as 'present'. He should be... Mr. Clerk, can you record him as... Mr. Joe Lyons has entered the chamber. Good morning, Mr. Lyons. The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting

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'no'. The House does concur in Senate Amendments #1 and 2 to House Bill 860. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Yes, Sir. Do you... do you expect a long day today or a reasonably long day or a reasonably short day?"

Speaker Madigan: "Long."

Black: "I see. The reason I ask is the Smithsonian Institution just called and would like Representative Parke's polyester coat for their historic display later this summer, and they don't want him to get it all wrinkled or too sweaty today. I, on the other hand, thought he had stolen it from Gordy Ropp's closet, but that's another story."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 1883? I believe the Bill will be on the Order Senate Second or Third."

Clerk Bolin: "Senate Bill 1883, the Bill's been read a second time, previously. A Motion has been made to table Committee Amendment #1."

Speaker Madigan: "Representative Currie."

Currie: "I thought we'd already... I'm sorry. I'd like to table Amendment 1. And what this does is it was a shelling Amendment and we went back to committee and we want to restore the Bill to its original substance."

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Speaker Madigan: "The Motion is to table a Committee Amendment. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. The Motion to Table the Committee Amendment is adopted. Are there any further Amendments or Motions?"

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

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. The underlying issue is that there are now many more sophisticated arrangements under which people buy, particularly large developments, expensive mall shopping centers and so forth and the issue is the real estate transfer tax. The Bill, as amended with Amendment 2, would provide that those communities that impose a real estate transfer tax would consider these new forms of financing to be eligible for imposition of the tax, but under the Amendment, no earlier projects that have been sold using those forms of conveyance would be directly affected by this change. There is no opposition. And I'd appreciate your support for the Amendment and the underlying Bill."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed... excuse me. Mr. Mautino. Mr. Mautino on the Amendment. Okay. The question is, on the Amendment, those in favor say

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'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Bolin: "Senate Bill 1883, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. You heard the substance of the Bill when I described Amendment 2. I'd appreciate your 'aye' votes."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify... Mr. Black."

Black: "I'm sorry. Signify Mr. Black?"

Speaker Madigan: "Black."

Black: "Oh, thank you, Mr. Speaker."

Speaker Madigan: "B-l-a-c-k."

Black: "I... I was so fascinated with the newspaper I didn't hit my switch in a timely fashion. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, this... this Amendment allows... Well, I'm... If I'm reading it correctly, it gives ho... does it give Home Rule cities some additional time, or not time, some additional authority to levy a real estate tax?"

Currie: "Actually, those communities that have established a real estate transfer tax would continue to be able to do so. The issue in the Bill is defining when that transfer tax applies."

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Black: "Okay."

Currie: "There are now sophisticated financial instruments..."

Black: "All right."

Currie: "...and there have been issues raised at the local level about whether the sale of a shopping center, for example, an industrial complex, whether using REITs and other kinds of financing, whether those are eligible for the transfer tax. And what this Bill does is to clarify that they are."

Black: "And I... I think I understood you to say that this is taxing something that I've always thought was or enabling a community to tax something that I always thought was considered as personal property and therefore would not be subject to a tax. So, this evidently is a change in... well, obviously, it's a change in current law."

Currie: "This is the real estate transfer tax and some communities impose a transfer tax when a piece of property is sold. Just a..."

Black: "Well, is the language in the Bill that amends the stock commodity or options, a transaction tax?"

Currie: "No."

Black: "So, who would... it wouldn't give a... Maybe I'm just reading this incorrectly, Representative. It appears to me that it would give a Home Rule community the option to incr... to impose a tax or on a transfer of stock rather than just the transfer of real estate."

Currie: "No. The Bill... the Amendments clarify... What we're talking about is the transfer of real property. And the issue is that the form of the transfer should not affect

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the question whether the real estate transfer tax applies. This Bill is meant to clarify."

Black: "What if... what if my ownership interest in real estate simply consisted of stock in the company we let's just say that we, hypothetically, we raised money to build a commercial building by selling shares of stock and my only ownership interest in the actual real estate was stock in the company that built and owns the real estate. Now, when the real estate is sold, am I going to be taxed because now my stock will be, you know, obviously, I'm going to be paid for my stock and it appears that the transfer tax would then be applied to my beneficial interest in that real estate, but the only interest I really have is the ownership of some stock."

Currie: "Well, I would assume that you have stock in a real estate holding company, Representative, and the company would be charged the transfer tax at the point of which the transfer happened. And you as a stockholder..."

Black: "All right."

Currie: "...would continue to have your... your shares in that real estate holding company."

Black: "All right. But that appears... Representative, that appears to be a significant change from current law because stock, commodities are exempt under the stock, commodity or options transaction tax and it appears that this Bill, as amended, opens that Act and would make a person whose only beneficial interest in a piece of real estate would be a

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stock certificate that he or she obtained because they invested in the project. And then when the..."

Currie: "And it would be the company that you invested in that would be charged the transfer tax. Commodities exchange..."

Black: "Okay."

Currie: "...issues are not at all involved in this Bill and I believe one of the Amendments, Amendment 2, if necessary, clarified that question. So, it is not a significant change, in fact, most communities thought that these transactions were already covered by virtue of the fact that they had a real estate transfer tax. And certainly, the fact that there has been a change in ownership shouldn't say one kind of owner isn't charged the tax because of the form of the ownership and another one is. And that's all this Bill seeks to clarify, what we thought we did when we gave them the opportunity..."

Black: "All right."

Currie: "...to impose a real estate transfer tax is exactly what they have."

Black: "All right. So, if I had a beneficial interest in an Illinois land trust and I had controlling interest in the land trust, then my value in that land... trust upon the sale of the property, if I have a controlling interest, I'm going to be subject to the... to the tax. Correct?"

Currie: "That's right."

Black: "All right."

Currie: "So, if you were buying..."

Black: "Okay."

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Currie: "...Oakbrook Shopping Center, for example, through a real estate holding company or a land trust, that sale would be subject to the transfer tax just as it would be if you had done it through a conventional mortgage."

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

Speaker Novak: "This matter is on the Order of Standard Debate. We've had one for the Bill, we've had one in response. Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, do you have any idea how much money's gonna be raised from this?"

Currie: "I don't have a clue. All I can tell you is that these kinds of... of financing programs are relatively new and ordinarily, if somebody sold the Oakbrook Shopping Center, Oakbrook would expect to be able to collect a real estate transfer tax. This Bill retains that expectation, so I don't think we're talking about raising money, we're clarifying that the local government's authority to impose a transfer tax applies whether the form of the transfer is through a conventional mortgage or through a different kind of financing arrangement. That's all this Bill does."

Parke: "Well..."

Currie: "And there is no opposition to the Bill."

Parke: "Yeah, but, that's... on the same time, doesn't money go to the State of Illinois from this?"

Currie: "This is the local real estate transfer tax."

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Parke: "Well, I understand the Illinois Land Title Association is opposed to this. Are you aware of that?"

Currie: "I'm certainly not aware of that. My understanding... We've had this Bill twice in committee and there has been no opposition and I... there may have been a question about the Bill as introduced, the Bill has been amended. I believe there is no opposition."

Parke: "Our staff says that the State of Illinois does benefit from some of this tax revenue. Do you know that to be true?"

Currie: "This... but this Bill deals with the local and some communities have it and some communities do not."

Parke: "Well, to the Bill. Ladies and Gentlemen, this is a... this might very well be to benefit a local municipality at the transfer of a shopping center or some major piece of property, but ultimately what it is, is it's another tax. It's another tax on the business of the State of Illinois and the businesses that do business in the State of Illinois. We keep nickeling and diming every aspect of Illinois business. This is a tax increase. I don't care how you color it. Whether or not it's minimal or not. Money's gonna come into the State of Illinois at a time when we need every dollar and we have been cutting programs and not funding programs and there's money coming in that we don't know how it's gonna be allocated. We don't know how much it is. It's just another tax. We ought not to be voting for this. We should not be voting for additional

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taxes. Ladies and Gentlemen, I rise in opposition to this Bill."

Speaker Madigan: "The matter is on the Order of Standard Debate. We've had one for the Bill, two in response. The Chair recognizes Representative Slone."

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

Speaker Madigan: "Sponsor yields."

Slone: Representative Currie, I thought I understood that whether or not this implicated the state level real estate transfer tax when you first spoke, but then when you answered Mr. Parke's question on it, now I'm not sure I do understand it. It sounds like it authorizes the collection of the tax at the local level with an REIT or some other kind of form of holding the real estate. I guess my question is, do... does the 50... does the dollar a thousand state real estate transfer tax, would it then apply to the... to this change as well as whatever local tax would apply?"

Currie: "Let me just double check."

Slone: "Thank you."

Currie: "I think it does. I believe it does. It's just exactly the same process."

Slone: "Okay."

Currie: "And the idea here is not to raise any taxes at all, but just to make sure that any buyer, no matter the financing, would be subject to the same tax that everybody else is."

Slone: "Okay."

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Currie: "So, an Illinois buyer already is, national or foreign buyers should be subject to the same tax."

Slone: "Okay. So, there is... I think as you discussed with Representative Parke's... from revenue potential for the State of Illinois for the state portion, right?"

Currie: "It is... All this is, is clarifying language which we only need to do because there are these new forms of ownership and the question has been in litigation. We wanna clarify that, yes, it doesn't matter how you buy it, if you buy it, you are required to pay the transfer tax."

Slone: "At both the state and the local level?"

Currie: "Yes."

Slone: "If there is a local tax?"

Currie: "Yes. If there is a local."

Slone: "Okay. Thank you. To the Bill. I would certainly ask the support of the Body in this. It's simply a matter of equal treatment for all types of purchasers and it would make some level of additional funding available for some very important programs that we fund through the existing real estate transfer tax."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 56 'yes' and 60 'no'. The Bill shall be put on the Order of Postponed Consideration. Mr. Clerk, what is the status of Senate Bill 852? 852."

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Clerk Bolin: "Senate Bill 852, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Bolin: "Senate Bill 852, a Bill for an Act in relation to sanitary districts. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 852 would amend the Illinois plumbing licensing law. There's some provisions in here that would change the registration for an application. It would change it to September rather than April. It would also provide that an owner-occupant of a single family residency may perform plumbing work on their respective property and also has some other language in there about the insurance. And I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 people voting 'yes', 8 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Cross on House Bill 3402 on the Order of Concurrence. Mr. Cross."

Cross: "Thank you, Mr. Speaker. This Bill deals with a small, little issue in DuPage County and their water commission."

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Before I go to the merits of the Bill and... on the Motion, I just want to say 'thank you' to all the people that worked on this over... a little over a week, both the County Board Chairman of DuPage County, Bob Schillerstrom and the mayors from DuPage who all felt very strongly in their positions, but were able to in the end come together and work out an arrangement that was satisfactory to all on how the DuPage Water Commission would operate and the guidelines surrounding their operation. So, I wanna thank Bill O'Connor and... from our staff with all the time they spent on this, including Patrick Evans. This Bill, in a nutshell, Mr. Speaker, would provide that the DuPage Water Commission would continue to run in its current format, but that it would guarantee... water would be guaranteed to the... municipal water would be guaranteed to areas in DuPage County that had... get contaminated wells. There's also a provision here that rates would stay frozen for a five-year period. There would also be a transfer of \$75 million from the water commission to DuPage County over the next five years. That money would be used for homeland security and for public health purposes. Again, this is a Bill that has been agreed to by all parties, both the county board... DuPage County chairman as well as the mayors, who initially were opposed to the concept. I appreciate people's concern about this and if you have any questions, I'll be glad to try to answer 'em."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those

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opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 3 people voting 'no'. The House does concur in the Senate Amendments. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 600? Representative Currie. 600, Senate 600."

Clerk Bolin: "Senate Bill 600, a Bill for an Act in relation to employment. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. This is the Bill that would increase the state minimum wage, in two steps, from 5.15 to 5.50 an hour January 1, 2004 and to \$6.50 an hour January 1, 2005. It also would provide for a statutory 50 cent differential lower wage for youth workers under the age of 18. In other respects, our state minimum wage would stay as it has been with the 40 percent tip credit and so forth. It's time to raise the work... the value of low-income jobs. If this were 1979, the minimum wage at that time bought about \$6.50 an hour in today's terms. There are 13 other states plus the District of Columbia that have higher minimum wages than the federal. The effort here is to help people out of poverty. We have seen our welfare rolls drop, but we have not seen avenues for low-income people to move themselves from poverty. Most of the people who earn the minimum wage in the state, 450 thousand of them, most of them are grown-ups. The

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average age of the minimum wage worker is about 30 and a significant number of the people at the minimum wage are single heads of households, it's the only income they've got. Voices for Illinois Children did a study of housing needs across the state and it turns out you'd need to work two minimum wage jobs outside the Chicago metropolitan area in order to afford the minimal rent of an acceptable apartment in the Chicago area four times, four full-time minimum wage jobs would be needed to do the trick. I think it's time to say that the worker is worthy of his or her hire. We need to help people get out of poverty and become economically self-sufficient. This is one tool available to us. I'd be happy to answer your questions. And I would appreciate your support for this measure."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Bill is on the Order of Standard Debate. There shall be three for the Bill and three in response. Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Majority Leader, as I understand this was... there was a deal worked out that this makes it somewhat better than the Senate Bill. Is that correct?"

Currie: "There was some compromises, further compromises, and changes made to the Bill in the House in committee yesterday."

Rose: "Okay. Thank you. To the Bill. Ladies and Gentlemen, I would first like to thank the Majority Leader for working with the business community to make this Bill much better

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than it was. However, I must rise in opposition to it, still. In my area of the world, Metcalf, Illinois, is a little more than 20 miles from the Indiana border. Cigarettes are cheaper in Indiana, gas is cheaper in Indiana, pretty much everything is cheaper in Indiana than it is here in Illinois. Why on earth would any employer put a gas station, put a clothing store, a retailer, a convenience store in Metcalf, Illinois, knowing that they're now gonna have to pay more for the minimum wage than if they locate that simply 20 miles east in the State of Indiana. I think if you look at all the states that have a minimum wage higher than the national federal standard, they have lost jobs. It's a simple matter of economics. When one state creates a situation in which the cost of doing business is greater than in its neighboring states, it will lose jobs to its neighboring states. Let there be no doubt a 'yes' vote on this Bill will cost me jobs in my district. I would urge 'no' votes on this. Thank you."

Speaker Madigan: "Again, the Bill is on the Order of Standard Debate. There has been one for, one in response. The Chair recognizes Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. Now, if I start out speaking good about this Bill and then I talk myself out of it and say 'no', do I count as one for or one... Well, anyway, let me just ask a question of the Sponsor. Are you telling me, Representative, that \$6.50 an hour is a fair wage?"

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Currie: "I wouldn't say that it's going to bring a lot of people totally out of the ranks of the poor, but it is a good deal better than \$5.15 an hour. In fact, for a family of... of... a person working full-time at 5.15 an hour makes \$10,300 a year, well below the poverty level for a family of two, far, far below the Housing and Urban Development very low income level and certainly an increase of a dollar and thirty-five cents an hour will help. This is not a living wage Bill. This does not recognize the reality of the cost of housing and food and shoe leather and clothing for the kids, that a living wage would suggest, that would be more like 12 or 13 dollars an hour, but \$6.50 an hour would certainly help the 450 thousand Illinoisans who today are stuck at the 5.15 level."

Biggins: "Well, golly, it sounds to me like this Bill is a total insult to the working men and women. If it should be \$4 more an hour, it should be 10.50, 12.50, why don't you propose such a Bill? I mean, where's the truth here? You're hurting the men and women of this state with this ridiculously low minimum wage. You and I know it should be a lot higher. Why don't you put it out there and put it on the line? Let's go right now for it. Well, on another subject. I have in my hand, I know you all have seen this before, this is Site Magazine. Site Magazine, which we've all glommed on to in the last couple months, named Illinois as the winner of the 2002 Governor's Cup. Well, I have some news for everybody. You don't have to worry next February when they come out with or March when they come

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out with the '04 selection. You don't have to worry where we're gonna be. This Bill and the other Bills that were passed last night and that will be passed later today are taking Illinois out of the mix. So, this is the last time you'll see Illinois on the cover of this magazine. And everybody that votes for these unconscionable tax increases is burdening industry, burdening the citizens of this state and you're gonna hear about it when you get back... when your VFW goes for a liquor license and they have to pay \$500 to renew it and they call you up 'cause you voted for that tax increase yesterday and you have to answer to them. Site Selection Magazine can bypass Illinois. Miss Illinois is not gonna walk up and accept the trophy for winning... Illinois did in '02 with a Republican Governor and a Republican State Senate, but this year with a Democratic State Senate, a Democratic House and a Democratic Governor Site Selection Magazine can skip Illinois."

Speaker Madigan: "Now, Mr. Parke, let me remind everybody where we are. The Bill is on the Order of Standard Debate."

Parke: "I would like to remove it off of Standard Debate and I'm joined by the required number of Members to do so."

Speaker Madigan: "All right."

Parke: "Thank you."

Speaker Madigan: "The Bill shall be taken off the Standard Debate. Mr. Winters for five minutes. Winters for five minutes."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Some of the background that came out about this

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Bill in the debate in committee, I think, it's curious that the closest states to us with a higher than the federal standard are Delaware and California. Three states on the west coast, Hawaii, Alaska, and New England and Delaware. They do not have to compete across state lines like we do with major population centers. There's not major population centers in Utah or Nevada or Idaho where businesses will flee across the state line. The Sponsor of the Bill mentioned that people who earn the minimum wage are, in fact, trying to raise a family on these and they simply cannot do it paid 5.15 an hour. Well, I'd like to ask a rhetorical question, how are they going to support their families when they don't have a job? Because we raise it to 6.50 an hour and the businesses in Illinois... in the border communities like I serve, those companies will be closing. If they have a low-skilled workforce, they won't have any jobs, because they can't compete today at 5.15, raise their cost of labor by another 25 percent, they're going to be leaving our state. It's going to hurt the economy of the state, it will hurt the tax revenues of the state, and it will hurt the people that you, in fact, are trying to help. My suggestion is to defeat this Bill and instead, look at enhancements of the way that these people can earn money. The low-income, the minimum wage job earners either are simply starting in the workforce and I do appreciate the fact that you have a lower teenage wage, but other people that are just reentering the job market, instead of forcing the wages higher, where

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businesses won't want to hire them, they'll put machinery in. This is simply an incentive to invest in additional machinery that is labor saving. Yes, it'll help some of the mechanics and the engineers and the production workers that are earning \$20 an hour because we'll need to build more machines. But the people that those machines replace won't be earning 6.50 an hour, they'll be earning 0 because they won't have a job. It may be well-intentioned to try to support minimum wage jobholders, but the problem is that we're gonna destroy their jobs, we're gonna destroy the border communities. Nobody else in the Midwest has a higher than federal minimum wage. We are simply telling businesses to leave Illinois because we are going to force you out. Again, job training, give the skills to the people so they're worth more than 5.50 an hour instead of artificially raising their salary. I think that's a lot better approach and would urge the Sponsor to bring it back next year after we defeat it. Thank you."

Speaker Madigan: "Representative Mulligan for five minutes."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative Currie, this is a very difficult vote, but repeatedly in Human Services-Appropriations the issue of service providers... human service providers not having any kind of increases and the amount that this would put a burden on the system came up repeatedly. And the discussion has always been that if you want to raise the

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minimum wage then we need to raise what we give human service providers. As we all know, that did not happen. So, how can you reconcile doing this when the human service provider network in Illinois is definitely at risk?"

Currie: "So... First of all, I'd remind you that the wages... first of all, there's a Bill coming over from the Senate to do... increase by a dollar the wages for those workers for whom state reimbursement is available. Second, those wages are above the \$5.15 an hour that is the current minimum wage in this state."

Mulligan: "But all the attendant services around it may be impacted as are the community services around them. To the Bill. I think the system of care in Illinois, particularly in human services, is at risk. And I think that repeatedly when we listen to testimony on dollars this was brought up. The two should be coupled, they should not be independent. Just last year, we did not pay our bills to these service providers. In a survey done by the ARC of just 6 percent of all their community providers, we found out that the survey of the organizations paid 2.7 million in short-term interest just to meet payroll. This translates into about 30 million in short-term interest payments statewide. Their staff rate of turnover is 80 percent. The direct care staff profile of a single parent female minority with two children living at or below the poverty level and we have not increased what we pay them so that they can increase what they pay. Lutheran Social Services who pays a good wage and also gives benefits has had to go into

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their foundation and take assets out at a time when it's really bad to remove those assets. The interest payments, which we have no thought about repaying to all the providers who we were late on bills, will all suffer from the attendant services where the minimum wage will be raised. I certainly have a concept of what it is to live on less than what you need to have, but in a climate where we are raising fees and taxes on all business, where we certainly change what's happening with the provider community to a disadvantage to that community, we have the right to have those issues addressed before we look at a minimum wage. The two must go hand in hand. You don't do one at the expense of the other. The object of this state is to present a balanced budget for the whole state, not just for one group or the group that thinks that they should be in power right now. The object is to have a balance. When you make things out of balance, whether it's in the environment, whether it's in wages, whether it's in business, it doesn't work and the system fails. This is a major problem to raise this without taking care of the provider services on the human service side. And we have discussed this repeatedly over this Session and nothing has been done about it. I certainly don't see how we can support this without some kind of increase on the other side of the scale."

Speaker Madigan: "Mr. Black for five minutes."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Bill

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and I get no particular pleasure in opposing this Bill. Obviously, I think everyone would like to do what we could, but Ladies and Gentlemen, there is one very dangerous precedent in this Bill and there have certainly been some improvements made to it, such as removing the automatic cost-of-living trigger. We will be the only state in the Midwest, the only state in the Midwest that decouples from the Federal Minimum Wage Act. We will have the highest minimum wage of any state in the Midwest. I wanna just share some comments from letters from people that I have received. From the executive director of a human services agency in my district that works almost exclusively with the developmentally disabled. He simply says, 'This is a classic unfunded mandate. Your new minimum wage adds a burden to my agency that works exclusively with the developmentally disabled and yet you aren't going to send me one dollar, one dollar to help me meet the increased wage costs that this Bill will impose upon me. How am I to continue serving clients when your reimbursement rates are already late... are already below what most states pay and now you saddle me with a wage increase that I simply have no resources to meet?' Another comment from a gentleman from a YMCA in my district. 'If you're going to raise the minimum wage and we operate a child care center, are you going to increase the reimbursement rate that you currently send me for subsidized daycare?' The answer is 'no'. And his question, I think, begs for that answer. How are we to do this? 'I can't pay staff if you don't increase the

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rates that you give me for taking care of subsidi... children who are on subsidized daycare.' We're on... Ladies and Gentlemen, the Congressional Quarterly points out only 4.2 percent of the workforce is at the minimum wage. Most of these jobs are entry level positions and very few minimum wage jobs are the sole providers for their family. About half of the minimum wage employees are teenagers. Some economists predict that this increase could cost Illinois more than a hundred thousand jobs. I think one of the things you need to focus on and I have tried, unfortunately, very... very inelegantly, please, please understand what you're doing to people who care for our most vulnerable citizens. The Illinois Health Care Association points out, and these are facts not scare tactics, they're facts. Most downstate nursing homes have a large operations and maintenance staff who may earn the minimum wage at their entry level job. In one particular downstate facility, located in Metropolis, Illinois, they estimate that this increase that we are voting on will cost them an additional \$92 thousand, \$92 thousand. You know what they'll have to do? They'll have to raise the rate on those private pay patients to make this up because we already have one of the lowest reimbursement rates for Medicaid patients in long-term care. I can tell ya, I know it's a campaign promise and promises made and promises kept. In all due respect to my union friends, there aren't many union workers covered by the minimum wage. What this will do is to create a ripple affect on up through the wage

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ranks and suddenly if you're making \$14 an hour and the minimum wage went up a dollar fifty, hey, I want the same kind of wage rate and that will be negotiated. We, in this case, are mandating this wage increase. I'm telling you, it'll have a direct ripple affect on direct care, home visit nurses, and nursing home care staff that have long advocated..."

Speaker Madigan: "Mr. Black."

Black: "...for an increase in their wages"

Speaker Madigan: "Mr. Black."

Black: "...which we have not given."

Speaker Madigan: "Mr. Black. Mr. Black. Turn on Mr. Black to conclude his remarks."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I can count. But I urge you to keep in mind what this will do to some of the most vulnerable citizens, the people who take care of them. That cost has to come from somewhere. We are not raising our reimbursement rates. We are not giving additional money to the developmentally disabled providers, they don't have any other source for this money. What it will do is to lessen the care given to our most vulnerable citizens. And as good of an idea as it may be, when we can't afford the reimbursement rate, then that is shame on us. I intend to vote 'no'."

Speaker Madigan: "Representative Flowers for five minutes."

Flowers: "Thank you, Mr. Speaker. To the Bill. President Bush just signed a tax relief Bill and 34 million people will be

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in receipt of a check, except for the poor. The check is not in the mail for them and what are they to do? The utility bills are going up, their rent is due, they need food on the table, they need a roof over their heads with their children. What are they to do? These people are working three part-time jobs to make ends meet. They're leaving their children home alone because they don't want welfare. And speaking of welfare, it's five years and you're off. What are these people supposed to do? And a mere \$6.50 an hour is nothing in comparison to what the rates of things are today. This is a very good Bill. It's long overdue. And as a matter of fact, I agree with one of the previous speakers. He said, this is not enough, we should give 'em more. We should give them a living wage. They should be able to at least take care of their families off of the income because... excuse me... because of what they do a lot of people don't have to do. A lot of people wouldn't want to do. I appreciate the work that these people do and for that I'd encourage everyone to support Senate Bill 600."

Speaker Madigan: "Mr. Bost for five minutes."

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I think that if you look at the statistics of the per... average of the person that we're trying to help here, the 14 percent of those people that are on... that are making minimum wage and trying to support a family and that's what it is about 14 percent of those, the rest are students, are college students or high school students.

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What you look at and what we're trying to do, if we do this, we will actually hurt them. And how do we hurt them? Because right now, with their income at the level that it is with the minimum wage, we supplement their income through our welfare programs, through WIC. If their income is increased, their buying power is decreased and their programs that can help them through spend downs are... more are taken away. Ladies and Gentlemen, and that's a 14 percent, that's the 14 percent. That's what we're talking about when we're saying we're gonna help with this. We're going to hurt them because we're gonna remove their buying power. Let me tell you who else we're gonna hurt. We're gonna hurt the middle income families out there because their buying power will be less. Let me tell you who else we're gonna hurt. We're gonna hurt those people in my district that live along the border that need jobs in this state because those jobs will go someplace else. Let me tell you about a letter that I received. I received a letter from 710 Bookstore in Carbondale. 710 Bookstore provides about a hundred and twenty-five jobs to hi... to college students. Because of this Bill, they will now only be able to provide about 75 and that is because they can't raise those book fees because of what the rules are and as far as purchasing and working with the university and they can't raise what they charge for those books. So, therefore, 50 students will no longer be working in Carbondale, Illinois, come next year if we pass this Bill. Folks, the wrong thing to do is pass a minimum wage Bill, a

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minimum wage increase in one state in the central United States. Is it time for the minimum wage to be raised nationally? Possibly. Would I ask our Federal Government to do that? Yes, okay. If you wanna... you go out and work with me and we'll do that. But to drive jobs from the State of Illinois, from our students and from those people that do need them, it's the wrong way to go. I ask for a 'no' vote."

Speaker Madigan: "Mr. Delgado for five minutes."

Delgado: "Thank you, Mr. Speaker. To the Bill. This Bill, when we talk about... I would love to see us be able to come to an agreement to have a minimum wage at 10.50, as a previous speaker mentioned. However, we know that it was stated as a facetious comment 'cause we know that our other side of the aisle, my great colleagues and friends over there, won't agree to somethin' like that. And yet, you're absolutely right, because by the time we get this through, the cost of living continues to go up and so I would love to continue to see that. So, let's be incremental (sic-incremental). Let's start lookin' at that. Let's continue to start workin'. And I had known it all about the favorite friends in labor are saying that's exactly what we want 'em to hear because that's the road we gotta go down. Complications of how it's going to affect a particular industry, a particular way. Well, tell that to those families who continue to make a decision that seven kids have to eat off of one piece of bread. And we know that these complications aren't the common citizen's problem,

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the Illinoisans. It is our problem, our responsibility to help create this self-sufficiency necessary so that we don't have a dependent society. And someone mentioned, we talk about it only affects the very few? Well, where have you been? Look around you. Every time you drive your Beemer, every time you drive your Infinities, every time you drive all them luxury cars, you walk through and drive through our neighborhoods, there's a reminder on every corner and I don't care what part of the state you live in. You can't put on some rose-colored glasses. We have to continue to try to build Illinois. Aren't we here to serve our people? So, we talk about a very few would be affected? Excuse me. One-tenth of this population of this country has all the wealth and right now, our President is gonna give 'em even more money. But what about the few that you continue to talk about? You're talkin' about my families, you're talkin' about my neighbors. Matter of fact, you're talkin' about many of your own neighbors. And I'll go into your districts and I'll bring your friends to your houses so you can see and to your offices because apparently we're being very selective about the letters we're reading. Where are we on that? Illinois is the hub of America and when my daddy brought me here in 1966 from New Jersey, I remember my teacher telling me that, 'Willie Delgado's going to Illinois to where railroads and steel and companies are there and you can make money.' And I'm glad my father brought me here because we had to eat off of one piece of bread and my snack, I went into the

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refrigerator. I couldn't buy... I couldn't get milk in the refrigerator. I went to the pantry 'cause I had a box of milk, it was powder that the church gave my family. We had to put our cornflakes in the refrigerator. I thought they were Raisin Bran 'cause the cockaroaches (sic-cockroaches) were inside our... inside of our cornflakes. So, help me understand. We want to enforce our families and we wanna make them ha... we wanna provide them the dignity, the respect, and the strong family value and a job provides that with a living wage of... at 6.50? I'm agreeing with you. We need to bring it up. But right now, we have to be incremental. But remember, for those friends on the other side, very business conscious. It's about esteem of a worker. I had a Subchapter S corporation and I took care of my guys because the esteem, the lack of theft, the production worked well for me and today I stand here as a Legislator. When I was a child, who couldn't de... I had to... couldn't decide if I can go to school and be in gym 'cause I couldn't afford gym shoes 'cause my brother had to use 'em."

Speaker Madigan: "Mr. Delgado, you're under one minute. You're under one minute."

Delgado: "And so I understand that we have to continue, so we don't have to look far for those few because some of us were there. Let's not forget where we have come from. So, let's make sure that Illinois families... we do create that dignity, respect and a strong family in Illinois. And

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let's make sure this thing flies with 'green' lights.
Thank you, Mr. Speaker."

Speaker Madigan: "Representative Colvin for five minutes."

Colvin: "Thank you, Mr. Speaker. I rise in support of this Bill. Quite frankly, I think it's probably one of the most important Bills we're gonna work on this Session. Quite frankly, in my 19 years in the General Assembly, as I sat here, and I've seen us work to protect the interests of a lot of people, everyone from horse track... racetrack owners to drycleaners. And someone a lot smarter than me once said that how you protect your most vulnerable citizens says a lot about your democracy, and now we have the opportunity to live up to that challenge. Yeah, this is a tough vote for a lot of people. I think we've all heard from business owners, the Chambers of Commerce who said this Bill would be detrimental to them. And one of my colleagues, who I respect very much, on the other side of the aisle, said that Illinois would now have the highest minimum wage in the Midwest. Well, I think that means that Illinois is beginning to show some leadership and take a stand on a very important issue. I think what we do here today will really speaks to what we think about some of our most vulnerable citizens. Minimum wage for many people means maximum effort. We're talkin' about people who get up, who are not asking for handouts, who simply wanna earn a living wage to take care of their families, very much in the same way all of us hope to do so. So, I just ask all of my colleagues just to exercise a little common sense

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and let's protect the interests of working people, the same people when we're campaigning that we talk about so much. Let's protect their interests. Let's look out for them just one time. I ask everyone to vote 'aye' on this Bill. Thank you."

Speaker Madigan: "The last speaker will be Representative Graham for five minutes. The last speaker, Representative Graham."

Graham: "Thank you, Mr. Speaker. To the Bill. I am standing here completely upset at some of the statements and comments that were made from my colleagues who are totally out of touch with people who are living on minimum wage. Do I understand you to say, take what I'm already giving you? Go stand in the cheese line. Go stand at the shelters and check out the give away clothes. Is that what I'm understanding you to say? Am I understanding you to say that you have enough to feed your family on. Wait until next year. Wait until some other time when the time is right. The time is now. When we compare ourselves to other states, we are light years behind everybody. We're at the bottom of the list. Have you sat behind a desk to hear a soc... a person come and seek your social services asking you for help? Have you sat there? Well, my community don't go gre... won't go... don't grow greens and corn in their backyard. I don't live in a place where I can plant my stuff in the backyard and live off of it. Are you asking them to take their children and get secondhand clothing? Are you gonna take what I already gave you?"

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This is a time to make our stand now and to pass this excellent Bill. I think people are way out of touch with what's really goin' on. You know, I don't have a big family car to drive my children to school. Am I tellin' them take what I already gave... take what you can get, sweetheart. Go sit down. Are we telling our children, fight for everything that you can get. Go to sco... go to school and to get educated. We don't want to fund education. We are... It's not time, don't do it now, don't do it now, stay in the poverty lines. It's outrageous. But we have this statistic problem in our community. I think people are way out of touch. And I think it's time for a lot of people to bite the bullets, businesses and all. I urge an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 71 people voting 'yes', 45 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk. Mr. Clerk, on the Order of Postpone Consideration there appears Senate Bill 1733. Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. We discussed this at length yesterday. This is the natural gas tax on out-of-state purchases with the exceptions for not-for-profit organizations, municipalities, producers of energy and that gas which is used in enterprise zone. It's

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time to bring fair play to this taxing structure, buying the tax(sic-gas) instate today you pay a tax, if you buy it from out-of-state, you oughta be required to help foot the bill as well. I would appreciate your 'aye' votes."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill was debated last night. It was defeated last night. This is a very regressive tax. It is gonna affect jobs in this state. Ladies and Gentlemen, I don't need to go much further, but I do want everybody to understand what we're about to vote on. We defeated it last night; let us defeat it today. This is not what we oughta be doing. The amount of money raised from this can not offset the jobs lost."

Speaker Madigan: "The question is, 'Shall this Bill pass?' The Chair recognizes Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I also rise in opposition to this. In 1999 the average cost for natural gas per thousand cubic feet was \$2.19. In 2002 the av... the cost per thousand cubic feet was \$2.95. May 27 of 2003 the average cost per thousand cubic feet for natural gas was \$6.00. The estimated price by July, that the average cost will be, \$7 thousand (sic-\$7.00) per cubic feet. By the year 2015, Illinois will have more retired people to support than they have people that are working. The business climate and our job force are the most important thing that we will have going for us in order to support our retired people. The climate that we are creating for

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business by doing things that are detrimental to business and making our state less able to, for the long haul, be a business-friendly state will ultimately impact our ability to support our people that live in our state because they will be retired and not working and we will not have enough workers to support them. Whether it is a union job that will be lost because the business that employs them is gone or whether the business will be lost is going to be the big issue here. The amount of money this raises is not enough for us to be dest... be this detrimental to business. There are other things that we could use. Representative Black pointed some of them out last night. There are any number of ways we could raise the money that this tax would cover rather than to harm businesses in Illinois. You've exempted a few people out of this and so you've made the Bill a better... a little bit better, but not much. It appears that we're in the middle of a state with a large number of natural gas pipelines crisscrossing Illinois it would only make sense to encourage energy intensive industries to locate in Illinois to take advantage of our pipeline structure. One company recently spent 400 million in Illinois because of the location of the pipeline. It is doubtful that any energy intensive industry would locate in Illinois if this tax were implemented. Quite frankly, out of the 43 states that they claim were... there are 43 states in the country that do not have any tax. Why would we be the ones to have to raise this tax? And in most instances, many of these things, the issues that we're talking about,

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what the Sponsor of the Bill has said or the Governor has said, has not met out when you take a look at the facts. There are places that there... they are exempt for manufacturing, particularly manufacturers. If you go to Indiana, they're exempt. If you go to Michigan, they're exempt. If you go to Missouri, they're exempt. If you go to New York, they're exempt. Forty-three states exempt natural gas for use in manufacturing. I think this is a very bad tax. We should be able to fill a revenue hole with something other than being punitive to jobs that we need in this state to support our people and to increase what we have has a business base. This whole budget is predicated and ripping on business and taxes on business that are gonna ruin the climate of our state. If, for the next ten years while we have this map that gives power to people that wanna rip on business, we let the business in Illinois go to hell in a hand basket, I've gotta tell you, we will not be prepared to support our retirees. We will not be prepared to meet the challenge of a new economy nor will we, when you can take gas as one of the clean-burning fuels which we should be encouraging and instead, what we're doing is we're making it a detriment by taxing it. This is a very bad tax. I don't know why this was ever included in the mix and we definitely should defeat it."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question,

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there are 62 people voting 'yes', 52 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Postpone Consideration there appears Senate Bill 1725. The Chair recognizes Representative Currie."

Currie: "Thank you, Speakers and Members of the House. Again, we discussed this issue last night. This would decouple the state with respect to estate taxes and restore what we've always had in the State of Illinois and that is a tax on the... very substantial estates, a tax that was paid by very few people and to restore the tactic... retain the tax that'll help us solve our budget hole and make our spending plan possible. I urge your 'aye' vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Biggins."

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

Speaker Madigan: "Sponsor yields."

Biggins: "Now, would this... does this Bill have anything to do with the property tax appeal board's existence?"

Currie: "Sorry?"

Biggins: "Does it have anything to do with the existence of the property tax appeal board, vis-à-vis Cook County?"

Currie: "No, I don't think so. I don't think so."

Biggins: "Oh, good. Thank you. I have no further questions."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question,

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there are 62 people voting 'yes', 54 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18 of the Calendar there appears Senate Bill 1903. What is the status of the Bill?"

Clerk Bolin: "Senate Bill 1903, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Bolin: "Senate Bill 1903, a Bill for an Act concerning the state budget. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Second Reading. Mr. Clerk, is the Bill on the Order of Second Reading?"

Clerk Bolin: "Senate Bill 1903 is on the Order of Senate Bills-Second Reading."

Speaker Madigan: "Mr. Clerk, take this matter out of the record. Mr. Clerk, what is the status of House Bill 719? I believe it's on the Order of Concurrence. 719."

Clerk Bolin: "House Bill 719 is on the Order of Concurrence."

Speaker Madigan: "The Chair recognizes Representative Currie. Representative Currie on 719."

Currie: "I believe we've already done the nonconcurrence Motion and I'm not sure the concurrence Motion has yet been filed."

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

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Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 1360? 1360."

Clerk Bolin: "Senate Bill 1360 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Bolin: "Senate Bill 1360, a Bill for an Act relating to educational labor relations. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. McKeon."

McKeon: "Sorry about that, Mr. Speaker. A little interruption there. Senate Bill 1360 is what I consider an agreed Bill. The University of Illinois bargaining campus by campus units. It amends the Illinois Educational Labor Relations Act that states the sole appropriate bargaining unit for tenured... tenured track faculty at each campus would be all of the... a single unit for all of the facilities within that campus. What this Bill does will... would let each campus independently bargain or select, if they choose to and they all don't do that, of a bargaining unit of their choice and that the U of I campus College of Medicine, College of Pharmacy, College of Dentistry, College of Law, and College of Veterinary Medicine shall have separate units. Recent discussions with representatives of the University of Illinois resulted in this piece of legislation designed to restore the right for faculty on each campus to make an independent decision on collective bargaining. This particularly has an impact on the university here in

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Springfield in Sangamon County. I'll gladly answer any questions and urge an 'aye' vote."

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

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, does this give back to the University of Illinois, Sangamon County, the collective bargaining rights?"

McKeon: "Yes, Sir."

Parke: "And under the Educational Reform Act, did we... did we take it and include it in the overall negotiation for the U of I?"

McKeon: "We to... in essence, they had a collective bargaining unit and we took that relationship away from them and said they would have to bargain collectively with the entire system instead of their... the unit that they had..."

Parke: "So, now you wanna make it so it's just this individual campus can collectively bargain?"

McKeon: "By campus, by campus basis."

Parke: "Ladies and Gentlemen, to the Bill. I don't know why we would want to... oh, I guess I do know why, but I don't think it's the right thing to do to... The University of Illinois is an institution of higher learning that is an outstanding institution. It is one of the premier higher colleges in the United States, if not the world. They ought to have the right to collectively bargain for all three campuses. It is streamlined, it makes it more cost-effective and the

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overall goal of the U of I can be achieved when it bargains with all of the campuses at one time. I believe that this is cost-effective and this legislation is simply making it more difficult for the U of I to collectively bargain on an individual basis because, you know, in the negotiation if there's some uniqueness of that campus and they're able to get some kind of an advantage over the other two campuses, you can bet that the next time that there's a collective bargaining that they will leverage that to try and get more, and I don't know if that's... it oughta be done at one time. So, I rise in opposition to this legislation. I think the U of I oughta bargain once for all three campuses and this would break that up."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 100 people voting 'yes', 16 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 100? I believe it's on the Order of Postponed Consideration."

Clerk Bolin: "Senate Bill 100 is on the Order of Consideration Postponed."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is just a straightforward constitutional issue. It isn't about whether you like judges or you don't like judges. We swore to uphold the Constitution of the State of Illinois

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and that Constitution says we may not diminish a judge's compensation, a judge's salary during that judge's term in office. When the co... when the Compensation Review Board proposed a continuing cost-of-living adjustment in executive, judicial, and legislative salaries in 1991, that decision vested in 1991, even though the actual cost-of-living adjustment was to be made in ensuing years. There's no question that our vote last year to take away that cost-of-living adj... adjustment for the judges violated the constitutional provision, saying that we may not diminish their salaries. I urge your 'yes' vote."

Speaker Madigan: "Ladies and Gentlemen, this matter was fully debated previously and the Chair would suggest that we have one person for the Bill and one person against the Bill. The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen, we debated this Bill yesterday, soundly defeated it because the... the objective here is that... I know that... that we need to pay the judiciary a fair wage. We need to be able to maintain and retain our judges. But at the same time, Ladies and Gentlemen, this state is in a budget. We're asking employees of the State of Illinois to put 4 percent into their own pension systems. We're telling people that we can't fund their programs. Ladies and Gentlemen, I rise in opposition of this Bill and I ask the Body to vote against this soundly, again."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by

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voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Wait, do you wish to vote? The Clerk shall take the record. On this question, there are 69 people voting 'yes', 40 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 9 of the Calendar there appears Senate Bill 841. What is the status of the Bill?"

Clerk Bolin: "Senate Bill 841 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Bolin: "Senate Bill 841, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. We discussed this last evening. This is the rolling stock change that is intended to level the playing field between local vehicles and the trucks that travel interstate Illinois. I'd appreciate your support for the measure. It will help us close our budget gap."

Speaker Madigan: "The matter is on the Order of Standard Debate. There has been one for the Bill. The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. I do not wish to speak on this Bill. I just simply wish to be recorded on 1360, Senate Bill 1360, two votes ago, as a 'yes'."

Speaker Madigan: "The record will reflect your statement. On Senate Bill 841, the Chair recognizes Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, is this... this is the rolling stock legislation, isn't it?"

Currie: "That's what I said."

Parke: "And this... this provides an additional tax on primarily now trucks. Isn't that true?"

Currie: "It does. It also provides for an income tax credit for trucking firms depending on their... the number of drivers and mechanics they employ."

Parke: "What was the... what is the amount of money that's projected to be raised by doing this?"

Currie: "You know, I had an estimate yesterday, but there were changes in the Bill and so I can't give you an... a totally accurate figure. They said 92 million yesterday, but I think these changes mean 82 million."

Parke: "Okay. What was the amount that was gonna be rebated originally?"

Currie: "I can't tell you that. I don't have that number."

Parke: "In the Governor's original Bill?"

Currie: "Yes. It was 92, as originally proposed. With the changes that we've made since the Governor's original proposal, we now believe it will bring in 82 million."

Parke: "And why wasn't it reduced? Why was it reduced?"

Currie: "Well, as you remember, there were concerns raised by other industries also affected by the original proposal. And as I say, what the effort today is... was to narrow... to level the... the playing field between inter and intra state

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truck traffic. And in fact, if we just repeal the rolling stock exemption, you could... you would have hit some of these trucks pretty hard. So, this seems to be a proposal that is going to bring in a substantial chunk of change without doing damage to the industry."

Parke: "Thank you very much. To the Bill. Ladies and Gentlemen, probably one of the... one of the Bills that we will address this Spring Session that's probably gonna cost us the most in jobs is this one. And the amount of money projected to be raised by this I guarantee you that it will not be that amount. And it is very simple that it's a rolling stock tax and that means it rolls. And Ladies and Gentlemen, that means that it is not gonna be purchased in the State of Illinois. They have the ability to do this in all of the surrounding states and therefore, that's what they're gonna do. They're not gonna do it. It's gonna cost us, again, more revenue. It's gonna lose us jobs because there are some companies that are just gonna move their companies out of the State of Illinois because, again, this'll make it prohibitive for them to do business in the state. Now, I don't know. All I can do is ask the... on behalf of the Governor, who in his budget address in the State of the State, that he was not gonna be anti jobs and that his objective was to try to make sure that the jobs in Illinois are created. Now, these jobs... and so I asked the Governor to veto this. I know this is part of his budget consolidation initiative, but I think this is gonna cost way more jobs than it should. It come forward

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based on the amount of money we raise. I just don't think that this is the right way to be doing it. Ultimately, this is gonna cost... and once a business moves out of the state, it's unlikely that they're ever gonna move back. We'll solve the problems of this state. Those problems will be taken care of in the future. But this is not gonna be taken care of, this will be a permanent damage to the job base in this state. We have passed Bill after Bill after Bill, Ladies and Gentlemen, in the last two days that is gonna have a direct impact on jobs. I just don't understand why we're willing to continue to cut the throats of Illinois business. Governor, you said you're a pro business Governor, well, then stand up and veto these kinds of Bills and come up with a better funding source than these."

Speaker Madigan: "Once again, the Bill is on the Order of Standard Debate. We've had one for, one in response. The Chair recognizes Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative Currie, this must be a tough day for you."

Currie: "So far, so good."

Mulligan: "Could you tell me who is actually covered now under this Bill?"

Currie: "Trucks. And there is no rolling stock exemption language in the proposal before us, we used to call it that. It is trucks and what this does is follow the

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Indiana plan, so I can assure you our trucks will not be moving to Indiana, because basically, we're following their proposal. So, the larger trucks and the smaller trucks will be distinguished. The inter and intra state trucks will be charged different rates so that the local trucks, the ones that ply their trade within Illinois, will not be at a disadvantage compared to those that are primarily interstate in nature. There is also, of course, the income tax credit for the trucking firms, \$50 for employee, that includes the drivers as well as the mechanics."

Mulligan: "This still cov... does this still cover school buses?"

Currie: "It... Yeah, it would. It would if it's a fleet of buses, yes."

Mulligan: "Does it cover taxis?"

Currie: "But... Yeah, over 8 thousand pounds, they would get the... they'd still get the rolling stock exemption."

Mulligan: "Covers limou... "

Currie: "I don't know how big they are."

Mulligan: "Covers limousines?"

Currie: "Yes."

Mulligan: "Any other category that I've missed?"

Currie: "And limousines are currently covered, but they would have to show that they do 51 percent of their travel out-of-state, which, of course..."

Mulligan: "Buses and limousines that go in and out of the airport already pay a fee? And in the 9-1-1 situation where tourism went down taxis, the buses, limousines that worked, anything to do with travel or that industry were on

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the brink of losing businesses and now they're just starting to come back and we're going to put this... impose this tax on 'em?"

Currie: "They'll still have the exemption if they are doing... if 51 percent of their business is intra... inter, interstate."

Mulligan: "Don't you..."

Currie: "Which is what the exemption was, of course, for. It was never for those vehicles that are plying their trade only within the confines of the State of Illinois."

Mulligan: "Well, I do think that, particularly when we're close to a borders, where people travel across in many areas, that that's not particularly legitimate. Once again, I feel that there are other ways we could be raising money. We have certainly hampered industry and business. I don't think it's logical not to feel that if you're taxing school buses, certain groups of people, particularly, maybe, school districts, people that do trips are gonna pay more. They're gonna pay more for food and goods that are moved by truck. We're passing this on to the consumer just as we are to the industry and even though we may be losing the industry, the people that do stay here will ultimately pass it on. We're hampering industries that were harmed after 911 because they dealt with tourism and we had less of that. I think this is a very bad tax. Once again, I urge a 'no' vote on this. I think there are better ways that the Governor and his people could have come up with figuring out how to raise revenue and this is not one of them."

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Speaker Madigan: "The last person in response will be Mr. Tenhouse. This is the last person in response. Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, to the Bill. I oppose Senate Bill 841 and I can give some pretty good examples, unfortunately, what can happen when you live on the boundary of the state. We live right on the corner of... with Missouri and Iowa. Missouri and Iowa have been much more competitive in terms of the trucking industry. I sit, right now, with three large trucking firms that alone, besides the smaller outfits, we're looking at three trucking companies that are controlled well over 1500 jobs. They've indicated there going to leave Illinois if this Bill passes. It's kind of interesting. As I passed along information to them, yesterday, one of them asked me what the area code was as far... well, I asked him for the area code so I could fax him some information and he said, 'well, it's area code 217 for this week, but next week it'll be area code 573, if this Bill passes.' He has 700 employees. And that's just the truckers. If you look at all the service people, the people that are involved and behind the scenes, if you look at the supply companies that are not going to be able to transfer to Missouri or Iowa and the impact that this is gonna have. For instance, one of the local suppliers here that supplies tires was talking about the fact that obviously, his distributorship, he's limited by the state boundary. He can't go to Missouri and Iowa, he can't

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follow these trucks, then they're gonna be out of business, they're gonna lose jobs as well. Ladies and Gentlemen, this is an antibusiness Bill. It may well take the prize of the Session in terms of the loss of jobs and the message that we're gonna be sending to Illinois business. And it's pretty easy to move because it is rolling stock, as Representative Parke pointed out earlier. I've also got a situation where, just a few miles inside Illinois, a company that is actually the largest food distributor in the United States of America that every single truck and trailer is registered within the State of Illinois, every single truck. And they just indicated to me, on the phone a few minutes ago, that they're going to switch all those registrations to Iowa. They're gonna try to avoid Illinois as much as possible. This is going to cost a thousand four dollars on top of all the other costs that they're being forced to absorb. Anyone says that this is not... and harmful to the industry does not understand the implications of what we face here today. Ladies and Gentlemen, this is where the pedal meets the metal. You're just saying, all right Illinois business, move, get out. I guess we go back to that famous line of a few years ago. I guess, the last business in Illinois shut off the light when you leave."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question,

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there are 60 people voting 'yes', 55 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Postponed Consideration there appears Senate Bill 212. Mr. Holbrook."

Holbrook: "Thank you, Speaker. There was a little confusion on this Bill before, some people thought it may have included the quick-take for Crestwood. That is not in this Bill. That was a Senate Bill, that was not this one. What this Bill will do is it extends the sunset for our Southwest Illinois Development Authority, which we've had for 14 years. It extends the sunset for Palatine for their downtown development, and it takes in a new TIF that abuts it where it's been extended and it allows Clinton County and it's such a great organization that the surrounding county..."

Speaker Madigan: "Well, I'm sorry."

Holbrook: "...the surrounding counties are wanting to join it. I would appreciate an 'aye' vote. This had about 64 votes before we started taking the record. I would remind everybody, again, this is an extension of the sunset on two of these and inclusion of a new county at their request. It is not Crestwood. It is not Crestwood."

Speaker Madigan: "Mr. Davis. Mr. Davis, could you tell us if..."

Davis, S.: "Sponsor yield?"

Speaker Madigan: "...Crestwood is in this Bill?"

Davis, S.: "Sponsor yield? Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Davis, S.: "Is there anything in the Bill about Crestwood, Representative?"

Holbrook: "It is not Crestwood."

Davis, S.: "You're sure about that?"

Holbrook: "No, it's not Crestwood."

Davis, S.: "Are you sure?"

Holbrook: "No."

Davis, S.: "You're absolutely positive?"

Holbrook: "I'm absolutely positive there's no Crestwood."

Davis, S.: "All right. Ladies... To the Bill, Mr. Speaker. Ladies and Gentlemen, I would urge an 'aye' vote on this. This is essential for the Southwestern Illinois Development Authority to continue with their economic development initiatives. And it's solely a extension of the sunset and it will help us in the Metro-East region to continue to foster economic development projects. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 69 people voting 'yes', 47 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18 of the Calendar there appears Senate Bill 1903. What is the status of the Bill?"

Clerk Rossi: "Senate Bill 1903 has been read a second time, previously. It is on the Order of Senate Bills-Second Reading."

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Speaker Madigan: "Mr. Clerk, on page 19 of the Calendar there appears, on the Order of Postponed Consideration, Senate Bill 1754. Mr. Smith."

Smith: "Thank you, Mr. Speaker. There was some confusion on this Bill, also, the other day. And let me... let me say from the beginning this is not Crestwood. This creates an economic development authority for western Illinois. There is no taxing authority for this. There is no bonding authority, no general obligation bonding authority. It is simply a tool, an economic development tool, for western Illinois. There are no quick-take provisions and no Crestwood. I would ask for your favorable consideration."

Speaker Madigan: "The matter is on the Order of Standard Debate. The Chair recognizes Mr. Mautino. Mautino."

Mautino: "Thank you, Speaker. And I simply rise in support of 1754. We heard this in committee. It had full support and I commend Representative Smith for his work on this legislation. Ask for an 'aye' vote. And once again, it doesn't contain Crestwood at all, I've checked."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by... Mr. Black."

Black: "I'm sorry, Mr. Speaker. I pushed my speak light and it works for about 15 seconds and then it burns out. Maybe the... I know there's a comment coming, I know."

Speaker Madigan: "We're just very happy that you don't burn out."

Black: "Well, thank you very much. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Black: "Representative, the Floor Amendment that was added to the Bill at one time about the prevailing wage, that has been removed from the Bill?"

Smith: "That's correct, yes."

Black: "All right. Does it still grant the development authority the power to levy bonds or excuse me... to sell bonds?"

Smith: "Yes. They have... they have that authority similar to other development authorities that we've created, regional development authorities."

Black: "All right. But this would grant them the authority to sell up to \$250 million in bonds. How... how is it proposed that the bonds be repaid? What's the mechanism to repay the bonds?"

Smith: "Representative Black, those are general revenue bonds. They're not... they're not... general obligation bonds, I'm sorry and they're not moral obligation bonds. They're industrial revenue bonds."

Black: "Okay. But what's the payment mechanism? How... We're giving an authority the ability to issue a quarter of a billion dollars worth of bonds. Now, I realize that bond council will take a look at whether or not that's a good investment, but what is the planned mechanism to pay off those bonds?"

Smith: "Representative Black, it would.. it would, you know, depend on the project and I suppose the company or the entity that's requesting the bonds."

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Black: "Well, given... given the... That's a rather vague answer. Given that kind of an answer, some of these bonds can become the moral authority of the State of Illinois. Is that specifically prohibited in this language?"

Smith: "No, it's not."

Black: "Have you talked with anybody in this development authority or if it passes, what will become the development authority. Have... I'm curious as to whether any of them have talked with bond council because it can be very difficult to sell a bond on what I call and I mean no disrespect, from the movie, The Field of Dreams. It's very hard to go in the bond market and sell bonds based on that movie concept, if you build it, they will come. You know, a bond... a purchaser of a bond, is generally not a speculative purchaser. So, if the idea is you could use the bond money to build a plant with the necessary... or a building or a warehouse with the necessary infrastructure, et cetera, on speculation, hoping to attract a tenant or purchaser, I have some serious doubts as to whether those bonds would be very marketable on the open market. So, there must be some mechanism, in other words, are they limited to existing businesses who want to expand who would then have the collateral to guarantee repayment? I don't see any limitation clause. It appears to me that this development authority could, in fact, if bond council would give them the permission, to sell speculative bonds and that becomes a very risky measure."

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Smith: "Another... They're not limited to that, Representative Black. And again, I would state, this is similar to five other regional development authorities that we have that have been very successful in this type of financing for economic development projects. We're simply using those as the model to create this for western Illinois and to my knowledge, there have not been any... any problems with those other authorities selling their bonds. I might add, there's no start-up money for this development authority which some of the others we have created have been given state appropriations for start-up costs."

Black: "All right. What... what would be... the members of the board of this authority are they appointed by local officials?"

Smith: "Yes. There are provisions... There are 23 members of the board. They're ex officio members including the director of Commerce and Economic Opportunity, the director of Central Management Services or their designees. Then there would be public members. Eight who are appointed by the Governor with the advice and consent of the Senate and then one from each of the county board chairmen in the counties covered."

Black: "You did say the appointees of the Governor would have to have the advice and consent of the Senate?"

Smith: "That's right."

Black: "Is there specific language that would state that those people appointed to the board must live within the geographic boundaries of this development authority?"

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Smith: "Yes."

Black: "Okay. So, the responsibility for the planning and the potential use of the bonds would be vested in this board that would be appointed, correct?"

Smith: "I'm sorry. Could you repeat that?"

Black: "Yes. The... the authority to sell up to the quarter billion dollars worth of bonds would be solely vested in an appointed body, correct?"

Smith: "Well, that is correct. However, there has to be written approval from the Governor for the issuance of the bonds or any project."

Black: "There's... there's some language in the Bill, it appears to be, to me, some trigger language that would give this appointed board the ability to come to the Governor in the case of a... for lack of a better word, if they... if they were... if they were going to default on some of the bonds or they simply did not have the money to make a bond payment, it seems like there's some trigger language here that says they would have the ability to come to the Governor and ask for assistance to repay the bonds or to help make payments should they be unable to do so. How extensive is that authority to look to the state for financial assistance in case they can't make a bond payment?"

Smith: "Representative Black, that decision would be up to you and I and our colleagues here and over in the Senate, it's subject to appropriation, just like the other five development authorities that exist currently."

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Black: "All right. Then, so, we would have oversight authority, if there was a default mechanism, we would have the ultimate oversight authority."

Smith: "That's right."

Black: "Okay. Now, what happens if... if in the development authority there... and this is multi county and a rather large firm decides to locate in one of the four counties and one of the counties doesn't like it. Now, I assume that decision is up to the board. The board would vote on that location and on any assistance they were going to provide. Would a county have any ability to veto such a move, saying that the site simply was not geographically centralized, they didn't like the way the land deal was handled or does the board say, if this is where the plant is going to go, we're going to issue \$20 million in bonds to build the access road and that's it? And I know that maybe other counties would be unhappy, but that's the way it goes."

Smith: "Yeah. The board has the authority, you know, to the extent the county might have whatever powers they currently have on zoning or whatever, but as far as the actual..."

Black: "Okay."

Smith: "...project going ahead, that would be up to the board or the authority."

Black: "All right. Representative, thank you very much for answering the questions. Ladies and Gentlemen of the House, to the Bill. You know, it's difficult for me not living in that part of the state to take a strong position

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in opposition to a section of the state that thinks something may be of benefit to them in the ever increasing difficult business climate that we find the state in and may be worse a year from now, I realize we have to encourage regionalism and creative thinking not only in order to attract jobs to our state, but to retain the ones we have. It's not getting any easier that's for sure. The only thing that gives me pause about this is the ability to issue one quarter of a billion dollars worth of bonds where the repayment mechanism is somewhat vague. Now, again, I think bond council would have something to say about the issuance of said bonds, but at some point, we're going to have to be very careful about how much indebtedness we let various subentities of the state issue because I just have a hunch there's something in the back of my head and I'm not saying that that... I am not saying that this authority would do that. But there's something in the back of my mind says that when we give local units of government or an authority the ability to level bonds, I've gotta a hunch that if there's a default, the State of Illinois may very well find itself on the hook to repay some of these bonds. That is a very... potentially a dangerous precedent to set and a very difficult situation should the state get in that. And as the Gentleman said, that would be subject to appropriation, but we would be under extreme pressure to not let a development authority default on the bonds for the ripple effect it would have throughout the state and then that would increase the state's liability. I know we

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have to be creative, I know it's a difficult business climate. But I do have some serious reservations about the bonding authority. I just think it's rather high for an authority just beginning to put itself together. I do appreciate the opportunity to ask the Gentleman questions. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Verschoore."

Verschoore: "Thank you, Mr. Speaker. To the Bill. I rise in support of this. We have a QCREDA, they call it QCREDA, the Quad City Economic Development Board in our area. It's a wonderful tool for bringing in business and to ease the previous speaker's mind, these boards are made up of a devis... a very diverse group of businessmen, labor, people and it has worked well in our area. So, I would encourage everyone to vote 'yes' on this. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Sacia voted? The Clerk shall take the record. On this question, there are 72 people voting 'yes', 44 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on Supplemental Calendar #1 there appears Senate Bill 735. Representative Currie."

Clerk Rossi: "Senate Bill 735 has been read a second time, previously. No Committee Amendments. Floor Amendment #1..."

Speaker Madigan: "Representative Currie."

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Currie: "Thank you, Speaker. I'm just checking which Bill this is. Thank you, Speaker and Members of the House. This Amendment would provide the changes that the Governor proposed with respect to the membership and the structure of the Illinois Arts Council. I'd be happy to answer your questions and I hope you'll support this measure, as I do and the Governor does."

Speaker Madigan: "The Lady 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: "Put the Bill on the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 735, a Bill for an Act in relation to executive agencies. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. This is what I just described in Amendment 1. It reduces the members of the Arts Council, provides for new opportunities for the Governor to appoint and again, his proposed changes with respect to the functioning of that state agency."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

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Black: "Representative, our staff points out that there is a drafting error that may create some problems for the Bill as it goes through the process. You may have your staff look at Floor Amendment #1, the language referring to the hardship allowance administered by the Governor's travel control board. Staff... our staff points out that in the Senate Bill 203, the boards and commissions Bill, as it passed the House did not create the hardship allowance program under the Governor's control board as was in the previous or the earlier versions of Senate Bill 203. And staff simply raises that question because if it is a drafting error, due to some changes in 203, then it might endanger the validity of this Bill."

Currie: "No, there was not a drafting error. We appreciate your bringing it to our attention. In the measure that passed yesterday, all of those boards were paid boards. The language the Governor had proposed for the unpaid boards would have provided the hardship exception in every case. There is the travel board and I believe that they do that today for many councils and so forth within State Government. So, that will be there. All this does is to use the Governor's language. It wasn't relevant yesterday because the boards at issue were boards where all the members were salaried."

Black: "Well, again, staff would like me to ask, it's not their understanding that the current language in the Governor's travel control board has the necessary authority to do the hardship travel allowance not covered under the full-time

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boards and commissions. And again, it's not intended to raise a red herring. Over the years I've come to value staff's advice, as I know you do."

Currie: "Well, thank you. I think I've explained it at least the way we understand it."

Black: "Okay. All right."

Currie: "But we appreciate your attention to detail."

Black: "All right."

Currie: "As always."

Black: "Well, just so you realize that our staff is usually right and if it comes back, we will accept your apology at the appropriate time."

Currie: "And I just want to say, our staff is usually right, too, Representative."

Black: "They both are, quite frankly. We're blessed to have some of the talent that we do. They spend incredible hours helping us focus on the Bill. One other question, Representative. Does the... It does not change the underlying membership or numbers of committee members that already exists?"

Currie: "I believe that it was... it is today a 35-member board and it would become a 21-member board, a 21-member agency of State Government."

Black: "All right. All right. Now, the Governor will be able to appoint all of the members of the Illinois Arts Council, is that correct?"

Currie: "That is correct."

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Black: "All right. Is there any and I should know this. I... but I... it doesn't come to me. Is there a party balance or geographic balance under the existing Arts Council Act?"

Currie: "I don't believe so."

Black: "Okay. Well, I... Thank you very much, Representative. Mr. Speaker, to the Bill. I... I raised this question last night, late, and asked if in our haste to pass 2003, the Arts Council had been taken care of. It is... it is one of my favorite agencies. The chair of the Illinois Arts Council has been to Danville on several occasions. Unfortunately, she never seems to be able to convince her husband to come along as well. And I've always wanted him to visit the old Fischer Theatre Opera House that we're trying to restore and for a modest donation could perhaps become the Fischer-Madigan Opera House, a lasting legacy of his visit to Danville. But in seriousness, without the Illinois Arts Council small communities like mine could not have some of the things that I think enhance the quality of life, whether you live in Chicago or Danville or any other community. We have a wonderful symphony orchestra that puts on four concerts a year. We could not have it without the Arts Council. In about two weeks, we'll have our annual 'Arts in the Park' festival at Lincoln Park in Danville. I think it's been going on for some 25 years. Artists and craftspeople from all over the Midwest attend and it is absolutely a delightful weekend. And there are any number of other things that the Arts Council and I mean this... I'm not being... I'm absolutely serious. We also have,

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I think, one of the finest amateur theater groups in the State of Illinois in the Red Mask Players. And let me just tell you some of the alumni of the Red Mask Players. You may have heard of some of them: Dick Van Dyke, Jerry Van Dyke, and Gene Hackman. All of these people grew up in Danville, many of them got their start in amateur theater productions from Red Mask. So, I know a lot of my colleagues think that this probably should be cut out of the budget, but I'm here to tell ya, that without the arts and some of the things that it financed, I don't know if the quality of life would be what it is in many of our communities. I sincerely appreciate what they do, the effort they make to support the arts throughout the State of Illinois and I urge an 'aye' vote from my colleagues."

Speaker Madigan: "This Bill shall be... Mr. Black, we're gonna take the Bill out of the record for a time to check your point. And I'd be more than willing to visit your community and to observe that structure if I knew that you were making public speeches inside the building. Mr. Black."

Black: "Mr. Speaker, you are always welcome as long as it isn't campaigning against me, then I may reexamine that invitation."

Speaker Madigan: "Mr. Clerk, House Bill 2750. What is the status of the Bill? 2750."

Clerk Rossi: "House Bill 2750 is on the Order of Concurrence."

Speaker Madigan: "Mr. Hannig."

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Hannig: "Thank you, Mr. Speaker and Members of the House. This is the... I would move that we concur in Senate Amendment 1 to House Bill 2750. And this is the FY03 supplemental and trailer Bill that was sent to us from the Senate. Some of the items that are included in the Bill of interest, I think, to the Members include a '03 supplemental for our state employee group insurance to ensure that our hardworking state employees can have their medical claims paid on a timely basis. We brought the Court of Claims up to speed in this appropriation. All items that were decided by the Court of Claims, as of the date that this Bill came to us, are in this Bill. So there's been no omissions on the part of anyone who is owed money from the State of Illinois. There's money that was restored for the industrial training program in DCCA. There's some money that was restored for the entrepreneurialship centers. And there's 4 percent COLAs for our DD providers, our MI providers and for the CILA providers. This is commonly called the dollar-per-hour proposal. Mandated categoricals are increased by \$31,140,000 and that's to... and that's for special education and for special education transportation it's 26,019,000, so that we'll fully fund the mandated categorical line for special education. There's additionally \$42,841,000 funded in the... the block grant for the State Board of Education. That's much of the proposal that I think Members from the suburban part of our state had requested and it's now part of this spending proposal that we prepare to send to the Governor. So, that's what's

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in the Bill. I'd be happy to answer any questions. I'd ask for your 'yes' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Bill is on the Order of Standard Debate. The Bill is on the Order of Standard Debate. We've had one for the Bill. Mr. Black, for five minutes."

Black: "Five minutes? Five minutes, Mr. Speaker? I can hardly get my introductory remarks in, in five minutes."

Speaker Madigan: "We know that."

Black: "All right. I'll do the best I can. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, just some questions on the specific lines that you run across that catch my eye. FY03 Department of Public Aid: \$75 million and other state funds to Medicaid assistance being transferred from the long-term care provider fund. Now, you and I both know we are significantly behind in our long-term care provider payments on Medicaid. Can you explain to me why... why we're transferring something out of the long-term care provider fund?"

Hannig: "Representative, the 75 million from the long-term care provider line is to facilitate the intergovernmental transfer payment arrangement with the county-based nursing homes and this will allow the department to increase the rate for county nursing homes. This is non-GRF items."

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Black: "Would that be the money that we put in the enabling legislation last year about going to the minimum... minimum dataset?"

Hannig: "No, Representative."

Black: "All right."

Hannig: "It doesn't refer to that."

Black: "Okay. One other item of interest that jumps out at me is a Legislator... legislative transfer authority totaling \$61 million. Is that to the Department of Corrections or from the Department of Corrections?"

Hannig: "Representative, that's within the Department of Corrections. It's a supplemental, but it doesn't cost us any additional money. They're only asking us to rearrange the budget internally."

Black: "Well, Mr... Representative, I would hope before we leave we make darn sure that the money we put back in the Corrections budget to maintain 241 captains positions is in there. I'm here to tell ya that those are not level bureaucrats. They are not desk-bound bureaucrats, they are frontline staff."

Hannig: "Yes."

Black: "And if we don't do that, we're not only... not... we will not save any money. They'll have to be replaced and the captains are the ones who traditionally are asked, can you work a double shift? And they do and they don't get paid overtime. Everybody else in the department gets time and a half. I'm tellin' ya, if we don't keep that \$17 million in the budget for the Department of Corrections for captains,

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you mark my word, and I'm not... I'm not threatening. Don't misunderstand me. I have a prison in my district. I try to get out there and visit it quite often. Many of you labor under a misconception that the cellblocks are air conditioned, they are not. The prison in Danville is hot, doesn't smell very good sometimes in the summer. We are terribly overcrowded and horribly understaffed. And if we take 241 frontline staff out of the Department of Corrections, somebody in some district is gonna have a riot and somebody's gonna get hurt or somebody, god forbid, will be killed. And if that's what it takes to save a buck, shame on us. Shame on everyone of us. I hope I can work with you to make darn sure that the captains' appropriation stays in the Department of Corrections."

Hannig: "Representative, it's in the spending plan that we've already passed. And so, I agree with you, every word that you said."

Speaker Madigan: "Mr. Novak in the Chair."

Black: "I just... I just simply hope that the Governor was listening, as well. The only other question that I have on the budget, the circuit breaker is an increase, correct? That's not taking it out of the circuit breaker fund?"

Hannig: "Representative, the issue on the circuit breaker has to do with a waiver that we requested from the Federal Government."

Black: "You're right."

Hannig: "We're still waiting for it. It's not likely to be here by the time we adjourn, and we simply want to make

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sure we have enough money in that account should we not get the waiver."

Black: "Okay. I remember that. Thank you very much. Mr. Speaker, to the Bill. All right. Mr. Speaker, to the Bill."

Novak: "To the Bill."

Black: "There are some items in here that need to be taken care of and I hope that all of us get a chance to address this. I would just like to say one thing. I wish we'd get out of the habit of saying that we are fully funding categoricals. We are not. When we fully fund special education, we are funding it to the level of \$8 thousand per teacher in special education. That... that \$8 thousand amount was set in 1985..."

Speaker Novak: "Mr. Black, please bring your remarks to a close."

Black: "As I was saying, that \$8 thousand special ed amount was set in 1985 and has never been increased. So, I think it's disingenuous to tell the taxpayers and school districts that we are fully funding categoricals like special ed, we're not. As you heard my superintendent in the Committee of the Whole, they have to subsidize special education with local property taxes to the tune of \$3 million. And Mr. Speaker, with apologies to you, I've had Members on my side of the aisle ask that I join them, under the appropriate Rule, I'm joined by five colleagues on my side of the aisle to please remove this Bill from Standard Debate and put it on Extended Debate."

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Speaker Novak: "Your request is granted. Further discussion?"

The Gentleman from DuPage, Mr. Daniels."

Daniels: "Would the Gentleman yield?"

Speaker Novak: "Sponsor yields."

Daniels: "Just for clarification, Representative Hannig, you said that the COLA increases on EHS was a dollar an hour increase. Is that... That's not correct, is that right?"

Hannig: "You know, Representative, I appreciate you bringing that to my attention. You are correct and I misspoke."

Daniels: "Yeah."

Hannig: "And thank you for saying that."

Daniels: "Okay. And I'm just pointing that out for the record because the 4 percent COLA for DD, MI and CILA is really is to the providers. They may actually do whatever they want to do with that."

Hannig: "Yes. You're absolutely correct, Representative."

Daniels: "Would you clarify for me and for the Body how that's going to be instituted? It's gonna be phased in, am I correct?"

Hannig: "I'm advised, Representative, that the effective date is July 1, so that the full... that the 4 percent will be for the full, full year."

Daniels: "Okay. Thank you for clarifying that because at one time there was talk of phase in, but this is a 4 percent effective July 1..."

Hannig: "Yes."

Daniels: "...if the Governor signs that."

Hannig: "Yes, that's correct."

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Daniels: "And of course, for the record, not to put you on the spot, but there's no additional money for home-based support or for the CILA slots or other items that were contained in 3738. Is that correct?"

Hannig: "That's correct, Representative."

Daniels: "All right. Thank you for time. Mr. Speaker, to the Bill, briefly."

Speaker Novak: "To the Bill."

Daniels: "I think the providers of Illinois are asking you to support that provision of the Bill, but, for the record, this is wholly inadequate for the DD and MI community. This does not move them forward as the Members of this House voted in 3738, would basically keep them at the status that they are today. These monies are inadequate. They do not move the DD and MI community forward. People are gonna still lose services in this state. It's unfortunate that we do not have a Bill before us that actually would speak our will of this state to assist our most vulnerable population. Time is late. It's now at the very point where we're going to vote on a supplemental and I anticipate that this will pass for various reasons. But once again, I think we all need to focus on the fact that we have a lot more work to do. We are not meeting our obligation to our most vulnerable population by passing this and it's unfortunate that we didn't speak stronger on it. So, Mr. Speaker, Ladies and Gentlemen of the House, I want to thank you for your time and effort."

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

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

Speaker Novak: "The Gentleman yields."

Slone: "Representative Hannig, I have just some questions about specific aspects of this proposal. This adds \$50 million from..."

Speaker Novak: "Mr. Clerk."

Slone: "Thank you. From the Federal Civil Preparedness Administrative Fund for terrorism preparedness and training. Is that a... Are those federal dollars or are those GRF dollars?"

Hannig: "Yes, Representative, that's... that's federal money."

Slone: "Do we have that in hand or is that promised to us?"

Hannig: "Representative, it's... it's promised to us and so we've appropriated it. If it doesn't arrive, we obviously can't spend it, but if it does, this will allow us to spend it."

Slone: "Okay. We're adding just about 22 million for the formula for the foundation level in the formula, right? Is that over and above what we've already discussed? 21,800,000 to fulfill \$4,560 per pupil."

Hannig: "The..."

Slone: "That's over and above what we already passed to fund that. Is that right?"

Hannig: "Oh, yes, Representative. I found what you wished. Yeah, that's so that we can fund '03, the monies that we promised the schools when we were here last year at this time and we passed a budget. So, this would..."

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Slone: "Is that for the twenty-third and twenty-fourth payments or some other thing?"

Hannig: "It... That's what it will allow... it will ensure that those are made, yes. So, with this amount of money in the supplemental, the extra 21,800,000, it will fulfill our obligation at \$4,560 per student. Without... without this, the state would come up short at the end of the fiscal year because of some calculation errors that were made by the state board."

Slone: "Okay. There is \$15 million in here for the ethanol plants. Is that pursuant to legislation that we've already passed this spring?"

Hannig: "Yeah. I think, the 15 was in the spending Bill that we... we passed, I believe."

Slone: "It says DCEO."

Hannig: "Pardon me?"

Slone: "It says for DCEO. Is this already passed or is this within this supplemental?"

Hannig: "When we passed the spending Bill early... earlier we did include the money you spoke of."

Slone: "Okay."

Hannig: "So, it's already passed."

Slone: "So, this money's already..."

Hannig: "On the Governor's desk."

Slone: "Already on the Governor's desk. Similarly, I'm... I'm interested in these higher education grants. There's one for access and diversity for half a million dollars that's proposed. That would be in this Bill, right?"

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Hannig: "We're restoring the HECA grants to the '03 level, Representative, with this additional money of 500 thousand."

Slone: "Okay. On the inspector general, maybe you explained this in presenting the Bill, Mr. Hannig, but there's the fee... the entire \$4 million for the inspector general is new funds. Is that correct?"

Hannig: "Yes, that's new, Representative."

Slone: "And we're gonna pay for that with the revenue Bills that we passed earlier today, right?"

Hannig: "It's gonna come out of our General Revenue Fund, that's correct."

Slone: "Okay. For 0... for fiscal '04?"

Hannig: "For '04. Yes."

Slone: "Thank you, Mr. Hannig."

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

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

Speaker Novak: "Sponsor yields."

Mitchell, J.: "Representative Hannig, did I hear you say that we are fully funding categoricals or a portion of those? Could you go over that one more time with... on the education portion?"

Hannig: "Okay. For the special education categoricals, for the mandated categoricals for special ed and special ed transportation we will be..."

Speaker Novak: "Mr. Hannig."

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Hannig: "Yeah. For those two items, we... this Bill will allow us to fund them at 100 percent of the statutory rate, as Representative Black would want us to say."

Mitchell, J.: "All right, yeah. And basically, the state's promised share."

Hannig: "Fully funded, as most of us would say."

Mitchell, J.: "Yeah. Now, does that include the salaries of special education teachers, the 8 thousand per teacher?"

Hannig: "It includes... Yes, it includes the... those items laid out in statute."

Mitchell, J.: "Okay. So... so, basically those two and then approximately how much is going into the... the reading improvement block grant or the ADA block grant?"

Hannig: "Forty-two million eight hundred and forty-four thousand."

Mitchell, J.: "Okay."

Hannig: "Almost 43 million."

Mitchell, J.: "And that will be divided up with all in... throughout all districts according to your average daily attendance?"

Hannig: "Right. It's a per capita..."

Mitchell, J.: "Okay."

Hannig: "...head count."

Mitchell, J.: "Mr. Speaker, to the Bill."

Speaker Novak: "To the Bill."

Mitchell, J.: "I just personally wanna thank the Governor of the state for reaching out to our side of the aisle when we made inquiries and working with us to implement a plan that

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would augment what he saw as the education portion of this budget. It was very important to the Republican Caucus that we have an opportunity to have dialogue with Governor Blagojevich and our Leaders certainly did that. He came back and said, 'you know, I think you've got something here and we'll see if we can find the money.' We then got the opportunity to look at that money and decide at where it would best help all school districts. In that regard, I certainly appreciate the fact that he's done so. There's always a however and the however for me basically is I still don't feel that we're paying the bills that our district superintendents have sent to us. There are... there are still mandated categoricals out there that our districts are going to get hit with a 91 percent rather than a hundred percent of the cost that they have. Regretfully, I can't vote for this Bill, but I certainly don't want to encourage anyone else to follow my lead. Vote your heart, vote your conscience. Look at the printouts. If your districts are getting tremendous help out of it, sobeit. Again, I wanna thank the Governor and thank Leader Cross for working very hard with the Education Committee to get additional funds. Thank you, Mr. Speaker."

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

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

Speaker Novak: "Sponsor yields."

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Mulligan: "Representative Hannig, I wanna go back to the Human Service part of this. Towards the beginning, Section 25, there's a sum of \$5 million that is appropriated from the General Revenue Fund for the Department of Human Services for grants to units of local government, not-for-profit, community organizations, educational facilities, et cetera. Several questions that people on our side of the aisle wanted me to ask. Is this 5 million earmarked for Lincoln?"

Hannig: "I'm not aware that it's earmarked for anything, Representative."

Mulligan: "So, it's just \$5 million for the Department of Human Services to dole out as they wish?"

Hannig: "It's for the agency to make grants to... to the... throughout the state, Representative. I don't know that it's earmarked. It's certainly not line itemed. If you have..."

Mulligan: "No, it certainly isn't. That's why we're asking about it. Okay. So, it's just generally in there for grants for any number of things and the language is very broad."

Hannig: "I'm sorry. Could you repeat the question?"

Mulligan: "It is \$5 million that is placed and given to the Department of Human Services with very broad language for grants that can be given out in a variety of ways."

Hannig: "I would say that's the way to characterize it, Representative."

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Mulligan: "Okay. Just to go back to circuit breaker. The circuit breaker money that was moved around was basically to cover the actual Circuit Breaker Program in case the increased waiver that the department was looking for, for senior care, did not come through and so that those mem... people would not have been included in senior care but they would be included in circuit breaker so you moved the money back to cover that?"

Hannig: "Right. We're just trying to cover our bases in case we don't get the ruling from the feds that we like and that we can continue services at... to the senior citizens that we wish to serve."

Mulligan: "I think that was a very smart thing to do because I was concerned about whether we'd received that waiver or not. Let me just move down and see if I can find where I had the other questions. Representative Daniels asked you about the 4 percent COLA rather than the dollar an hour that does give more leeway to the DD and mental health providers and how they use those... that funding."

Hannig: "Yes, Representative, this would provide for 4 percent COLA for the DD providers, the MI providers, and the CILA provider. CIL, excuse me. And that would be effective July 1, should the Governor sign this budget."

Mulligan: "I noticed that there was \$960 thousand that was going to a problem with compulsive gambling through the Department of Human Services. I thought that was in the budget earlier. Is that still the same amount as restored to last year's funding or is it an additional amount?"

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Hannig: "Representative, it's at \$960 thousand and it's not in GRF, but it's in... it's in the budget in a non-GRF fund."

Mulligan: "Okay. So, that's the... restoring into the funding of last year, although I thought it was in another budget Bill or appropriation Bill, but it wasn't, but it's in this Bill. So, it's the sum total altogether of 960 thousand, whatever?"

Hannig: "Yes, Representative, that's correct."

Mulligan: "Okay. There's some discussion and we had this discussion amongst ourselves on this side of the aisle the other... last night about the Tobacco Settlement Fund. I notice there is an allocation of \$298,000,652 in here from the Tobacco Settlement Recovery Fund. Could you explain exactly what that's gonna be used for?"

Hannig: "Representative, we're not certain that that's in the Amendment. Maybe you could... you could help us by pointing."

Mulligan: "On our printout it says... looks like it... "

Hannig: "We..."

Mulligan: "Let me go back and find the Section number."

Hannig: "Yeah, I... We don't believe that we made any change in that, but that was our analysis when the Bill came over."

Mulligan: "All right. It would be Section 235, Section 10... Yeah, I think it says, 'in addition to any amounts heretofore appropriated, the following named amounts, or so much thereof as may be necessary, are appropriated to the Department of Public Aid for medical assistance under the Illinois Public Aid Code', et cetera, et cetera. And then

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it has General Revenue Fund, Tobacco or Drug Rebate Fund, Tobacco Settlement Recovery Fund."

Hannig: "Representative, what page of the Bill is that on? If you could..."

Mulligan: "It looks like it's either 100... On our printout it's page 60 and 62 or page 100."

Hannig: "Page... Okay, I'm on page 100 and now, what... which... which line."

Mulligan: "Line 2."

Hannig: "Tobacco Settlement Recovery Fund. Okay. That was in the original Bill and this doesn't change it, Representative."

Mulligan: "Okay. But that is where the Tobacco Settlement Recovery Fund, a good portion of the money is going this year, then, correct?"

Hannig: "Yes, Representative."

Mulligan: "Okay. Thank you, Representative."

Speaker Novak: "Further discussion? Mr. Miller."

Miller: "I thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Miller: "I just have a... Thank you. I just have a quick question, Representative, on the educational funding portion of it. Was that subject to... Were there any changes from the Bill that we passed out over to the Senate in regards to funds being appropriated as far as the DHS count or the... as far as the DHS count is concerned?"

Hannig: "No, Representative. There was no increase or decrease in that item."

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Miller: "How about the allotment of where those funds could or should go depending on its... basically, it is the same?"

Hannig: "This is... this is the spending Bill and the dollars are unchanged, Representative."

Miller: "Okay. Thank you."

Speaker Novak: "Any further discussion? Mr. Hannig to close."

Hannig: "Yes. Thank you, Mr. Speaker. I appreciate the fine work that the Governor's Office has had in helping us craft this Bill. I thank the Republican side of the aisle for their input and working with us closely on the Bill. And I'd ask for your 'yes' vote."

Speaker Novak: "The Gentleman now moves that the House concur in Senate Amendments #1 to House Bill 2750. 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? Chapa LaVia. Mr. Cultra. Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 9 voting 0 (sic-'no'), 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 2750 and is hereby declared passed. Senate Bill 1903, the Lady from Cook, Majority Leader Currie. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1903, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Novak: "Representative Currie on the Amendment."

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Currie: "Thank you, Speaker and Members of the House. This is the measure that would increase fees for various services, create some fund transfers to the tune of 284 million and charge back to individual agencies the cost of central services for them. The three items together, the fee increases, and we're looking basically, at fees that have not been changed in many years. Trying to reach the national average would bring in 326 million, 284 million from the fund transfers, and 422 million from administrative charge backs. I'd be happy to answer your specific questions, but if I were to read each and every item that's in this Bill we would certainly miss our May 31 midnight deadline."

Speaker Novak: "And on that Motion, the Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Bill. I just wanna remind everybody who's gonna be voting on this now that this is all of the fee increases. This is literally hundreds of accounts that this Bill is gonna allow to go into and take money out of. It doesn't make any difference what the money was raised for. These monies were put into these funds in good faith by all kinds of groups throughout the State of Illinois, literally hundreds of groups of people that put money in the funds thinking that that money was gonna go in there on behalf of the various funds that they were charged for to help them, whether it was the Illinois nurses who were going to use the money to build a new building or whether or not it's...

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other groups that are trying to do that. And all of a sudden now, we have said in our infinite wisdom that we're gonna go into all these accounts and take money out of these funds. And I think that this is again... this is bad public policy. We ought not to be doing this to all of these groups who in good faith made contributions to these funds and now all of a sudden, we, because we're in a fiscal crisis in this state, we feel that that's easy pickings, that we're gonna go in there. But I'm gonna tell you, Ladies and Gentlemen, those of you who vote for this legislation, be prepared for a firestorm of people calling you up and asking why we have taken money out of these funds and these accounts that they gave in good faith because they thought it was gonna benefit their profession or their occupation. Again, this is a bad way to balance the budget of the State of Illinois on the backs of literally hundreds and hundred... thousands of people who have given money to these accounts. And the money will be gone forever. They're not planning on replacing this money, it is gone. Ladies and Gentlemen, I rise in strong opposition to this legislation."

Speaker Novak: "Any further discussion? Representative Currie to close."

Currie: "Thank you, Speaker. This fills a one point..."

Speaker Novak: "Excuse me... excuse me, Representative. Mr. Mathias."

Mathias: "My light was on, I'm sorry."

Speaker Novak: "Do you... do you have an inquiry?"

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Mathias: "Thank you, yes. Will the... Sponsor yield?"

Speaker Novak: "Sponsor will yield."

Mathias: "As far as the fees that are in this Bill, are there any fees that will affect local government?"

Currie: "I don't believe so. I'm asking staff to double check, but I don't believe so."

Mathias: "It... it... it was my understanding that there was going to be... and maybe I'm on the wrong Bill, but there was gonna be \$80 million dollars taken from the Local Distributive Fund?"

Currie: "No, that is not in this Bill. Yeah... yeah, I think what you're referring to is a clerical error in which the state overpaid the Local Government Distributive Fund, and that may be... that error may be cleaned up in a different Bill, but not this one."

Mathias: "Okay, thank you."

Speaker Novak: "Mr. Hoffman."

Hoffman: "I request a Roll Call."

Speaker Novak: "Your request is granted. Representative Currie to close."

Currie: "Thank you. This will help us with our budget gap, more than a billion dollars here without pain. This is not a tax increase, this isn't going to hurt anybody. Using money from funds that is not currently being used, bringing fees for various occupational and other activities in line with what's happening in other states. I think that this will work well to protect the vulnerable, to protect the human services, to protect the spending Bill that just now

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was overwhelming supported by the Members of this chamber.
Please vote 'yes'."

Speaker Novak: "The Lady now moves that the House adopt Floor Amendment #1 to Senate Bill 1903. 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 61 voting 'yes', 54 voting 'no', 0 voting 'present'. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third reading. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 1903, a Bill for an Act concerning the state budget. Third Reading of this Senate Bill."

Speaker Novak: "Representative Currie."

Currie: "Thank you. You've heard the Bill, please vote 'yes'."

Speaker Novak: "The question is, 'Shall Senate Bill 1903 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 62 voting 'yes', 54 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1903 is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 735?"

Clerk Bolin: "Senate Bill 735 is on the Order of Senate Bills-Third Reading."

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Speaker Novak: "Excuse me, Mr. Clerk. Mr. Molaro, for what reason do you rise, Sir?"

Molaro: "Inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Molaro: "I don't know if it was coffee you were drinking today. You're like a Major League umpire. I don't care if you have the outside strike or not as long as you're consistent. Now, are you gonna always be saying, take the record real quick like that so I know whether or not I have time to, you know, if that's the way you're always gonna be, I have no problem. It's when you're slow and then fast that I'm not sure. So, are you gonna be a little quick the rest of the day, just so I know?"

Speaker Novak: "We're gonna try to be consistent."

Molaro: "Thank you, Sir."

Speaker Novak: "You're welcome. Mr. Stephens, for what reason do you rise?"

Stephens: "Inquiry of the Chair."

Speaker Novak: "State your inquiry."

Stephens: "Mr. Speaker, are these Bills, these... are they on our system somewhere or..."

Speaker Novak: "It's my understanding they are, but we'll double check."

Stephens: "Maybe they got lost in that little glitch in the board. Did you sleep well last night?"

Speaker Novak: "Yeah. I got a couple hours of sleep."

Stephens: "You worked hard. I know that."

Speaker Novak: "Thank you."

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Stephens: "Can we check into that, Mr. Speaker?"

Speaker Novak: "Yes, we can. I have been advised, Mr. Stephens, that it's on the system. Mr. Clerk, what is the status of Senate Bill 735?"

Clerk Bolin: "Senate Bill 735 is on the Order of Senate Bills-Third Reading."

Speaker Novak: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I believe this is the Bill we were discussing a few minutes ago, everybody's favorite state agency, the Illinois Arts Council."

Speaker Novak: "Yes."

Currie: "And we took it out of the Bill for a record just to have a second look. We think the Bill is in good form and we'd appreciate your support to do what the Governor proposed to do, an item that did not... did not find itself included in the small changes that we did make yesterday in boards, commissions and other agencies."

Speaker Novak: "Thank you. Is there any discussion? Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. I appreciate the Sponsor taking this out of the record and having staff look at it. Will the Sponsor yield?"

Speaker Novak: "Yes, Sir."

Black: "Representative, staff, again, has a potential glitch and again, they just think your staff needs to be very sure, this is an important Bill. The enacting clause of the underlying Bill reads, 'an Act in relation to

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executive, underline the word executive, agencies.' Now, it then goes on to specify that's the Department of Public Aid, CMS, Revenue, et cetera, and those are classified as executive agencies. The Illinois Arts Council is not an executive agency, so someone at some point could raise a question of germaneness or single... single subject issue. And, again, it's not intended to harass and certainly not intended to defeat the Bill, I intend to vote for it. But, again, I've been here, as have you, long enough to know that staff... we're both blessed with outstanding staff and when they see these potential problems, I think it's best that we make darn sure before it leaves the control of this Body that everything is in order so somebody doesn't raise the question of single subject or germaneness on this particular question."

Speaker Novak: "Representative Currie."

Currie: "Thank you. I don't think there's a problem. This is an agency in the executive branch and that that just refers to the title of the Bill. And I hope that you'll join me and Representative Black in voting 'yes' for Senate Bill 735."

Speaker Novak: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. Again, with appreciation for letting staff concerns be aired. Let the record reflect that if that staff turns out to be right and that this Bill gets hung up on the question of germaneness or something, I would request to be the lead Sponsor next

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year so we can make sure that we don't run into any such problems."

Speaker Novak: "Thank you."

Black: "And I'd be more than happy to join..."

Currie: "Would you like to join me as a principal Sponsor?"

Black: "I would... I would love to join you."

Currie: "Clerk, is it possible to add Representative Black to this fine Bill about this excellent agency of State Government?"

Speaker Novak: "Mr. Clerk, would you plea... please, please add Mr. Black as a Sponsor."

Black: "Yes. Because keep in mind that I do have to fill out the appropriate slip..."

Speaker Novak: "We will... House Rules insist that."

Black: "...and also, as of last night, I have to lick the slip so that if there's any doubt about the signature, we can check DNA. So, I'll do that just as soon as possible. As long as the Majority Leader, the esteemed Majority Leader, is in such a good mood would I be out of order to ask if I could move a Resolution?"

Speaker Novak: "We'll have to take that under advisement, Mr. Black."

Black: "That's what I was afraid of."

Speaker Novak: "Thank you. Is there any further discussion? The question is, 'Shall Senate Bill 735 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

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record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 735 is hereby declared passed. Senate Bill 1680, on page 18, the Lady from Iroquois, Representative O'Brien. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1680, a Bill for an Act in relation to criminal law. Second... This Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "Senate Bill 1680, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Novak: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill makes it a Class III felony to violate the Criminal Code, the purpose of disrupting the delivery of any communication device. Some of you may recall, we had a debate on this issue in House Bill 899 where there was some confusion that this was over the theft of cable television when, in fact, it's not. This actually regards interrupting the communication service usu... what we're... what we're really trying to do here is to protect against an infiltration or tinkering by terrorist organizations perhaps they would get into our national weather service information about... I know last night there was a tornado not too far from here, but that they would disconnect that or maybe give false alarms and get out our

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National Guard. I would be happy to answer any questions and would urge an 'aye' vote."

Speaker Novak: "Is there any discussion? Mr. Black."

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

Speaker Novak: "Sponsor will yield."

Black: "Representative, does... does this have any of the Crestwood Cable System in the Bill?"

O'Brien: "It does not."

Black: "Oh, okay. So, to prevent terrorists from breaking in the cable TV system, really this is kind of a homeland security Bill, wouldn't you think?"

O'Brien: "It is."

Black: "Oh. Now, I wouldn't be charged with a Class III felony if I interrupted cable service by turning it off?"

O'Brien: "No."

Black: "Well, okay."

O'Brien: "No."

Black: "And as I, seri... on a more serious note, this involves where you would get into the system and disrupt or disconnect a system that may have thousands of customers."

O'Brien: "Correct."

Black: "Well, now, I can get into that because I'm a rabid Cub fan and if anybody interrupted a Cub game other than the Cubs usual ineptness, I would be very unhappy. So, this does not cover... We're not making a felon out of an individual who simply would try to go around the block to get a pay-per-view."

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O'Brien: "Right."

Black: "That's not what this is intended for."

O'Brien: "No."

Black: "This is intended for somebody who may go to the tower or the operations center and knock out or destroy a cable television network that, like last night, we had severe storms in my area and that network can be a lifesaver. So, that's what this Bill does."

O'Brien: "Right. It would... it would prevent that and I know that recently, you know, we've passed some enabling lang... legislation for the installation of the Amber Alert. It would also affect things like that where we have electronic devices that go out so if you either tampered with them for the purpose of shutting them off, putting inaccurate information or something, that's what this Bill addresses."

Black: "Okay. Well, Representative, I would... I would be privileged to be a cosponsor with you. This is a great departure from my usual love and respect and admiration for the cable industry, but in all seriousness, this... this makes eminent good sense. I know that I had to call home several times last night because of tornado warnings that were enforced throughout my home county. I wanted to make sure that everything was okay. And of course, the warning system does come over through our cable television system. So, if somebody were to disrupt that, in the event of... and we're also very close to one of the largest storage depots of VX nerve gas in the United States at the old Newport Army Ammunition Plant. So, we rely on this alert network

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and if somebody were to take that out by deliberate action, then they should get the full force and penalty of law. I thank you very much for your answers and I intend to vote 'aye' for the Bill."

O'Brien: "Thank you, Mr. Black."

Speaker Novak: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 1680 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 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1680 is hereby declared passed. Mr. Brosnahan, Senate Bill 1621. Mr. Clerk, read the Bill, please. Out of the record. Senate Bill 1740, Mr. Clerk. Representative Currie. There's been a Motion filed to reconsider the vote. Representative Currie."

Currie: "I move we reconsider the vote by which Senate Bill 1740 lost."

Speaker Novak: "The question is, 'Shall the vote on Senate Bill 1740 be reconsidered?' On... 'Shall the House reconsider the vote by which Senate Bill 1740 lost?' 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', 42 voting 'no', 0 voting 'present'. And the House does reconsider the vote

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on Senate Bill 1740. Mr. Clerk, read the Bill. Senate Bill 1740. Mr. Clerk, take this Bill out of the record. On page 22 of the Calendar, Senate Bill 910 on the Order of Concurrence. Mr. Clerk, read the Bill. Mr. Davis."

Davis, S.: "Yes. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would move to concur in Senate Amendment 1 on House Bill 910. What Senament... what the Amendment does is simply allows the EPA to expedite the review process for corrective actions performed under the RCRA laws that are current... Currently, people can voluntarily clean up... clean up Brownfield sites on our next... on an expedited basis and they pay a fee to the EPA. This allows 'em to do it under a RCRA law, under the federal RCRA Code. And I would be happy to answer any questions on the Amendment."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Davis now moves that the House adopt... concur in Senate Amendments #1 to House Bill 910. 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', 1 vosing... 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 910 and having reached the required majority, is hereby declared passed. Mr. Clerk, Senate Bill 1901, read the Bill."

Clerk Bolin: "Senate Bill 1901, the Bill's been read a second time, previously. No Committee Amendments. Floor

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Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Novak: "Representative Currie on the Amendment."

Currie: "Thank you, Speaker and Members of the House. This Amendment came out of the... the State Government Administration Committee this morning. It's an attempt to correct some of the errors, the constitutional flaws, in the Governor's reorganization executive orders 9, 10, 11, and 12. I'd be happy to answer your specific questions. And I'd appreciate your support for the Amendment."

Speaker Novak: "Is there any discussion? Seeing none, the Lady now moves that the House adopt Floor Amendment #1 to Senate Bill 1901. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 1901, a Bill for an Act in relation to executive agency reorganization. Third Reading of this Senate Bill."

Speaker Novak: "Representative Currie."

Currie: "The Amendment became the Bill and that's all it does. So, I'd appreciate your support."

Speaker Novak: "Is there any discussion? Mr. Parke."

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

Speaker Novak: "Sponsor yields."

Parke: "Does this include the CHIP plant?"

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Currie: "All this does is to make some changes in those executive reorganization orders. And I think all it intends to do is to make sure that the Governor doesn't, for example, make changes in the personnel status of code department employees which he's not permitted to do by executive order, nor is he entitled to infringe the authority of either the auditor general or the attorney general. So, this merely corrects the errors that we identified, that you identified, your crack staff, as well as Senate staff and the Governor's Office recognized when they crafted those initial orders."

Parke: "Thank you very much."

Speaker Novak: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 1901 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 86 voting 'yes', 29 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1901 is hereby declared passed. Mr. Black."

Black: "Mr. Speaker."

Speaker Novak: "Yes, Sir."

Black: "There's been some kind of a disagreement between one of my Members and one of your top staffers. Representative Parke would like to have his jacket back. If Eileen would give it back to him, please."

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Speaker Novak: "I won't comment on that, Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. A point of personal privilege."

Speaker Novak: "State your... state your point, Sir."

Black: "I want you to welcome and join... and join me in welcoming one of our staff people, one of our very, very, sharp staff people, Alison Burnett turns 21 today. Congratulations, Alison."

Speaker Novak: "Happy birthday, Alison. Mr. Clerk, House Bill 1031 on a Concurrence Motion. Mr. McCarthy. Mr. McCarthy."

McCarthy: "Yeah. Thank you, Mr. Speaker. House Bill 1031, I move to concur in Senate Amendment #1. Senate Amendment #1 makes House... makes House Bill 1031 exactly as House Bill 2531 which passed this chamber by a vote of 111-1-4. This basically adds three things to the permissive part of the State Employees Group Insurance Act that they can negotiate for. It adds hearing evaluations, hearing aids, the dispensing and fitting of hearing aids to the list of two or three other things that is permissive as far as their negotiations for their contract. We did pass this overwhelmingly. And I would appreciate your 'aye' vote on the concurrence."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Amendment #1 be concurred into House Bill 1031?' And all... all those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Wirsing. Mr. Dunkin. Take the record. On this question, there are 114 voting 'yes', 1 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1031. And having reached the required Majority, is hereby declared passed. Mr. McCarthy."

McCarthy: "I'm ready for my next one."

Speaker Novak: "Mr. McCarthy."

McCarthy: "I thought we were on the Order of Concurrence and I have another one about seven numbers down that I'm ready to progress on it, if you're ready."

Speaker Novak: "You should not be so presumptuous. On page 19 on the Calendar, on the Order of Concurrences, there is House Bill 294. Representative Osterman on the Concurrence Motion."

Osterman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I'd like to move to concur on Amendment #4 to House Bill 294. This is a measure that will increase the income eligibility for child care in the State of Illinois. Something that's been worked on in this Body for many years and in this Session has been negotiated with support from all four caucuses. And it's a very important piece of legislation. I'd ask for support on this Bill."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the Gentleman now moves that the House shall concur... House shall concur in Senate Amendments #4 to House Bill 294. All those in favor vote 'aye'; all those opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Parke. Mr. Acevedo. Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #4 to House Bill 294. And having reached the required Majority, is hereby declared passed. On page 22 of the Calendar, on the Order of Concurrences, there's House Bill 954. The Gentleman from Will, Mr. Meyer, on a Concurrence Motion. Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 954 is identical... First, I move to concur in Senate Amendment 1 to House Bill 954. It is identical to House Bill 305 which passed out of the House unanimously. It went to the Senate. They did nothing with it there except they amended it on to House Bill 954 as opposed to passing it as House Bill 305. It was drafted by the Attorney General's Office and represents two years of negotiations with the Illinois Press Association, the Peoples Energy, Illinois Municipal League, the DuPage Mayors and Managers Conference, City of Chicago and Illinois Power. It's also supported by EMA and it amends the Open Meetings Act and FOIA to allow public bodies to hold closed meetings when considering homeland security issues, exempts documents prepared for emergency and security procedures from being disclosed from homeland security where that would be compromised. Again, it's

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passed out of here unanimously and passed in the Senate the same way in this form. I'd appreciate an 'aye' vote."

Speaker Novak: "Is there any discussion? The Gentleman now moves that the House concur in Senate Amendments #1 to House Bill 954. 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 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 954. And having reached the required Majority, is hereby declared passed. On page 20 of the Calendar is House Bill 318 on a Motion to Nonconcur. Representative Yarbrough. Thank you."

Yarbrough: "That's a nonconcurrence?"

Speaker Novak: "Yes, this is a Motion to Nonconcur, Representative."

Yarbrough: "Okay, thank you. Thank you, Mr. Speaker. I'd like to nonconcur with the Amendment, the Senate Amendment #1."

Speaker Novak: "The Lady moves to nonconcur in Senate Amendments #1. Is there any discussion? Seeing none, the question is, 'Shall the House nonconcur in Senate Amendments #1 to House Bill 318?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the House nonconcur in Senate Amendments #1 to House Bill 318. On page 22 of the Calendar, on the Order of Concurrences, there is House Bill 983. The Gentleman from Cook, Mr. Lang on the Concurrence Motion."

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Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I move concurrence with Senate Amendment #1 to House Bill 983. It's a very technical change in the law dealing with the labeling of Kosher food. I would ask your support."

Speaker Novak: "Is there any question? Seeing none, the Gentleman now moves that the House concur in Senate Amendments #1 to 983. 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 115 voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 983. And having reached a Majority, is hereby declared passed. On page 23 of the Calendar, on the Order of Concurrences, there is House Bill 988. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is the Firefighter Fair Promotion Act. As you recall, we passed a Bill very similar to this with an overwhelming majority to the Senate. The Senate, actually, they continue to negotiate, the Associated Firefighters, the Illinois Municipal League, the chiefs, all of the interested parties and they have been able to make a lot of progress. Right now, there is no opposition to the Bill as it stands and it does provide for fire departments... Senate Amendment 1 applies only to fire departments that are subject to a collective bargaining agreement. They have to be operated by a full-time fire

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protection district. It does not apply to fire departments in municipalities with populations over 1 million. The detailed standards for promotions set forth in this legislation apply only to positions within the fire department that are equal to or lower than the next rank immediately above the highest rank included in the bargaining unit. There are some exemptions and those are temporary positions held for less than a hundred and eighty days, the positions of superintendent, chief or other chief executive officer, exclusively administrative or executive ranks for which an examination is not required, ranks exempted by Home Rule municipalities prior to January 1, 2002 or an administrative rank immediately below the rank of CEO. Local authorities and exclusive bargaining agents, those would be unions that represent the bargaining units of firefighters, may agree to waive any of these provisions, and such... the waivers are permissive. There is an overview for the promotion process for sen... how seniority plays... into it, how merit plays into it, for the subjective evaluation, for the veterans' preference, the monitoring of the exam and the evaluation, and for the preliminary and adjusted promotional list, and the priority of the collective bargaining agreement. And I would be happy to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, the Lady now moves that the House concur in the Senate Amendments #1 to House Bill 988. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Representative Currie. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 1 voting 'present'. And the House does concur in the Senate Amendments #1 to House Bill 988. And having reached the required majority, is hereby declared passed. The Supplemental Calendar #2 there is House Bill 721. The Lady from Cook, Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. I'd move that the House do concur in Senate Amendments 1 and 2 to House Bill 721. This would permit the modernization plan for O'Hare Airport to move forward. That would be the plan that's going to create a hundred and ninety-five thousand new jobs without requiring any state or local taxpayers to be involved. The measure does several things. First, it says that except for major changes in the purposed configuration of the airport, the city will not need approval from the State Department of Transportation to proceed. It permits the city to acquire property for the purposes of the O'Hare expansion, but it does so with quick-take available only when it comes to the actual footprint of the... of the proposed airport. It lets the city create a reimbursement fund of \$20 million, which can be doled out over a six-year period to local governments that are adversely affected because of the loss of property values when the city takes property. It does subject all the contracts, all the activity at O'Hare to the city ordinances that require that 50% of the workforce must be

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city residents and establishes affirmative action requirements for both the contractor and workers at the project. And the... it does require the city to report to the Department of Transportation, which will report to us, and also directly to us every six months on the success it is achieving with respect to reaching its affirmative action goals. And finally, as the measure came to us from the Senate the Amendment creates... Senate Amendment 2 creates the O'Hare Modernization Project Advisory Committee to review and monitor the utilization of minority-owned business enterprises, women-owned business enterprises, the employment of women and minorities during the course of the project. That committee, advisory in nature, has thirteen members; seven selected by the mayor, two by the Speaker of the House, two by the President of the Senate, one by the Minority Leader of the House, and one by the Minority Leader of the Senate. That's the program. It's an important project, not just for northeastern Illinois, it is a project that is critical to the economic well-being across the State of Illinois. I'd be happy to answer your questions and I'd appreciate your support."

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

Miller: "Will the Sponsor... Inquiry of the Chair?"

Speaker Novak: "State you inquiry, Sir."

Miller: "How many votes will this need for approval? For adopt..."

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Speaker Novak: "We will take your request under advisement and get back to you as soon as we can, Mr. Miller."

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

Speaker Novak: "Sponsor yields."

Miller: "Representative Currie, is this the same as the Senate Bill... Amendment #9 on Senate Bill 802, except for the clause for the advisory council?"

Currie: "Yes, 12... it was Amendment 12 that had been filed to House Bill... Senate Bill 802."

Miller: "Okay."

Currie: "So, 8, 12, and plus the advisory council which was not filed in the House."

Miller: "All right. In the... I just wanted to make sure with our analysis here I don't have anything different that might be... and correct me if I do. First, that it says that the City of Chicago must receive... it eliminates the requirement for the City of Chicago to receive approval from the state for construction of the airport. My understanding of that is the fact that based on the O'Hare Modernization Plan is the fact that if the state will no longer have any authority in regards to any plan dealing with O'Hare... the reconfiguration of the runways."

Currie: "The state will continue to have a monitoring responsibility and an oversight responsibility, but the state would not have veto power unless the plan itself, the proposed configuration, changed more than three degrees. And the rationale is that..."

Miller: "...more than three what?"

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Currie: "Degrees, that is to say if the picture... I mean picture the picture and if the configuration of the runways were to shift in any significant degree then the state would resume its veto power. But the reason for taking the veto power from the state is that this is a huge, lengthy project and that you can't start it without knowing that you'll be able to finish it. So, in order to have that security, the Governor agreed with the mayor that it was important to make it clear from the very beginning that this is not something that's gonna stop halfway through construction."

Miller: "Okay. The... I'm gonna get to a comment you'd made what's inquired in the Bill in regards to compensation for districts for that region around the expansion of O'Hare being compensated for their... for their potential losses based on their school districts. Does... where is that... where is that money coming from?"

Currie: "That's going to be coming from airport fees that are collected by the city, so it will not cost the taxpayers of the state, it will not cost the taxpayers of Chicago."

Miller: "Well, I would beg to differ and it does cost taxpayers considering if they do use the airport. Are you con... are you saying... your reference is towards the passenger facility charge that is charged, is that where the funds for the up to \$20 million is coming from?"

Currie: "It could use the facility fee, it could use other fees that are collected at O'Hare."

Miller: "Well what, if you could, just please describe a little bit more in-depth these other fees?"

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Currie: "Parking fees for example, I think that the Bill is open-ended on the question of which airport fees the city could use to fund this reimbursement for local governments in the path of the construction project. But they will be airport fees. Specifically, property taxes from Chicagoans, or state taxes would not be available for this purpose."

Miller: "Okay. I just wanna be clear on the passenger facility charge portion. It sounds like, at least that I was told, was the fact that the compensation towards areas in that region is an amalgamation of these fees and so to me it kind of needs to be some clarity on which fees is coming from what, to pay for what. The passenger facility charge, for those in this chamber who do not know, has specific requirements for it to be utilized in O'Hare... in airport... in regional use of airports and so it's very important that we know exactly who's picking up the tab on these fees and where they're coming from to accommodate those who may witness potential loss."

Currie: "Nontax revenues generated at airports owned by the city."

Miller: "I'm sorry, I didn't hear you?"

Currie: "I'm just quoting the direct language from the Bill. So, the money for this reimbursement shall be paid exclusively from nontax revenues generated at airports owned by the city."

Miller: "Okay. Now, is the passenger facility charge a nontax revenue?"

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Currie: "Or I would imagine parking fees could be included, as well. I'm sure there are other fees that I don't even know about."

Miller: "Well, I guess, if we're giving a tax incentive to those around the O'Hare expansion then at least I think it's... at least reasonable to ask where and who are these fees coming from and who's paying for 'em?"

Currie: "Right and that's why I wanted just to underscore that we are not... we, the State of Illinois, we're not paying for these ourselves out of general funds or any other and the city of... the citizens of Chicago are not paying for this either."

Miller: "But I guess my question centers on the fact that these passenger facility charges are due for... are to be spent by FAA regulation on specific things. And so you cannot use these charges to help out school districts for instance."

Currie: "And in fact..."

Miller: "They were... they were first initiated, as you may know, from Mayor Daley's first proposal at Lake Calumet back in 1990."

Currie: "And in fact the language specifically limits their use to the extent that they would be limited by federal language. But there are, I think are other fees that are charged as well, a storage fees for airplanes, hangers. Those would not count, of course, as passenger facility fees 'cause they aren't and I would think those monies would be available to meet this obligation."

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Miller: "But this... there's nothing in this language that specifies on what is paying for what and when... and where those fees are going. Is that correct?"

Currie: "It is specific in that they can only come from fees of the airports owned by the city and they can only be paid to the extent that there are property taxes lost to the communities because the city has purchased the property and taken land."

Miller: "Okay. As far as the quick-take provision is concerned in this legislation, I know there are Members that have some concern about that in addition to... and to that. As far as... it's my understanding is the fact that... is that the City of Chicago is basically taking land in another municipality in development of this plan."

Currie: "There will be quick-take authority for the footprint of O'Hare, I'm sure you've all seen the picture, what the city believes it needs in order to be able to construct the runways. There will be no quick-take authority beyond those boundaries even if the Federal Aviation Administration says that additional land is needed for buffer zones for safety purposes."

Miller: "I guess... Represen..."

Currie: "In that event the city will have the power of eminent domain, but this legislation does not give the city quick-take authority in territory beyond the actual configuration of the newly constructed O'Hare field."

Miller: "Representative Currie, what is the... what is the preclusion of the fact... what if there is not enough land

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that's in O'Hare Modernization Plan that something needs to be changed? According to the language that the quick-take authority would give the City of Chicago unprecedented powers to be able to take that land to expand that's just something that may have just been shortsighted on. Is that, I believe, that's what in this language?"

Currie: "As I say, we have the drawing, we have the picture of what the expectation is about the new runway at O'Hare. That configuration would be included in the territory that the city would have quick-take authority to buy, anything outside of that would not be available to the city by quick-take, although the city would have eminent domain to take those properties if necessary, if the FAA for example, said it was important to add to a buffer zone for safety purposes."

Miller: "As far as the plan is concerned, I believe, is there any language dealing with soundproofing of the region of the expansion?"

Currie: "I'm sorry, could you repeat that?"

Miller: "Soundproofing of the near O'Hare expansion?"

Currie: "No, there isn't. There is a soundproofing program, of course, in place and I assume it would apply if there were need for soundproofing after the end of this project."

Miller: "Okay. Environmental study and as far as where in relationship to this being approved, aviation expansion typically has to be approved by the FAA... has to be approved by the FAA in addition to an environmental study... impact study has to be done. And in your knowledge does the City

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of Chicago, have that been completed? And if not, where are they with that process?"

Currie: "I know they're in the process of the FAA review and I'm not certain whether the environmental impact study has begun or whether that happens after FAA approval. But those things will happen, you're totally right. They will have to have FAA approval and they will have to meet the standards of an environmental impact statement."

Miller: "Assuming the fact that..."

Currie: "In fact, they... I'm told they did... they have recently started the environmental impact studies."

Miller: "Now, what would happen if FAA is not approved in regards to the... this plan?"

Currie: "Well, if the FAA doesn't approve the plan, it's back to the drawing boards. The expectation is that the FAA will likely ask for some modifications, the expectation is that the FAA will approve a plan."

Miller: "But unfortunately, then or fort... then the circumstances dictate that the state does not have any authority over that... over the plan or any adjustments that the FAA may indicate according to this legislation."

Currie: "But I think what I said is if there is a difference of more than three degrees in the construction picture, footprint, then state veto authority would be restored. So, if there's a major change in this plan either because the city changes its mind or the FAA changes it for them, then the State Department of Transportation would be restored its veto power."

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Miller: "As far as... and I'll wind up my comments 'cause I know others wish to speak on this. You had said that the economic engine on this would be approximately...? And what is the cost of the O'Hare expansion?"

Currie: "\$6.6 billion, a hundred and ninety-five thousand new jobs."

Miller: "Okay. To the Amendment."

Speaker Novak: "To the Amendment."

Miller: "When we talk about aviation here in the State of Illinois, historically the state has had the responsibility..."

Speaker Novak: "Mr. Miller, please bring your remarks to a close."

Miller: "Thank you. We will... was the inquiry to the Chair?"

Speaker Novak: "We will issue a ruling after all the individuals seeking recognition have spoken..."

Miller: "Okay."

Speaker Novak: "...which will be quite a while."

Miller: "I'll tell ya what, I'll end my closing comments if this Amendment's adopted then. Thank you."

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

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

Speaker Novak: "Sponsor yields."

Krause: "Representative, the previous Representative asked the question about FAA approval."

Currie: "I'm sorry."

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Krause: "The previous Sponsor (sic-speaker) asked about FAA approval and at this point there has been no FAA approval."

Currie: "No final determination, there have been some comments from the FAA on different aspects of the plan..."

Krause: "Well..."

Currie: "... different departments look at different things. There are some contradictory comments that have come from..."

Krause: "No, I understand because I think, unfortunately, what one of those comments are about moving the runway or adding a ninth runway. So, I guess, what I'm saying is there has been no FAA approval whatsoever, has there?"

Currie: "That is correct."

Krause: "Okay. And there's been no environmental review, no cost-benefit analysis, none of that has been...?"

Currie: "That study has begun."

Krause: "All right. That... none of that has been completed, has it?"

Currie: "None has been completed."

Krause: "Okay. But despite that, this legislation proceeds to give to the city some of the most strongest powers that a municipality has ever been given over another municipality. In the legislation you had referenced earlier about the funds to set up for school districts and for community colleges. In 802, the language was specific that funds payable by the city under this section shall be paid exclusively from nontax revenue. In your Amendment 1 on 721, that language is not in there anymore. Was that intentionally deleted?"

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Currie: "I'm sorry, which portion?"

Krause: "Okay, in 802 was the language that funds that would go to a school shall be paid exclusively by the city under this section from nontax revenue. Has that been deleted in 721?"

Currie: "No, it is there, Representative, and in fact, the program becomes \$20 million over a six-year period. So, the ante goes up by 5 million."

Krause: "Well, let me address the language, though, that is now used to describe this payment to schools and payment to colleges. Added in your 721 is a subparagraph 4 that says, 'any amounts payable to a district with respect to any parcel of property shall be reduced by the amount of taxes actually paid to the district for that taxable year with respect to that parcel or any leasehold interest', that has been added. The consequences, indeed, is that that 20 million in fact would be illusory and that you have to now if you have a leasehold, in fact, deduct that. Does it not say to that part for taxable year..."

Currie: "Well... I... no, I believe this part says that if there is a property tax loss on a particular parcel, the city will make up that difference, that it shall not have to double pay, so that if there is..."

Krause: "But it shall be reduced, nevertheless..."

Currie: "Right."

Krause: "...is what has been put in here."

Currie: "So reduced if there actually are taxes coming in from that property."

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Krause: "Where... yeah. Where would be an instance where there would be a leasehold?"

Currie: "Well anytime, as I understand it, anytime a public entity rents to a nonexempt..."

Krause: "A non... a private... Yeah."

Currie: "...entity, that becomes a leasehold..."

Krause: "A leasehold..."

Currie: "...tax rather than a property tax."

Krause: "All right. Under this legislation in fact, because of the extensive quick-take upon the passage of this and maybe the signing tomorrow night or whatever, that large amount of property of the authority that is being given to the city could immediately be quick-taked or what I would call annexed into the city, could it not?"

Currie: "Well, I wouldn't think it's that quick, myself. I mean first of all, I imagine, in fact I'm quite sure that the city will be offering to buy property, something that it's not now able to do by virtue of a court injunction..."

Krause: "But could they...?"

Currie: "...in the City of Bensenville even when people are trying to sell their properties to O'Hare, they're not allowed to."

Krause: "But Representative..."

Currie: "So, that will be the first thing that happens."

Krause: "But Representative, could you not also under this proceed to take? As you know, there is very outstanding, industrial property that is part of this quick-take. It is substantial as to what there is, it has a very large tax

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base and a large sales tax. Under the authority that is being given here today, the city has the power to take all of that industrial park and just quick-take it. It does not say that it's going to demolish it or anything, it just says that it has that power to take that property and in effect annex it into the city."

Currie: "But there's no language here permitting annexation, so I don't think that..."

Krause: "No, no, no, I'm using that term. What I'm saying is, is that you can quick-take it which therefore in effect permits the city to now own that land. They could then proceed to enter into these leases back with these private owners and let them continue on with their businesses."

Currie: "That is not the city's plan."

Krause: "But could that be done?"

Currie: "It could happen, but it won't."

Krause: "That will not be done?"

Currie: "What?"

Krause: "That will not be done?"

Currie: "That will not be done."

Krause: "There will be no property taken in fact that..."

Currie: "That is my understanding, Representative."

Speaker Novak: "Representative Krause, please conclude your remarks, your five minutes is up."

Krause: "Could I ask for some ex... some extended time? This is very important to my district."

Speaker Novak: "I understand."

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Krause: "And, Mr. Speaker, I don't even get a chance to go over what's in the Bill, let alone to get into the problems of this legislation. The legislation is extensive..."

Speaker Novak: "Are you... are you making a request that this be taken off Standard Debate?"

Krause: "If that could be done and then if I could be given additional time?"

Speaker Novak: "Mr. Parke."

Parke: "If it's off of Standard Debate then that's achieved what I was hoping. Thank you."

Speaker Novak: "Okay. The request is granted. Representative Krause."

Krause: "Thank you, Mr. Speaker. Representative..."

Speaker Novak: "Excuse me. One second, Rep... Mr. Acevedo, for what reason do you rise?"

Acevedo: "Inquiry of the Chair."

Speaker Novak: "State your inquiry."

Acevedo: "You have some people speaking on the Bill ten minutes and then the five minutes a timer's put on. Are we gonna be limited to five minutes each?"

Speaker Novak: "The request has been made and granted to take this off Standard Debate. It's on unlimited debate, as I understand it."

Acevedo: "So, everyone's gonna be able to speak on this?"

Speaker Novak: "Everyone who wants to speak on it."

Acevedo: "Okay."

Speaker Novak: "Representative Krause."

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Krause: "Representative, I will take into consideration the speaker who just spoke and who objects to anyone extending anymore time."

Currie: "No, I would..."

Krause: "And therefore let me go to the Bill."

Currie: "I would ask..."

Speaker Novak: "Representative Currie."

Currie: "Yeah, I would ask the Chair to accede to Representative Krause's request. I would ask to give her an extended opportunity to..."

Speaker Novak: "Yes, I wo... it's been granted."

Krause: "Thank you. Thank you, Representative. The language in the Bill, Representative, does state that the municipality stated in the Bill, which would be the city, may contract for the removal or relocation of buildings, railways, mains, pipes, conduits, wires, and so forth. Does this power provide that the city has the right of those municipalities to in fact remove their water lines, sewer lines and electrical lines that are in there? That is Section 11-102.4."

Currie: "Yes, I see it. Yes."

Krause: "Okay. Representative, is there any reimbursement to the municipalities for both the disruption and/or the loss of service that results from the water and the sewer and electrical and et cetera? What will occur here, as you would be aware, is that as the city would come into an industrial park there are existing roads, water, sewer lines..."

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Currie: "There is nothing specific, but I've been assured by the project managers that they intend to proceed with sensitivity and with reason."

Krause: "I'm sorry, I did not hear the end of it. You said they'll..."

Currie: "I said, there's nothing specific on that question, but I have been assured by the project managers that they tend to proceed with respect for the communities that are adjacent with sensitivity and with reason. And should there be difficulties, if this project is to, as we say get off the ground, then I would be more than happy to work with you to see if we can make sure that the city meets that commitment."

Krause: "I understand what you're saying, but on the record it is a loss. It is a loss to cities when this occurs because of a disruption of these type of lines. There is a statement in here and you are familiar with it, that says, 'it's the intent of the General Assembly that all agencies of the state and all subdivisions shall facilitate the efficient and expeditious completion of the modernization program to the extent not prohibited by law and that legal impediments to the completion of the project be eliminated.' What would be your understanding of that language?"

Currie: "Well, I was thinking, for example, of other sections in the Bill that say, that but for issues of property dispute, legal actions would be in a particular venue, in Cook County. My guess is they wouldn't have used the legal

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impediments language in this section if they'd been able to think of all the ones that might have been out there when they were drafting certain other specific parts of the Bill."

Krause: "But just on that language, is it your understanding that in fact it is trying to attempt or to stop any legal impediments of any type?"

Currie: "Couldn't do what? I'm sorry, say it again."

Krause: "Because it uses the language 'any legal impediments of any type', what exactly, beyond what is obviously in this Bill, what else might this language be reaching to?"

Currie: "As I say, I suspect they were trying to cover bases they couldn't specify, but for example, if there were a change in the Membership of the General Assembly, the Governor's Office and suddenly people decided they wanted to challenge the authority granted in this Bill to move forward on this project, they would want some opportunity to, because the certainty is so important here to have a leg to stand on in a court of law. And I think that might be the kind of thing they had in mind."

Krause: "Okay. I thank the Sponsor for being willing for the time. I would like to address the Bill. I'm sensitive to the objection of the Representative who did not support having additional time. Let me go to the Bill. Ladies and Gentlemen of the House, although this has been called a modernization Bill, in fact, it is not. There is no FAA approval, no other standards or nothing else has been done. This does not in any way address the issues that were in

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the federal legislation or the agreement that the former Governor made that also involved Meigs Field and Peotone. This is not a modernization program. This legislation is built strictly on giving exclusive powers to the city with no oversight of any kind, not by the state, not by anybody, with no public input, no public hearings, and in fact no due process. This legislation does require that as soon as it is signed all lawsuits that would challenge any part of this Act must then be brought only in Cook County, including challenges to the constitution... constitutionality of the Act. It requires that all current litigation concerning O'Hare Airport must be transferred to Cook County and the legislation that is currently pending in DuPage, which does have some injunctions outstanding, would have to be transferred to Cook County and I am sure the injunctions would be vacated. One of the most objectional(sic-objectionable) parts is the very broad quick-take language that is provided in here. In addition, the Bill provides that the city may acquire any property that the city reasonably determines is necessary for future use, regardless of whether final regulatory or funding decisions have been made. It goes on, the city does not have to obtain a certificate approval from IDOT for current runways as is required of all other airports in Illinois and it provides that the city has the right to give to this General Assembly what, if any, information, that we would be able to see. The cities, the parks, the libraries here

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will suffer a large permanent loss of millions of dollars that will result because there is no..."

Speaker Novak: "Ms. Krause, bring your remarks to a close, please. You've had ample time."

Krause: "Okay. I understand. There is serious loss to these communities, there is a serious... and there is no repayment to any of them. I would ask that you would respect the civil rights of those who are most affected by what the city is doing here. They should've had the most important voice, not the least. Do what is right, vote 'no'."

Speaker Novak: "Thank you, Ma'am. I just want to remind the Body, there are 20 people seeking recognition. And pursuant to House Rule 52(a)(4), even though this was put on unlimited debate, each Member seeking recognition will be allowed five minutes. The next speaker is Representative Pankau, the Lady from DuPage. Representative Pankau."

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

Speaker Novak: "Sponsor yields."

Pankau: "Barbara, I was following... this was debated in the Executive Committee when it was the Senate Bill and I was following the various Amendments as they were coming. Did we ever get to 13? Did we get to Amendment 13 or did it stop at 12? I think it stopped at 12."

Currie: "It stopped in the House with 12, but the Senate added language that was not in either 8,9, or 12 and that was the creation of the advisory committee."

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Pankau: "So, maybe for some of us that had been following the original Bill, could you just bring us up to date as to what's in this one that isn't... or ya know, but the..."

Currie: "That wasn't in the..."

Pankau: "...the changes."

Currie: "Okay."

Pankau: "In other words, from the initial articles and everything that was written about the first one..."

Currie: "Right."

Pankau: "...what's different in the Senate version as they sent it over to us?"

Currie: "There was a further refinement in the quick-take provision clarifying where York Road fits in or out of that designation. So, the quick-take was further narrowed. The compensation fund, which when last we met in committee, was 15 million over a period of five years is now 20 million over a period of six years. So, those were two changes that had been made beyond the Amendment that was approved in Executive Committee in our chamber last week."

Pankau: "Okay. So, the quick-take of the cemeteries is still there?"

Currie: "Yes, but the quick-take was further narrowed. There was one other change. So, and in addition, I was talking about the fund to reimburse local schools for property tax loss. Originally, that whole fund was predicated on an overall loss in equalized assessed valuation. In the version that came to us from the Senate, the loss would be predicated on a loss parcel by parcel, making it easier for

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a local community to access the dollars that are in that fund..."

Pankau: "Okay."

Currie: "...from a local school district."

Pankau: "So, the quick-take for cemeteries is still there?"

Currie: "Yes, if they are in the footprint."

Pankau: "And is the quick-take... is the plan as it's been laid out, the footprint now, and you could not quick-take beyond that footprint?"

Currie: "That's right and there was a further narrowing of the quick-take area in the version of the Bill that came back to us from the Senate."

Pankau: "So, the City of Chicago couldn't come and quick-take the Capitol Building here or any other building in the State of Illinois wherever it deemed necessary?"

Currie: "No quick-take."

Pankau: "There was very vague wording in the first one."

Currie: "No quick-take."

Pankau: "No quick-take for anything like that?"

Currie: "Right."

Pankau: "Now, when I went home last weekend I saw an article in one of the papers, because I always have the husband, John, save all the papers for me. It talked about the FAA recommendation of nine runways, I believe. They said this... it was a recommendation that this would be the safest plan. When we originally talked about it, you said, 'there would be eight runways, no more than eight, no expansion of that number of runways.' Is that also in this Bill now, also?"

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Currie: "That... what we talked about then is in this Bill."

Pankau: "So, if the FAA does indeed go through with this recommendation for nine runways..."

Currie: "Yeah, I don't think that's a final recommendation from the FAA, Representative..."

Pankau: "Well, I'm not... I'm not saying that it is."

Currie: "...but should there be... should there be a significant change..."

Pankau: "Do you have to come back to this General Assembly for the approval for the ninth runway?"

Currie: "That change... that change would trigger veto authority for the Executive Branch of Illinois for the Illinois Department of Transportation."

Pankau: "But only by the Department of Transportation, we don't..."

Currie: "Right. That's right."

Pankau: "...we don't get a chance to look at it again?"

Currie: "That's right."

Pankau: "Okay. Thank you. To the Bill, Mr. Speaker. Basically, what we have here is a major power grab. It, basically, says this is the plan, here it is people, this is what it's gonna be. You will have no further voice on this. You're not gonna get a voice on the quick-take, you're not gonna get a voice on the plan, you're not gonna get a voice to say whether this is the safest plan or not. You're, basically, approving everything right here. I, for one, think this is such a major decision that that is, in fact, the wrong thing to do. I ask for a solid 'no' vote."

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

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

Speaker Novak: "Sponsor yield..."

Biggins: "I have some questions regarding the way the Bill amends the Religious Freedom Restoration Act. I understand that the Amendment does amend... does amend that Act. Something to do with cemeteries."

Currie: "Yeah, there is language having to do with cemeteries and I'm trying to find the specific reference. Okay. I don't see a specific reference to the Religious Freedom Res... I'm sorry, you're right. There is an Amendment, says, 'nothing in this Act limits the authority of the City of Chicago to exercise its powers under the O'Hare Modernization Act for the purposes of relocation of cemeteries or the graves located therein.'"

Biggins: "Well, then, has there been an agreement by any religious groups or the cemetery owners..."

Currie: "Yes, there ha..."

Biggins: "...regarding this Bill?"

Currie: "Yes, there has been. The city worked closely with the Jewish Federation, with the Catholic Conference, with others to make sure that this language was acceptable. And as you know, it has long been the public policy that a public works project would be grounds... could be grounds for removal of a cemetery and that's exactly all that this says. So, it does it not invade the principles of the Religious Freedom Restoration Act."

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Biggins: "My understanding is that St. John's United Church of Christ is one of the cemetery owners and they are not for the Bill. So, they have not... they are opposed to this Bill."

Currie: "The religious organizations, Jewish Federation, Catholic Conference are not opposed to the Bill."

Biggins: "Well, I understand the American Jewish Committee is opposed to the Bill."

Currie: "That is not... I believe that is not accurate."

Biggins: "And the Illinois Council of Churches, as well."

Currie: "Well, that's a surprise to me, I thought that they were all assuaged with this language."

Biggins: "Then I will..."

Currie: "An earlier ver..."

Biggins: "I will..."

Currie: "An earlier version had seem..."

Biggins: "I will double check that."

Currie: "...had seemed to invade the principle of RFRA and this language does not."

Biggins: "All right. Well, to the Bill, Mr. Speaker. When one government does this to its neighbor, it's quite a vicious thing. And taking property, homes, businesses, cavalierly, that's, I think the right word. Exceeding its authority and boundaries, that's why they have to come to us. It's a very, very bad pattern. And I'm gonna oppose the Bill."

Speaker Novak: "Thank you. Further discussion? The Gentleman from DuPage, Mr. Millner."

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Millner: "Thank you, Mr. Speaker and Ladies and Gentlemen. Ya know, this past week and in fact this past Session, we've all... with the issue of the budget. We've all been trying to look for revenues, trying to understand the cuts that are there and the pain that everyone's going through. And in front of us right now, we have a project that projects a hundred and ninety-five thousand new jobs, \$6.6 billion in a public works project, where no state or local taxpayer dollars are involved for this modernization project. It's not coming out of our pocket. The annual economic benefits generated by O'Hare are estimated to increase by 16 to 19 billion with a 'b', which will bring it to about 50 or over 50 billion with a 'b' dollars a year. It also creates a western terminal and parking area for the other side of O'Hare. It increases capacity which will facilitate more flights to other Illinois cities. Also, it insures that Illinois will remain the air transportation capital of the nation, which is important to Illinois, it's important to economic development, it's important to jobs. This is an extremely important piece of legislation. Property owners are guaranteed fair market value based on two independent appraisals, moving expenses, and an additional \$22,500 to offset the cost of a replacement home. Regarding quick-take, virtually every significant public work project in Illinois has involved quick-take. The Legislature has authorized quick-take for more than a hundred and fifty separate projects and as you know a number have gone through this Body just recently. This Legislature has

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previously granted quick-take authority to at least 10 Illinois airports. And under Senate Bill 802, if I'm interpreting this correctly in the language, all quick-take lawsuits must still be filed in the county where the land is situated. And I'd like the Sponsor to talk about that. An Illinois law requires multiple due process steps before quick-take authority can be exercised. And I encourage a 'yes' vote. Thank you."

Speaker Novak: "Further discussion? The Gentleman from DeKalb, Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. I stand in support of this Bill and for some it might seem a little bit strange. My district is a good distance west of the physical location of O'Hare and the project that's being proposed here, but it does affect my district, even though we're a district of primarily corn fields and soy bean fields. As I sit on Executive Committee and the first time this Bill came before us the realization from some calls in my district that there were businesses and people in my district who fully supported the need for a renovation and expansion of O'Hare as now is being proposed. That was something I was not aware of. So, I guess my support of this Bill is based upon the fact that first of all something that I strongly support and that's economic growth, economic development. And sometimes those things have... simply have to occur that are... for some are difficult. But as I looked at this and the more I listened to people in my district, the... it was evident that my support had to be for this pur... this

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project and this Bill that's being presented to us. Simply need to continue to maintain a base of job availability within the area. We need to continue to expand the opportunities for more jobs for people to work so that we can see unemployment not be on the increase but have it being a... at a manageable level. So, that is why I have risen in support of the Bill and hope that many of you can see your way clear to also support it."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Lang. Mr. Lang."

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

Speaker Novak: "Sponsor will yield."

Lang: "Representative, as you can see I'm one of the chief cosponsors and I'm very supportive of your legislation, but I do wanna ask you a question about one issue that some people have brought to me. It's the issue of these cemeteries. So, as I understand it there are two cemeteries in the footprint of the new O'Hare and these gravesites are going to be moved. What will that mechanism be? And for legislative intent, can you let us know what the city's intention is relative to reimbursing the families?"

Currie: "Okay. First... first of all, let me just point out that it's long settled law that a public works project can dislodge a cemetery and cause reinterment in another location. The city's plan is to work with the cemetery operators and the families to find a suitable alternate site. It's my understanding that the city is prepared to

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bear the cost of the relocation. And is my understanding that the language in the Bill is acceptable to the religious communities because it does not invade the principle of the Religious Freedom Restoration Act."

Lang: "And so when you say the cost, you mean all the cost, it won't cost the families anything?"

Currie: "That's my understanding. That's my understanding."

Lang: "All right. Thank you, Representative. To the Bill, Mr. Speaker."

Speaker Novak: "To the Bill."

Lang: "Thank you. Ladies and Gentlemen, we've heard a lot of talk on the floor already about the issues that people wanna raise relative to this Bill, and of course, they have a right to do that. But I haven't heard anyone yet talk about why this Bill's important to Illinois. The modernization of O'Hare Field is critical to the vitality of the economy of our state, indeed, O'Hare Field is vital to the economy of the United States of America. It's a hub for air transportation, both for commercial and for passenger. Our economy in the state, our business community requires that O'Hare, one of the great economic engines of this state and country, be modernized so we can compete with other cities. We've seen Denver and Orlando and other cities redo their airports and have become much more vital. And those... those modernizations have allowed other states to begin to catch us in the area of conventions and trade shows and tourism. For our business community, for our restaurants, and our hotels, for all

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businesses in Illinois it is essential that O'Hare be modernized. And so, I understand the issues that people are bringing forth, I understand why they are, but let's not use some of these things as just simply places to hang our hats because we wanna have an excuse to vote 'no' for political reasons. What's important here is that we help our business community, what's important here is that we help Illinois prosper and grow. To do that, the economics of our state require a modern O'Hare Field. I strongly recommend your 'aye' votes."

Speaker Novak: "Thank you. And further discussion? The Gentleman from Will, Mr. Meyer."

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

Speaker Novak: "The Sponsor will yield."

Meyer: "Representative, does House Bill 721 contain any language affecting the Meigs Field?"

Currie: "No."

Meyer: "Well, the reason I ask and I realize this Bill pertains to O'Hare, but the reason I do ask is that back in 2001 there was an agreement made on O'Hare, on Peotone and on Meigs Field on... generally, the agreement made that would vitalize all of the aerospace industry in the State of Illinois, at least the northeastern corner of it, and Meigs Field was a very important point... part of that. The mayor, for whatever reason, has decided to destroy that, but at the same time he wants to build up O'Hare and part of building up O'Hare, of course, is... well, one of the things that we want to see is the economic generation in the State

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of Illinois: more jobs, good jobs, more industry, commerce coming in. And I don't disagree with that, as a matter of fact, I stand in support of the Bill. I plan on voting 'yes' on it. But the one thing that does concern me and that concerns a fair number of my constituents from my district is the fact that Meigs Field is also an economic engine and why would you only want to build up one and destroy another one? An example of that, figures that I have seen is that \$450 million of business comes to Illinois through the use of Meigs Airfield. It's used for medical reasons, for bringing in and taking out the people that have medical reasons from the downtown area of Chicago. It's used as an airport that takes in additional traffic that the other airports in our city area, such as Midway or O'Hare do not service, the general aviation part of it. And the people in my district are general aviation users that do use that. The coalition for Meigs Airfield consists of 8 thousand businesses and 500 thousand individuals across the United States that want to have a viable air system in the Chicago area. And I suggest to this Body that Meigs Field is every bit as much as of importance to the viability of the Chicagoland area, all of Chicagoland, not only the city but also the metropolitan area which also uses Meigs Field. I do stand in support because I believe that this does bring a revitalization to that airport and it brings it into the future, but we cannot stand here today and just debate on O'Hare without also taking into consideration the need for Meigs and the

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need for a third airport at some location. We're talking about building into 50 years into the future. We need to have the foresight not to damage that future by doing away with a 'gem' called Meigs. And I'm certainly disappointed that there wasn't accord met and agreed to as a part of passing this legislation last night through the Senate and certainly we have not heard many people express an interest on the House Floor today. But I want to go on the record as expressing an interest and wanting to see a total... a total air of viability in all of Chicagoland including O'Hare, Midway, Meigs, and a third airport to be located somewhere in that area, too."

Speaker Novak: "Thank you. Further discussion? The Gentleman from DuPage, Mr. Froehlich."

Froehlich: "Will the Sponsor yield?"

Speaker Novak: "The Sponsor yields."

Froehlich: "Representative, did I understand... That was a quick five minutes. Did I understand correctly that you said quick-take authority is not granted outside the 433 acres specified in the plan?"

Currie: "That's correct."

Froehlich: "Okay. There's a couple of Sections where there's some broad language in the Bill, I wonder if I could ask you about. One is on page 5, under the acquisition of property Section and I look at lines 21... starting at 21 which says, 'property acquired under this Section includes property that the city reasonably determines will be

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necessary for future use regardless of whether final regulatory decisions have been made.'"

Currie: "What that means is that if there's property that the city believes is gonna be required; a boundary for safety, parking, what have you, they may move against that property, but not with quick-take. If you look at Section 7-103.149 in the statute, you will see that the specific quick-take grant is limited by, I don't think we use 'meets and bounds', but it's close to it."

Froehlich: "Okay. Thank you. Is it correct, there's no expiration date on this quick-take authority?"

Currie: "That's right."

Froehlich: "Okay."

Currie: "This is likely to be a ten-, fifteen-year project and we know how even... even when you have the security of knowing you can go forward, sometimes delays do happen."

Froehlich: "Under the substitute property Section, this is on page 5, Section 15. It says, 'the city has the power to condemn substitute property for businesses or cemeteries that must be relocated.' I'm just wondering, does this condemnation power apply only in Cook County or could Chicago potentially condemn property anywhere in the state under this Section?"

Currie: "I don't see how they could do it anywhere except very close to the airfield itself."

Froehlich: "Okay. There is a Section on page 3 that seems to me might prevent municipalities from going to court any further. Page 3, starting at line 8, it says, 'that all

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subdivisions of the state' and I think a municipality would be a subdivision, 'shall facilitate the efficient and expeditious completion of the O'Hare Modernization Plan and that legal impediments to the completion of the project be eliminated.' Could this prevent, say a Bensenville from continuing to go to court because they would violate this Section of the law?"

Currie: "That's possible. They would have to have a pretty strong ground in the law, I would think, before a judge would... would give them the opportunity to go forward given this language."

Froehlich: "Okay."

Currie: "But, you remember, we're... that right now there are a very large number of lawsuits have been filed, the city's winning all of them and they will continue to win all of them. But the delays implicit in these court actions are delays that could make this project into a 40-year project, not a 10-, or a 20-year project. When you win every time, but it takes you two years to get there, there is something wrong with the process."

Froehlich: "Why was Peotone not mentioned? The original agreement between the previous Governor and the mayor talked about Meigs and Peotone and O'Hare. Why has Peotone kind of dropped off the radar screen, so to speak?"

Currie: "I don't have an answer."

Froehlich: "Okay. And as far as western access to O'Hare, that... that's part of the plan, I see..."

Currie: "Yes."

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Froehlich: "Who will pay for that western access? Is that the city or the state?"

Currie: "We believe it's the city."

Froehlich: "The city? To the Bill. Ladies and Gentlemen..."

Speaker Novak: "To the Bill."

Froehlich: "...you can both favor the modernization of O'Hare, as I do, and still find serious problems with this Bill. I think this Bill's pretty broad. It's a sweeping grant of power. There's no expiration date on quick-take authority or all court challenges, existing and future must go in Cook County. There's two cemeteries, 1500 graves are gonna be dug up. No mention of Peotone. No state authority to approve construction. Local units of government, except schools, will get no compensation for the permanent loss of tax revenue. If the towns you were in were the target of quick-take authority, I think you might say, not so fast, we have time to get a Bill that's..."

Speaker Novak: "Bring your remarks to a close, Sir."

Froehlich: "I think, Ladies and Gentlemen, this Bill is too broad. We need something that's more narrowly drawn and we need a Bill that comes back with some of the flaws that we've talked about, corrected. Thank you."

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

Black: "Thank you very much, Mr. Speaker."

Speaker Novak: "Yes, Sir."

Black: "Will the Sponsor yield?"

Speaker Novak: "Sponsor will yield, Sir."

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Black: "Thank you. Representative, where does the money... what pot of money is being accessed to pay for the quick-take in the expanded footprint for O'Hare?"

Currie: "I believe... No, there's no local money, no state money. I believe there are federal dollars available with the help of the airlines and others to begin that process."

Black: "All right. Is the City of Chicago the sole responsible party for the basic expense of this expansion or is that responsibility in any way to be shared by the State of Illinois?"

Currie: "The financial responsibility will be borne neither by the citizens of the city nor the taxpayers of Illinois. Management responsibility for the modernization project will belong to the city."

Black: "All right. What is the fallback provision? I know I've heard a lot of talk about the airport, air traffic transportation fund that does have considerable dollars in it, that under the control of the Federal Government, but is there a backup plan that has been discussed? One of the key airlines in Chicago is in bankruptcy. The second key airline at the O'Hare hub, American Airlines, is teetering on the verge of bankruptcy. I get a little nervous when people tell me that the airlines are going to be significant contributors to this project. What happens if United doesn't survive? What happens if American goes under or operates in bankruptcy in the next year?"

Currie: "Well, I anticipate other airlines will spring up to take their place and in any case, I think the moneys are

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coming also from... from federal funds that may not be dependent on instant payments from those individual airlines."

Black: "Great. Representative, there's... there are two things in the Bill that really catch my eye that I think all of us need to focus on. There is a Section in this Bill, in my interpretation, my perception is, that will prohibit any future state administration from delaying or preventing all or part of the O'Hare Modernization Plan. Is that... is that a wise course of action to tie the hand of future administrations so that the O'Hare Modernization Plan that you and I know will take more than a decade to complete, might not be subject to review or a cessation by a future administration?"

Currie: "Monitoring oversight reporting will continue to be functions for State Government to play. Currently, there is in the statutes the authority for the administration, for the Executive Branch, through the Department of Transportation, to exercise outright veto power over an airport modernization decision. That authority, that single authority, is specifically excluded from operation over this project and again, the reason is that this is a project that needs the security, once it begins, of knowing that it can go forward. You can't put \$6.6 billion into a program and say halfway through, oh, we think we should have done it a different way, let's pull the plug."

Black: "All right. And thank you very much, Representative. Ladies and Gentlemen of the House, to the Bill. I'm one of

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the few Members still here that voted for the third airport when it was going to go in Calumet. Now, keep in mind, 10 or 12 years ago the Federal Aviation Administration made it very clear that some kind of relief had to be given to O'Hare because of crowded conditions and the Calumet site was brought forth and did not get out of the General Assembly. I voted for that. I, too, am interested in the economic engine of O'Hare. It is a benefit of... to the entire state, but I don't think economic development should be at extreme cost and discomfort to the quality of life of people who happen to live in that area. This Bill does grant some extraordinary powers to the City of Chicago. In fact, any lawsuit filed involving the... this expansion will have to be heard in the City of Chicago court system, not in the impacted area or suburb or even a different county. The Denver International Airport was mentioned, that's more like Peotone, way, way out of Denver where..."

Speaker Novak: "Mr. Black, please bring your remarks to a close, Sir."

Black: "Thank you, Mr. Speaker. ... where the footprint wasn't as severe on developed and industrialized areas. Yes, this airport is important, but the rights of people who live in the area, the rights of businesses that have established there and do business at their locations also have some very important rights and my concern largely rests upon the inability to stop this project once it starts. I don't know what the future of aviation is in this country. It has changed dramatically since 9/11/01. Airlines that we

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once thought would be flying for all of our lives have disappeared. One of the major airlines is bankrupt. American Airlines teeters day to day on the verge of bankruptcy. And to say we're going to start a project to greatly expand a wonderful international airport, that can't be stopped by future administrations, that may not be a wise course of action because I don't know what air traffic demand is going to be in the immediate future. This Bill is an extremely important Bill not only for the... O'Hare and the State of Illinois, but it's also extremely important for people who are directly impacted by this Act."

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

Mulligan: "Thank you, Mr. Speaker. Before I begin, that I would like to request, if this measure receives the right amount of votes to pass, that I would like a verification of the Roll Call."

Speaker Novak: "Request is granted."

Mulligan: "Will the Sponsor yield?"

Speaker Novak: "The Sponsor yields."

Mulligan: "Representative, tell me again how much this is gonna cost, this project?"

Currie: "I believe it's a \$6.6 billion construction project."

Mulligan: "Billion, right, 'b'?"

Currie: "Billion with a 'b', creating a hundred ninety-five thousand jobs."

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Mulligan: "From any of the airline money that was given for bailout that was supposed to preserve jobs in my area for those airline members and for the bankruptcy, any of that money gonna be allowed to go into this project?"

Currie: "I don't believe so. I don't believe there's a direct specific payment from... I believe this comes from... from FAA construction funds."

Mulligan: "All right. But, 'I don't believe so' isn't a definite 'no'."

Currie: "Right."

Mulligan: "Of the hundred and ninety-five thousand jobs that you're saying, how many of these are temporary construction jobs that will come and go as different parts of the airport are built and will not be permanent jobs?"

Currie: "Well, man... construction jobs, as you know, tend not to be forever, although this project, compared to any I've ever known, is practically a forever project. It's going to take many years to complete and it is a part and parcel of the construction industry that construction workers generally go from one site 'til they finish the job to the next site when they begin afresh."

Mulligan: "All right. Part of those a hundred and ninety-five thousand jobs, do those include parts of the industrial park in the community of Elk Grove Village that was smart enough to put a buffer zone over the airport that now the city is going to condemn and move into the city and take those jobs so those tax dollars go to the city, are those part of the hundred and ninety-five thousand jobs?"

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Currie: "I don't know the specific plans for the area you mention."

Mulligan: "I would think so, because I think that Mayor Daley has indicated over the years that he has gotten very concerned and has great irritation with the communities and particularly their elected officials who look at their fiduciary responsibility to protect the people in those communities. One of the other Representatives that got up and spoke for this said there would be no loss of local tax dollars. Well, Des Plains informs me that they will lose 11.44% of the amount that they... of their tax levy that would go to the small properties that they're losing and that the footprint originally indicated by the airport is now being expanded. I'm gonna talk to the Bill. For a year..."

Speaker Novak: "To the Bill. To the Amendments."

Mulligan: "For years, everyone has insisted that the communities around O'Hare were against advancement and were for the death of the airport. That certainly has never been the case. We've always been smart enough to know that it is an economic engine in our area, but we don't have a five-mile radius, we are right on top of that airport. There is no other, or maybe one other, airport in the country that is totally landlocked or 95% landlocked by land that is not controlled by the people that control the airport, so that we have no right to vote. I have always said that if we had a right to vote for the mayor of Chicago the plans that went into the expansion of the

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airport would definitely be impacted differently because he would have to worry about our votes. Long ago, this Body was smart enough and somewhere, obviously when it was past Democrat control, to allow them to have this unusual quick-take power. The people in this Body should take a look at what is amended in this Bill and what is superceded. This may not impact you today, but believe me, it can impact you tomorrow. When you go through and you find that it preempts Home Rule, it amends the Archeological and Paleontological Resource Protection Act, the Human Skeletal Remains Act, the Illinois Municipal Code Act, the Downstate Forest Preserve Act, the Illinois Aeronautics Act, the Vital Records Act and the Religious Freedom Restoration Act, you have to begin to wonder at the extreme power that is being displayed in this Bill. As someone who's worked in land development and in zoning for years, before I came to the General Assembly, the main issue that zoning cases fall on is whether it is in the good of the public health, welfare, and safety of the people. Elected officials, whether it be you or anyone else in this Body, has a fiduciary responsibility to first protect the health, welfare, and safety. All of us in our area would have liked to expand O'Hare to the economic benefit of our communities, but first you must look to the health, welfare, and safety. There is no money in this Bill to remove the Touhy tollbooth which is a major polluter which will only get greater as the traffic backs up and the traffic will back up not only with construction traffic,

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but with the increased use. There is no change in the plan to have the airlines to come off one of the... the runways takeoff..."

Speaker Novak: "Bring your remarks to a close, Representative. Please bring your remarks to a close."

Mulligan: "All right. I would challenge every Member in this Body to take a look at their responsibility to the people that we always represent as far as the environmental impact and the overall ability of one community to come in with a... power take and if the Governor of Illinois signs this Bill when it passes, I would like the newspapers to change the headline, 'Business As Usual in Springfield'. And if I hear one more time about the culture of corruption being changed, I will continue to complain daily about what's happening here, because this is the most corrupt take of any community, the communities that ring around that airport, that I have ever seen. It is a total, 'to the victor goes the spoils' Bill."

Speaker Novak: "Thank you. Mr. Wirsing, for what reason do you rise?"

Wirsing: "Thank you, Mr. Speaker. A point of personal privilege and I hate to interrupt, but..."

Speaker Novak: "State your point."

Wirsing: "Yes. Ladies and Gentlemen, a former Member of the Illinois House, the Honorable John Countryman is here with us today."

Speaker Novak: "Hi, John."

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Wirsing: "Served roughly in the same district that I represent today."

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

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

Speaker Novak: "The Sponsor yields."

Mathias: "We've had some discussion earlier that this Bill establishes an exemption under the Religious Freedom Restoration Act for the relocation of cemetery property. Is that correct?"

Currie: "That is correct."

Mathias: "Now, is it the Sponsor's intent in putting that exemption in this legislation to open the door to future erosion of rights under RFRA or are we limiting this exemption with the understanding that there's a compelling governmental interest that is unique in this situation?"

Currie: "The latter and in fact, we have support from the Jewish Federation with this language, the language that is in Senate Amendment 1."

Mathias: "And do you know is there any particular reason why the City of Chicago rejected a proposal to sunset the exception... the exemption to RFRA?"

Currie: "Only, I think, that who knows what else they may find as they begin to do the construction. You know, we keep discovering odd things when people dig into the earth and I think, since we don't know the exact length of the project nor whether it's possible that we'll find other remains in unlikely places means that this exemption should live the

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life of the project itself. But again, this is language that the city worked out with representatives of areas organizations, Christian as well as Jewish."

Mathias: "And again, just for my own answer. The quick-take that... the quick-take in this Bill is limited to the... to the acres, the 433 acres..."

Currie: "The 433 acres necessary for the actual operation of the field."

Mathias: "And that would not prevent you from condemning property outside of it, but it would have to be done under eminent domain. It could not be done under quick-take. Is that correct?"

Currie: "Correct."

Mathias: "Okay. To the Bill."

Speaker Novak: "To the Amendment."

Mathias: "I'm sorry, to the Amendment... Amendments. As we've heard from the various speakers here today, this is obviously not a perfect Bill and I don't know if I've seen a perfect Bill here in the five years I've been here. There's certainly pros and cons to this Bill and there's a lot of passion on both sides of this issue. I've come to the conclusion, at least for what I felt was the best for the area that I represent and the surrounding area of what I represent, that I'm going to support this Bill. I would have loved to have seen something done about Meigs Field. I feel that what was done there was wrong and it should be a viable airport for our area, but it's not in there and so I have to weigh what is in there and what's realistic to be

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put in there against what I'd like to have in that Bill. But I do support this Bill and ask everyone to vote 'aye' on it."

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

Granberg: "Thank you, Mr. Speaker from Kankakee. Ladies and Gentlemen, Illinois is a great state and we are a strong state. And part of our strength is directly attributed to our divergent interests. Unfortunately, those same interests are used to pit us against each other on occasion, either by geographic region or by party. As a downstater, I empathize with my good friends who are very much concerned about the raid on road funds. They provide critical funding for much needed jobs in downstate Illinois. As one who filed a suit against the state on illegal diversion of road funds, I understand the importance of the issue, but as a downstater today, I am telling you, this Bill is critical to our future, not only in Chicago and the suburbs, but to downstate as well. O'Hare Airport is critical to our economic future and we have to modernize, we have to expand for all of us, ya know, regardless of geographic region. And as a downstater, I will tell my downstate friends there is no nexus between the road fund issue and this Bill. There is no issue. We need this legislation. It is of vast importance to us all. So, I urge my downstaters and others to vote for this Bill to make sure we can continue to reflect the needs of the entire state, not just one region

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against another. And to quote the world famous labor leader, Dennis Gannon, 'It's about the jobs.'"

Speaker Novak: "Further discussion? The Gentleman from DuPage, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I am one of those people that Representative Granberg referred to. I come from the region that's directly impacted by your actions today. And I, too, am concerned about jobs and economic development of the future of this state. That's why I spoke long, hard and strong against the Bills that were passed by the Majority Party in this institution that took away jobs from Illinois that's sending businesses out of this state. So, it's somewhat ironic that we sit here right now and talk about the creation of jobs while at the same time you destroy the job environment in this state and you destroy and ignore the very needs of the most vulnerable people of this state. And you use that as an excuse now to create new jobs with the development of O'Hare Field, a field that first infringed upon the territory known as Bensenville in DuPage County where one third of O'Hare Field is combined. And today you tell us that now you need to quick-take 530 homes and over a hundred businesses in destroying the lives of people that you, as a General Assembly, have the responsibility and sworn oath to protect. Yes, Ladies and Gentlemen of the House, to paraphrase a previous speaker, no man's life, liberty or property is safe while the General Assembly's in Session. What a greater statement than what we're facing

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today. You cannot sit there and say this is for job creation, ignore the health of people and ignore the environmental dangers that this will bring to the very area where people live and millions of people reside and work everyday. You cannot use a job as an excuse to say that health is secondary to economic development. We have one of the highest incidences of asthma in the world in the State of Illinois right around O'Hare Field. The people that live there suffer constantly and young people are getting asthma and cancer incidence and environmental dangers as a result of the pollution that is incurred around O'Hare Field. What is the answer? The answer is 'yes' to take the very words that you say for economic development and develop Peotone and develop Midway and develop O'Hare Field in a combination together and create high-speed rail to make sure that the one and a half million people on the eastern part of Illinois and the western part of Indiana and southwestern Michigan are served as well to create that economic development that you're talking about. Yet, in this Bill, you ignore the development of those people and the importance of that and Peotone and high-speed rail in transportation. Ladies and Gentlemen of the House, this Bill is wrong. This Bill is wrong in every way. I don't care about a power grab. I've seen things happen over the years that I've been here. If that's what the Majority Party desires to do, that's what people elected you to do. But I'll tell you this, the day that they elected the Majority Party in the House, the

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Majority Party in the Senate, and the Governor of the same party, those of us that live in this region knew what we would suffer as a result of those elections and it's coming true today. Time and time again we're finding out what this has meant to our state. Yes, you're going to ignore the health of a region, you're gonna know... to ignore the development of children and educational opportunities and you are gonna take the tax base from a developing area that is contributive to this state over the years and why are you doing that, in the name of jobs or economic development. I say it's wrong. I say it's not proper. I say you're forgetting the oath of office that you took when you came to this place to pay attention to the people that need your help. Don't use regionalism as an excuse saying it's downstate needs this for economic development. Consider the people of the region that live there, their health, their right to enjoy and pursue happiness. Do not do this. Do not destroy the lives of people through quick-take and through taking their property without their final court rights. It's wrong. You know it's wrong. And don't give in to this kind of a demand. Vote 'no'."

Speaker Novak: "Thank you. Further discussion? The Lady from Cook, Representative Jones, Lou Jones."

Jones, L.: "Thank you, Mr. Speaker. I just want to give my time to David Miller."

Speaker Novak: "When the appropriate time comes, 'cause he's already spoken in debate."

Jones, L.: "Okay."

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Speaker Novak: "Further discussion? Representative Davis, Will Davis."

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

Speaker Novak: "The Sponsor will yield."

Davis, W.: "Representative, very simply, I have a few questions. Can you please tell me why we need to expand O'Hare Airport?"

Currie: "Why what?"

Davis, W.: "Why we need to expand O'Hare Airport?"

Currie: "We need to modernize the airport because of air traffic delays, because of safety issues, because this airport is used by many people, by many planes, delays plague the visitors, they lose the economy money and this new configuration of the airport we believe will make the airport far more efficient for passengers and for the United States' economy. We also believe it will reduce noise, congestion and pollution. So, the basic reason for this project is not, in fact, the jobs it'll create or the money it'll spend. We need to do this in order to make O'Hare Airport work in the twenty-first century."

Davis, W.: "Then, would you also... it's safe to say that this is to solve regional aviation needs, as well?"

Currie: "Yes."

Davis, W.: "Well, then if the objective of this is to solve regional aviation needs, then why are we not considering proposals for Meigs and Peotone at the same time?"

Currie: "Well, first of all, my understanding is that the Department of Transportation is still buying land in the

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Peotone footprint. It's my understanding that the decision about priorities with respect to airport construction and reconfiguration is one that is reserved to the FAA not to us."

Davis, W.: "How long is this project going to take?"

Currie: "Somewhere between 10 and 20 years, I believe. It's a lengthy project."

Davis, W.: "Okay. Are you aware that an airport in Peotone can be up and running in approximately two to five years?"

Currie: "That I'm not familiar with all the facts about Peotone, but as I say, this Bill is about moving O'Hare into the twenty-first century, activities in respect to Peotone's, to as far as I know, are ongoing, but they are not part and they're not relevant to this Bill."

Davis, W.: "Oh, no. Actually, Representative, it's very relevant. You've already stated that the objective is to solve regional aviation needs. And if the objective is to solve regional aviation needs quickly, then why are we considering... why are we putting all this effort into a project that you've just stated will take 10, 15, 20 years when we've got a possibility of solving regional aviation needs with a project that will take less than 10 years to get going? And if the objective is for growth and development, we have a project that will grow as regional aviation needs grow. Isn't that smart?"

Currie: "Well, as I say, that this... the timing decision, as I understand it with respect to Peotone, is up to the Federal Government. The State of Illinois is continuing with

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purchases of property. The State of Illinois is not doing the O'Hare modernization plan, that is done by the City of Chicago. And if the City of Peotone has legislation that they wish to propose, I'm sure they'd ask you to carry it and we could discuss that at the appropriate time."

Davis, W.: "Well, actually, there has been attempts to get legislation relative to Peotone moving forward and that will be discussed in a little bit. One of the things that you keep mentioning over and over is about jobs and you say this project will render approximately a hundred and ninety-five thousand jobs. Well, isn't... We have a project that can possibly bring 236,000 jobs to this area, to the regional area, as well. What's wrong with that?"

Currie: "Did I say anything was wrong with that?"

Davis, W.: "Well, but..."

Currie: "I don't believe I did, Representative."

Davis, W.: "But you keep touting a hundred and ninety-five thousand jobs. Here's a possibility of approximately 40..."

Currie: "Right."

Davis, W.: "...45 thousand..."

Currie: "Okay."

Davis, W.: "...more jobs for people in our region that will help our region even more. Not only that, Representative, this is a... also a multibillion dollar project with contracts and opportunities, as well and it has the ability to bring approximately \$10 billion to the annual economy. So, why are we not considering a project such as this, as you've already stated, if the objective is to solve regional

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aviation needs, then why are we not considering this? I thought that was the primary responsibility of the General Assembly of the State of Illinois is to yes, look at our respective districts, but to also consider those things that will benefit the entire State of Illinois. Why are we not doing that with this proposal?"

Currie: "Representative, you are welcome to introduce a Bill that does exactly what you describe and we would be happy to discuss it with you when you do."

Davis, W.: "Well, oddly enough..."

Currie: "This Bill is about a project, a plan, a modernization approach that is beginning to go forward and we need this legislation in order to make it happen."

Davis, W.: "Well, oddly enough, Representative, I might consider doing such a thing, but I'm also scared that it'll never get out of Rules. But that's another discussion."

Currie: "Ohhh."

Davis, W.: "To the Bill."

Speaker Novak: "To the Amendment."

Davis, W.: "For 20 years, airport runway capacity in the State of Illinois in the Chicago area region has been debated, but never acted upon. In the year 2001, with aviation traffic reaching the practical capacity of airports at O'Hare and Midway, increasing flight delays, Members of Congress mandating that the City of Chicago and the State of Illinois produce a plan to enhance runway capacity in the State of Illinois. In order to accomplish this, there was a plan developed that will require or include the

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modernization of O'Hare as well as building an airport in the south suburban area and preserving Meigs Field. If our objective again, Ladies and Gentlemen, is to look at regional aviation needs air space in Chicago will fill up even with this modernization plan. At some point, we will still need additional airports. It was once stated by an FAA official that we will need approximately 10 to 20 airports the size of O'Hare in the future. So, if our objective is to look at regional aviation needs and to try to solve regional aviation needs, there is no reason why we should not be at least considering the plan that was already laid out in previous General Assemblies that includes three projects to help solve our regional aviation needs. I plan to vote 'no' on this legislation and encourage others to consider the same. Thank you."

Speaker Novak: "Thank you. Further discussion? Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Before I begin, I'd like to make a question of the Chair."

Speaker Novak: "State your inquiry."

Morrow: "Yes. Thank you, Mr. Speaker. I just want to make sure that Senate Amendments 1 and 2, that were adopted in the Senate, are still on this Bill as we... as we talk about it now in the House."

Speaker Novak: "Currently, before the House, there's a Motion to Concur in Senate Amendments #1 and 2."

Morrow: "All right. So, then we're only gonna have to take what... All right. So, we're right now we're considering the

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Motion to Concur with these... with these Amendments being adopted to this Bill?"

Speaker Novak: "Correct."

Morrow: "So, we're gonna be taking one or two votes on this Bill?"

Speaker Novak: "One vote, Sir."

Morrow: "One vote to make sure that the Amendments are adopted?"

Speaker Novak: "Correct."

Morrow: "And then..."

Speaker Novak: "Final action, too."

Morrow: "And then, final action, also."

Speaker Novak: "Correct."

Morrow: "I just want to make sure that I'm not being... that there's not a parliamentary move thing put on me right now."

Speaker Novak: "It's not necessary."

Morrow: "I'm not 'Willie Lump Lump'. Would the Lady yield?"

Speaker Novak: "Sponsor yields."

Morrow: "Yes. Representative Currie, is there any language in the Bill that takes control from the Illinois Department of Transportation over aviation?"

Currie: "The only reference in the Bill that would deny a current authority to the Department of Transportation is the one that would take its veto power away from the decision to embark upon the O'Hare Modernization Plan. They will continue to have a monitoring, an oversight role, but that authority is very unusual. We don't know of other

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instances where it exists at all, but in any case, it would be abrogated for purposes of this... this project."

Morrow: "Okay. Mr. Speaker?"

Speaker Novak: "Yes, Sir."

Morrow: "To the Bill. Before I get into Amendment #2 to House Bill 74... 721, I think I need to make one thing clear. Certain Members of the Illinois Black Caucus have been accused by some people that saying that we broke our... our commitment on Meigs. There was never any commitments by the Illinois legislative Black Caucus on Meigs Field. What we did was we allowed the Friends of Meigs to come before the caucus, just as we allowed the Southland Chamber of Commerce to come before the caucus, just as we allowed the City of Chicago to come before the caucus. There was never any commitments made by the caucus to make Meigs Field a priority. Now, Meigs Field, personally, I feel should remain open and I say that because many a them... many of the reasons as the Friends of Meigs have said that the Tuskegee Airmen give flight lessons to children there. Well, the reason why I'm in favor of keeping Meigs open because one of the Tuskegee Airmen, in fact, one of the original Tuskegee Airmen happens to be a father figure to me and that's Colonel Bill Thompson. So, for someone to allude that we broke our promise is an insult to me as a... as a African-American Legislator and it's an insult to us as a caucus. And... okay. And I detest... we brought this group before the caucus in good faith to allow them to come before us and state their case in good faith and for them

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to good around here and say... making these accusations of us, I find it deplorable. My last comments are, you know, many of you know that I held out for the advisory board and I'm gonna explain why we held out for the advisory board. I'm chairman of the advisory board over the Soldier Field project. I was a novice when it comes to construction. I'm not a novice anymore when it comes to construction. Soldier Field brought the light from under the darkness and that's why it was very important that we brought the advisory board over so... over O'Hare. And I'm gonna tell you why. Someone asked me today, at the advisory board over Soldier Field, Representative, was it an open meeting? Yes, it was. Any Legislator in this Body had an opportunity to come to the advisory board meetings over Soldier Field. In fact, I welcome participation by the Members of this Body over Soldier Field and I... and I don't know if I'm gonna be named to the advisory board over O'Hare, but I would hope that whoever is named to the advisory board over O'Hare, that they adhere to the Open Meetings Act that we just passed, because this is important that we not only have input from the Legislators that are gonna be on the board and the appointees of the mayor of the City of Chicago, but it's also important that we have input from the public. So, I would hope that whenever these meetings are scheduled and whoever is elected as chairman of this advisory board that they allow open discussion and open meetings on this Act. My time is almost up. There's some people I do want to thank for

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their hard work and making sure that Senate Amendment #2 was adopted to House Bill 721. First of all, I want to thank Dennis Gannon of Chicago Federation of Labor. As you know, I've had many Bills that I've introduced this year that many considered antiunion. Well, I'm not antiunion; I'm pro my constituents and I'm glad to know that Dennis Gannon did fight very hard for this advisory board to be put on. I am gonna vote..."

Speaker Novak: "Please bring your remarks to a close, Mr. Morrow."

Morrow: "I'm gonna vote for House Bill 721. There's some other things that I would like to see in this Bill, but this is the Bill that we have right now and this is the Bill that I wish a favorable vote on. Thank you."

Speaker Novak: "Thank you, Sir. Further discussion? The Gentleman from Peoria, Mr. Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Many of us downstaters believe very strongly in the importance of having a strong, thriving, vibrant O'Hare Airport. Indeed, many of us support modernization of O'Hare Airport. Many of us support retaining Chicago as one of the most important and vibrant cities in our country. We recognize the significance of that to Illinois, the region, and indeed, the country. But the problem with this Bill is that this Bill asks us to renege on the commitment to keep open Meigs Field. That sound you hear is the sound of people from all over this state, region and country who are lamenting the fact that Meigs

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Field is apparently to be lost forever after we had reached an agreement to keep it open. Meigs Field is a wonderful facility that most larger communities in our country would... well, would... Chicago's the envy of them because of the accessibility for general aviation and importantly, in these times, for civil defense disaster relief. Many may not realize, but in the event, God forbid, of a terrorist attack, Meigs Field could carry, could handle a C-130 lo... airplane loaded with medivac and urgently needed supplies. It is very, very shortsighted to permit this Bill to pass without also assuring that Meigs Field is kept open. In addition, it is very shortsighted to treat some of our suburban friends so shabbily when we have the time to make improvements to this Bill and enable us all to come up with a good Bill that's a fair Bill, that is a Bill that is truly in the interests of all the people, in all of the interests of the State of Illinois. And for that, I would ask you to reject this Bill until we are able to make improvements in it. Thank you."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. McAuliffe."

McAuliffe: "Will the Sponsor yield?"

Speaker Novak: "The Sponsor yields."

McAuliffe: Representative, with some of the new runway configuration, how would the eligibility be determined for homes and schools to re... receive noise remediation?"

Currie: "The city's already begun looking at the... the preliminary long-range noise contour and they believe, at

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this point, that the area that would be... that would find itself less affected by air... craft noise would be reduced by about 34 percent. So, an almost 50 percent decrease in the number of buildings that are affected, houses."

McAuliffe: "Representative, what about the homes that are already under eligibility under the current airfield configuration? How are they gonna be affected?"

Currie: "They will... the ones that... the 850, for whom funding has already been secured, the soundproofing will continue."

McAuliffe: "And also, the long-range noise contour produced by the City of Chicago is preliminary, but when will you think a new contour would be produced and when would noise commission begin using that contour to determine eligibility?"

Currie: "It's being... it's being developed as part of the environmental impact statement and the noise commission would like to begin using the new contour map as soon as one is approved by the FAA."

McAuliffe: "Would you think that the FAA would do a favorable consideration so more homes would get soundproofed?"

Currie: "We do think so."

McAuliffe: "Okay. To the Bill."

Speaker Novak: "Proceed."

McAuliffe: "Mr. Speaker, I've lived just east of O'Hare Airport. One of the biggest considerations has always been the noise. The people in the eastern part of... in the City of Chicago have always thought that they should be soundproofed. With this new configuration, even though

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they're not under this plan now, I'm hoping and from the Lady's remarks and also with the confidence that the FAA, that more homes in the Chicago and su... in the eastern part of the suburbs will be soundproofed and will have less noise. And I support the Bill and ask the Body to support it, also. Thank you."

Speaker Novak: "Thank you. Further discussion? The Lady from Cook, Representative Kelly, Robin Kelly."

Kelly: "Thank you, Mr. Speaker. In this chamber today, we've talked a lot about the importance of economic development and it seems to me, at least in the Chicagoland area, that the economic development is only important in one area. There continues to be job creation in the northwest section of the city. I'm not saying that some of my constituents in the south suburbs would not benefit from the modernization of O'Hare, but most of them would have to travel an hour and a half dur..."

Speaker Novak: "Excuse me. Proceed."

Kelly: "...during rush hour to get to the job. We, too, would like to see job creation in our area where people can even afford to live. We would like to see money for our schools, our municipalities, and those of us that live in the south suburbs, but we continue to be relegated to second-class citizenship. The City of Chicago sends money to Gary, Indiana, not even in our own state to keep that airport going, but we don't think enough about people in our own state for economic development. That is very frustrating and disturbing. I urge a 'no' vote."

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Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Acevedo."

Acevedo: "Mr. Speaker, I yield my time to Representative Delgado."

Speaker Novak: "Okay. Mr. Delgado. We'll come to Mr. Delgado when everyone has spoke, like we're gonna come to Mr. Miller. Representative Parke, further discussion."

Parke: "Thank you, Mr. Speaker. I have an inquiry of the Chair. Earlier, Repre..."

Speaker Novak: "State your inquiry."

Parke: "Yes. So, earlier Representative Black asked for a ruling on Home Rule."

Speaker Novak: "We will..."

Parke: "Have you come..."

Speaker Novak: "We will provide that ruling to the Body after everyone has spoke."

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

Speaker Novak: "The Sponsor yields."

Parke: "You have to stand up now, Representative. A quick question, on the quick-take provisions. If a governing body were to challenge that, where would the court be held on the quick-take position (sic-provision) under this legislation?"

Currie: "Cook County Circuit Court."

Parke: "Now, that's curious because under current law, it is my understanding, that quick-take is challenged in the community in which the quick-take... the court of which that

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community is in. Are we changing, under this legislation, how quick-take will be ruled in the future?"

Currie: "If the quick-take were in... in Cook County, the challenge could come in Cook County. If it were in DuPage County, that's where the challenge would be."

Parke: "So, in fact, it is current. Whatever the law is, that's the way it will be."

Currie: "Right. And that... that would account for eminent..."

Parke: "So, if it's Bensenville, then the court... the quick-take challenge can be done in the courts of DuPage County."

Currie: "Or an eminent domain challenge. Yes."

Parke: "All right. That's good to know that. And all the other provisions under this are... are because you don't want it to be in any other court. You've made it so that that provision will be done in Cook County only."

Currie: "Other challenges to the law, in part because there've been challenges already filed in many different jurisdictions and I think there would be an effort to consolidate any challenges that might go to court."

Parke: "Thank you. To the Bill."

Speaker Novak: "To the Bill."

Parke: "Ladies and Gentlemen, we've talked about this legislation being legislation that is being done for job creation and I certainly can understand that. I have fought for job creation as long as I've been in the Legislature. But it's very curious to me that, under this legislation for creating jobs is the argument for this, why Meigs Field has been allowed to be closed. You know, those

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are jobs there and we're losing those jobs at Meigs Field which ought to be the same argument. It ought to apply... if it applies to O'Hare and the justification of taking land from one geographic area to another is jobs, then Meigs should be no different, and we shouldn't allow that facility to be closed down, also. Now, I've been told that we're doing this quick-take provision because it's common good. It's being done because that's what's right for the great populous. Well, let me tell you about the people in the Elk Grove, Bensenville, Des Plains Park District. Now, they're gonna lose tax revenue from the properties and there is an awful lot of properties and businesses that are going to be taken by this quick-take provision. That means the people in those park districts are not gonna have that revenue coming in to 'em. That means also that the libraries in those areas, the people who use those libraries, they're gonna lose tax revenue because it's the common good. And also, I will tell you that the townships, oh, they're gonna lose the revenue because it's the common good. There's no provisions to provide from. There is a small Section in there to provide for the school districts for a short period of time and then they're on their loan... on their own. Because the children aren't gonna go away, those children are gonna still be there, but they're gonna get less tax revenue. Oh, that's for the common good, so therefore, that's the justification. The provisions in this legislation are not there to protect those taxpayers and those citizens for the services that they want. And

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the Elk Grove, Bensenville, Des Plaines... oh, those communities..."

Speaker Novak: "Bring your remarks to a close, Mr. Parke."

Parke: "I cannot..."

Speaker Novak: "There's a timer. There's five minutes per speaker."

Parke: "I can't believe it was five minutes, but okay."

Speaker Novak: "Yes, Sir, please."

Parke: "I will just simply say as I believe that this legislation is unconstitutional. Ultimately, it will end up in the United States Supreme Court because I don't believe that one jurisdiction, one sovereign body, can take the property of another sovereign property (sic-body), just because we in the Legislature say so. I believe, ultimately, that this will not be ruled constitutional. I rise in opposition to this and would hope that the Body would share that concern and vote 'no'."

Speaker Novak: "Thank you. Further discussion? The Lady from Cook, Representative Jones, Lou Jones."

Jones: "Are you sure there's nobody else left? I want to give my time to Representative Miller."

Speaker Novak: "There's two other people left, Representative Jones and you'll not be denied the opportunity at your request. The Lady from Peoria, Representative Slone. Representative Slone."

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

Speaker Novak: "Lady yields."

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Slone: "Representative Currie, I've tried... I've read the analysis on this and I've tried to read most of the Bill. It does seem to have rather astonishing powers in association with it. I guess, in addition to the Home Rule questions to which certain Representatives on the other side of the aisle have made me exquisitely sensitive, I'm also interested in understanding how it is that there can be no condemnation either by another local government or by any state agency under the legislation. This is Section 20. Can... can you address that for me, please?"

Currie: "Wha... This is an order to provide for the security that the project could go forward. Obviously, if somebody else is going to be taking the property needed for the runway, you can't build it. So, this just clarifies that this footprint and the surrounding territory must be available by quick-take in the one case if necessary or by eminent domain in the other if necessary so that the whole project can happen."

Slone: "Okay. So, if the state would want to condemn property on behalf of the city or to give to the city for the purpose of the airport, that would... that would not be allowed under this legislation. Is that right? It's an effective preemption..."

Currie: "Right. The city..."

Slone: "...of the state."

Currie: "The city will stand as itself and do the job itself. Now, remember, when we talk a lot about quick-take and eminent domain, there will be many voluntary sellers,

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people who are perfectly willing to give up their property and agree to a reasonable price after appraisal with the City of Chicago. So, a focus on both the quick-take and eminent domain powers may be somewhat overreaching. As I say, there are people who want to sell right now who aren't able to because the City of Bensenville has kept that issue tied up in the courts."

Slone: "Okay. Another question that I have is whether airport property, as it's used in the Bill, refers to the current O'Hare footprint or the current O'Hare footprint plus whatever's in Bensenville and those other communities that is proposed to be within O'Hare after all the acquisition has occurred?"

Currie: "The quick-take authority is limited to the perimeter of the field. Eminent domain would be available if additional acreage..."

Slone: "Okay. I'm sorry, Rep..."

Currie: "...is needed."

Slone: "Excuse me for interrupting you, but I do... let me... let me explain what I'm asking you. In the definition of 'airport property', that is in the Bill, and it is then used throughout the Bill. By 'airport property' do they mean what's currently within the perimeter of O'Hare as it stands now or O'Hare plus what is proposed to be acquired for the expansion?"

Currie: "I'm not sure I follow the gist of your question. There... We defined..."

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Slone: "It sounds... it seems in some of the Sections that what... that it refers to 'airport property', it refer... the language refers to 'airport property' for things that are not yet 'airport property' because they haven't been acquired. That's why I'm asking if... if it defines that in."

Currie: "Well, here we include things like property that is... that is defined as 'airport property' because you needed it to be able to navigate safely or you needed it in order to protect pedestrians on the ground. So, I'm... that seems to me to be a reasonable definition of 'airport property'."

Slone: "Okay. Thank you. To the Bill, Mr. Speaker."

Speaker Novak: "To the Amendments."

Slone: "To the Amendments? I certainly support the idea of expansion of O'Hare. I think it's clearly critical to the economic development of Illinois as a whole. It's critical for jobs for our workers throughout the Chicago metropolitan region and throughout the state. I think it's also very important as a matter of principle that we reinvest our resources in parts of our communities that are already developed and already have infrastructure in place as much as possible. And I urge your 'aye' votes."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Delgado."

Delgado: "Thank you, Mr. Speaker. To the... to the Amendment. It's very clear to me that when we talk about economic development and we talk about airports, there's two sides to this thing. And on the technical aspects, I'm very

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excited about the technical aspects of this... of this expansion. Because, let me tell ya..."

Speaker Novak: "Go ahead."

Delgado: "...when Newark International Airport, in my opinion, in New Jersey, having worked there, having seen the redevelopment of an airport... In my hometown, by the way, in Newark, New Jersey, and everyone knows how de... how depressed Newark International or Newark City was that I got to witness the economic, substantial economic growth, which included link development, new startups of small businesses, minority businesses, majority businesses, you name it. We were able to see and create a third metropolitan airport on the East Coast in those days of the '80s, right after deregulation of 1980. And we continue, keeping in mind, to compete with Atlanta, New York, and those metropolitan airports out on the East Coast. There would be huge ramifications if we're not able to carry this legislation through, because the technical aspects of this project remain a must for the overall air travel of this great country. When you talk about ATC holes at O'Hare Airport, I've done... I was part of over 200 landings and takeoffs in that airport and when it snows in Denver, you're not moving. When it snows in Buffalo, you're not moving. We need to make sure that the technical aspects are very clear and I am convinced that they are. And it's very important to talk about a wonderful team concept, something that I fight diligently for in a democracy. While we could talk about the hard work and the very

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positive steps taken by the City of Chicago to partner with labor, to be able to bring residents together and to bring folks from all walks of life to be able to say, we're gonna be open, available. Because, yes, I've been known to say 'no' to the City of Chicago and I've been saying in the past that we need to be always open and my goodness, has this project shown me an open door. And we have to make sure that that input continues to be there and I say it is. And we want to talk about Illinoisans makin' sure that now Illinois can move forward as one from that chamber in the Senate to the chamber in the House to the Governor's Office. I am proud because we had 12 years of a contract and I know now Illinoisans, I can send a strong message and we were very clear that when they send us all here they made a decision that they wanted to make that change and they have it a mandate in makin' that change. And when we talk about the availability to work with labor and the mayor and all of the good folks of the City of Chicago and the access that I have had in minority contracting and hiring when Senate Bill 802 insures that the City of Chicago's progressive ordinances on minority and female contracting and hiring applies to the O'Hare modernization and knowing that this Bill will require semi-annual compliance reporting to the General Assembly, I find this to be very comprehensive Bill. It is a Bill that we can live with and having worked in the airline industry, having been on those runways and seeing Newark International putting it together for a city that has many walks of life,

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but a strong minority population, today is on the map. And many of you have flown into Newark International, into C terminal where I have my name on a brick, in that city, in that airport and being part of an airline called People Express Airlines that many of you know. So, I commend labor, I commend the city, and I commend what we have done here in the State of Illinois to partner. And you know I like baseball and you gotta be able to have a team, because without a team there's no win. So, let's make sure, let's forget the bickering. Let's make sure that we don't get into partisanship here, but let's keep that to a minimum if we can. But remember the unemployment rate in my district in our Senate district remains at 14.3 and yes, we're on the northwest side and we live in the very cosmopolitan and eclectic area of the northwest side, so this is a Bill that will benefit everyone. And I would ask for a strong 'aye' vote on Amendment 1 and 2, as we move forward. And keep in mind, let's not talk theory. Have you been there? Because O'Hare will be the biggest item we're dealing with in our lifetime. And I'm very proud to know that we're here. O'Hare, Chicago, and the State of Illinois is on the map and we will compete with Atlanta. We will continue to compete with the Orlandos and make sure that Illinois stays #1 and that is why my community has sent me here and to make sure that my community is part of being that #1. Let's vote 'aye'."

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Speaker Novak: "Thank you. Representative Lou Jones yields her time to Representative Miller, who's the last speaker. Representative Miller."

Miller: "Thank you, Mr. Speaker. I had an inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Miller: "In regards to the number of required votes?"

Speaker Novak: "Yes, there will be a ruling from the Chair after everyone has spoken and after Representative Currie has closed."

Miller: "Okay. Thank you."

Speaker Novak: "Or before she closes."

Miller: "For those who know me, I very rarely would ever speak twice on a Bill and I do thank our Body here for allowing me to speak on this issue and I know it's been a lot of points debated. This is clearly a very emotional issue for us and the reason it's very emotional is because the economic impact, not just to the State of Illinois, not just to the region, but to all of those concerned and the individuals that we represent. I remind you, in this Body, there will be no other economic engine package that I guarantee that any of us will ever have a chance to put input on. No other in the state, according to the Sponsor's statements that she's made. There will be no other that has this kind of impact. That's why it's extremely important for us. There have been other options that have been introduced here in addition to facilities such as Meigs, that has been established. The former

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speaker talked about Newark Airport, I would like to remind that former speaker there are three airports in the metropolitan New York area; LaGuardia, JFK, and Newark. In Chicago we will be delegated to the second city, as Los Angeles has five major airports and so there is definitely room for Peotone, definitely room for the continuation of Meigs and definitely room for the expansion of O'Hare. Unfortunately, we in the south suburbs have been delegated to second-class citizens and have always been on the waiting list. Peotone itself, can be built within five years as opposed to what the Sponsor has said, 15 years. It is safer. There is no reason why we are retrofitting O'Hare expansion as opposed to building with unlimited growth of Peotone. It is cheaper. The Sponsor has indicated that this Bill will cost \$6.6 billion to create as opposed to the \$500 million for an inaugural site at Peotone. The jobs themselves, you've heard over and over again, 195 thousand jobs, we are not arguing that. The Peotone site will be 236 thousand job, jobs within a 20-mile radius, good labor jobs that will benefit our entire region. There are three jobs for every one person in the north and northwest suburbs due to proliferation and growth in that region. Unfortunately, in the south suburbs there is one job for every sixth person. We have the longest transportation time, in not only just Illinois, but probably across the country. This only makes sense that we are equipped with parity. So far with Senate Bill 802, I did introduce language that also provides that parity

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throughout metropolitan Chicago by the implementation and continuation of Meigs Field with the development and the commitment that we're looking for with a 10 thousand-foot runway at Peotone. That has not been honored. When we look at aviation capacity in the country it is a regional issue. This Bill is not an O'Hare expansion, it is dealing with regional airport transportation, not just in Illinois, but across the country. Efforts last year tried to bypass us as Members of the General Assembly with a Congressional agreement that unfortunately failed. We're simply saying, stick to the agreement, keep the south land and south suburbs on economic par with jobs, growth, stability, that we deserve, that we demand. And the last point I'd like to make, is since I've been here all the economic growth and the major projects have gone north of 55th Street for my colleagues who do represent Chicago. We represent... we voted on Bills on Bears expansion, McCormick expansion, Sox Park. These things do not come our way. That... Boeing, last year, we gave \$40 million. Sue, the dinosaur, we gave a tax incentive to. It is fair, it is economic sound policy that all in Illinois have a right to economic growth. Our schools and children have a right to the quality of education that they deserve and we believe a south suburban airport will provide the economic stimulus. I would urge my colleagues to vote 'no' until we have this parity that addresses those concerns. Thank you very much for your indulgence."

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Speaker Novak: "Thank you. Representative Davis, Monique Davis."

Davis, M.: "Thank you, Mr. Speaker."

Speaker Novak: "Yes, Ma'am."

Davis, M.: "I do realize that in the interest of time we have certainly debated this issue perhaps not sufficiently, but as well as could be..."

Speaker Novak: "Go ahead."

Davis, M.: "...at the end of Session. I believe that the expansion of O'Hare is needed because as an international airport people are traveling throughout the metropolitan area and not receiving the safety that should occur because of the shortage of the numbers... number of runways. Peotone Airport is significant, the proposal. My question would be, how soon... how soon, Ladies and Gentlemen, will we build transportation to such an airport? How soon, Ladies and Gentlemen, will we provide public transportation throughout the south suburbs so that people could travel to work if the cement trucks were there today? If we laid the cement trucks today, how would those that we purport to work, get there? That must be a major consideration. I believe that as O'Hare expansion takes place the economic development in the entire state will be advanced because people will come from around the world and do business with those of us who reside here. I urge an 'aye' vote."

Speaker Novak: "Thank you. Mr. Uhe for a ruling."

Parliamentarian Uhe: "Representative Miller, on behalf of the Speaker in response to your inquiry, as recognized in the

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Metropolitan Sanitary District of Greater Chicago v. the City of Des Plaines and Ampersand v. Finley, two cases decided by the Illinois Supreme Court, Home Rule powers granted under the Illinois Constitution do not include the power to regulate matters of regional, state, or national concern such as the O'Hare Modernization Plan. Therefore, to the extent any local powers are preempted in the Bill, they do not relate to Home Rule powers and House Bill 721 will require 60 votes for passage."

Speaker Novak: "Mr. Black."

Black: "Mr. Speaker, I simply rise to question the accuracy of the parliamentarian's ruling. I've been here long enough to know that there are certain things I can do. But before I move to the parliamentary procedure, which generally is met by a polite but firm defeat, I would, with the Chair's indulgence, just like to give reasons why I think the ruling is wrong."

Speaker Novak: "Proceed."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, I think it's very clear in the Illinois Constitution that if the state regulates the area a mere Constitutional Majority in each house is enough to block Home Rule powers. We're not talking about the state in this case. If the state does not regulate the area, and in this case in the quick-take they won't, a Three-fifths Majority in each House is needed; Subsection 6(g) under Home Rule. Now, we'll get to the issue of O'Hare specific. Now, Ladies and Gentlemen of the House, the state preempting one Home Rules

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unit(sic-Home Rule Unit's) ability to regulate property within its jurisdiction and handing that ability to another Home Rule unit is the most simple and basic denial or limitation of local Home Room... Home Rule powers that can be imagined. The state is taking away Home Rule power of one community, giving it to another so that other can come back and say, whatever you want doesn't make any difference. That is an absolute violation of that particular city's ability to utilize its own Home Rule power. This isn't a situation where a Home Rule unit is asked to share concurrent jurisdiction or even give up certain aspects of control. It's not a licensing scheme or it's not a statewide regulation of a state issue. What we have here, Ladies and Gentlemen, and many of you have already said this, this is the most blatant power grab by a one Home Rule unit of the property of another Home Rule unit and it's facilitated and will have a stamp of legitimacy put on it by the State of Illinois. The Illinois Supreme Court has stated, and I think very clearly, that the bare denial or limitation of local power can on occasion serve a very useful purpose. But if Home Rule is to be most effective, local governments must have the widest possible latitude in determining their own policies and actions. Home Rule units... now listen to this very carefully because this is gonna be in a lawsuit... Home Rule units should be protected against sudden, massive denials of their power. What is this? Home Rule units should be protected against sudden, massive denials of power. The case I'll cite, was United

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Private Detective and Security Association v. the City of Chicago, 1976. O'Hare proponents have argued that quick-taking these homes will serve a very useful purpose. And the General Assembly is going to vote on the issue simply for that reason. Now come on, let's not hide behind the issue of legal speak that this is an exclusive state function that can be preempted by a simple majority. The state isn't preempting this, this is a power grab where the state is giving unlimited power to one Home Rule city to overrule the authority of another Home Rule city. And when you do that that requires a Three-fifths Majority. You can't... good... God help us, if this state can simply come into this chamber, this Body, on any given issue and give one Home Rule unit the authority to usurp the power of another Home Rule unit to serve the purposes of the first Home Rule unit that is the most dangerous precedent that we could ever set in this chamber. The City of Chicago can and will afford the most expensive and talented lawyers in the state and the nation. I don't believe that any of these lawyers would ethically tell this Body that this Bill requires a simple Majority vote because it clearly requires a Supermajority. The General Assembly can be assured that this legislation is going to be litigated by the other Home Rule unit whose powers who have been taken away and completely and totally ignored as soon as this Bill is signed by the Governor. It is our... it is... it is many of us on our side of aisle and perhaps joined by yours that this will be in litigation. I would simply submit to you this,

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the Illinois House of Representatives needs to consider this Bill and we have been debating in a reasonable and deliberate fashion. We need to consider this Bill the right way, not the City of Chicago's way. In all due respect to the parliamentarian, Mr. Speaker, I would ask in accordance with House Rules we respectfully ask for a record vote on a Motion to Appeal the ruling of the Chair, pursuant to House Rule 57(a). I ask for a record vote under the right to do so as embodied in Rule 49. We are in absolute opposition to the Chair's Resol... to the Chair's response. We disagree with it and we ask for our right to a record vote on a Motion to Overrule the ruling made by the Chair."

Speaker Novak: "There has been a request for the Motion to Overrule the Chair. The question is, 'Shall the Chair be sustained?' All those in favor... all those to vote to sustain the Chair vote 'yes'; 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 63 'yes', 52 'no', 0 voting 'present'. And the Motion fails. The Chair is sustained. Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. There are many of you who will not support this Bill because of what isn't in it. I would invite you to reconsider. There is nothing in this Bill about Peotone or about Meigs, but that does not define their fate. What is in this Bill, I believe defines the fate not only of the economic engine

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that is O'Hare today, but the economic engine that makes the rest of our state go round. Chicago, the northeastern part of Illinois, has been the transportation mecca of these United States since the middle of the 18th... of the 19th century and it was strong through the 20th century. And the question, how we fare in the 21st century depends in my view in part on our vote on the Concurrence Motion on House Bill 721 today. This Bill is not about jobs and it isn't about \$6.6 billion in a construction project. It is about bringing that airport up to snuff. It is about reducing delays, delays that cost us the passenger, and them, the airlines, hundreds of millions of dollars a year. It is about making it safer to travel in and out of O'Hare. It is about making congestion less a problem, pollution less a problem, noise less a problem than it is today. If we muff this opportunity, we have only ourselves to blame for an economy that could well go south, for an economy that may not keep us at center stage in the 21st century and beyond. I know it is difficult for people who live near the field who fear their homes, their businesses may be at stake and I don't blame them. I'm sensitive to their problems and I promise you the city will be, too. Anytime a road needs widening, a bridge needs building, there are people who face this location and we should have no less sympathy for the people who live near O'Hare. But to say that that should stop this project from going forward would be to shoot ourselves in the collective foot. Yes, this is about transportation, it is about economic success for the

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northeastern part of the state, for the whole State of Illinois, and it is a help that it will create those hundred ninety-five thousand jobs and put \$6.6 billion into our economy. Speaker and Members of this chamber, join me in voting 'yes' to concur in Senate Amendments 1 and 2 to House Bill 721."

Speaker Novak: "Thank you. The Lady now moves that the House concur in Senate Amendments #1 and 2 to House Bill 721. 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 84 voting 'yes', 31 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 721. Yes, Mr. Parke."

Parke: "I believe there was a request for a verification."

Speaker Novak: "There was a request. There was a request for a verification. Will all Members be in their seats. All staff retire to the back. All Members be in your seats. All staff retire to the rear of the chambers. Representative Mulligan. Representative Mulligan. Did you request a verification?"

Mulligan: "Yes, I did."

Speaker Novak: "That's what I thought. All Members in your seats. All staff and unauthorized personnel to the back of the chambers, so we can proceed with the verification. Mr. Fritchey. Does everyone have... wanna take a seat so we can

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proceed with this verification. Representative Mulligan, on the verification."

Mulligan: "Would you poll those that were in the affirmative?"

Speaker Novak: "Poll those in the affirmative."

Clerk Bolin: "A poll of those voting the affirmative: Acevedo; Aguilar; Bailey; Beaubien; Berrios; Boland; Bost; Bradley; Brady; Brauer; Brosnahan; Burke; Capparelli; Chapa LaVia; Collins; Colvin; Coulson; Cross; Currie; Davis, M.; Davis, S.; Delgado; Dunkin; Dunn; Feigenholtz; Flowers; Franks; Fritchey; Giles; Graham; Granberg; Hamos; Hannig; Hassert; Hoffman; Howard; Jefferson; Lou Jones; Joyce; Kosel; Lang; Lindner; Lyons, J.; Mathias; Mautino; May; McAuliffe; McCarthy; McGuire; McKeon; Mendoza; Meyer; Millner; Mitchell, Bill; Moffitt; Molaro; Morrow; Myers; Nekritz; Novak; O'Brien; JoAnn Osmond; Osterman; Poe; Reitz; Rita; Rose; Ryg; Saviano; Schmitz; Slone; Smith; Soto; Stephens; Sullivan; Tenhouse; Turner; Verschoore; Washington; Watson; Wirsing; Yarbrough; Younge; and Mr. Speaker."

Speaker Novak: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. By reading the names of all the Members that voted in the affirmative we've accomplished what we desire. Those of us from the northwest suburbs and some of those people from the southwest suburbs whose economic development has been cut and the northwest suburbs whose areas have been totally raped by this Bill, just want it to be on record. And in years to come... in years to come when the provisions in this

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Bill hit everybody in their own districts, we'd just like people to remember."

Speaker Novak: "The Lady withdraws her verification. And on this question, there are 84 voting 'yes', 31 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 721. Having reached a required majority is hereby de... Constitutional Majority, is hereby declared passed. Mr. Clerk."

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

Speaker Novak: "Senate Bill 1740. Mr. Clerk, please read the Bill."

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

Speaker Novak: "Mr. Rita. Oh, I'm sorry. Excuse me, Mr. Rita. Representative Bassi, for what reason do you rise?"

Bassi: "A point of personal privilege, Mr. Speaker."

Speaker Novak: "Please state your point."

Bassi: "Thank you. Up in the balcony, I have, from my district, one of the ten outstanding young people from the Illinois Junior Chamber International Con... Senate: that's Mr. Tom Rooney and his wife, Colleen, is with him. He's also a city alderman for the Village of Rolling Meadows. Would you please welcome Tom Rooney and his wife."

Speaker Novak: "Welcome to the Illinois General Assembly. Thank you. Representative McCarthy, for what reason do you rise? Well, we'll get to that, Mr. McCarthy, when the Bill is presented. Senate Bill 1740, the Gentleman from Cook,

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Mr. Rita. Mr. Clerk, read the Bill, please. Oh, it's been read. Mr. Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've heard some debate on this quick-take Bill and we'd like to clear the... some of the talk that has been going around about this Bill. I have a letter from the Village of Crestwood and the village board that this is not intended for a casino. This land is for an economic development that we were talkin' about, but everybody keeps talkin' about this being the future site of a casino and I have a letter here stating from Mayor Stranczek and the board that this is for an economic development which will bring jobs to the south suburbs which is much needed. I also have a letter from the developers statin' that it's not a casino and this is... now, nor in the future will be a site of a casino, that this is for economic development of the Super Menard's and Wal-mart."

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

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

Speaker Novak: "Sponsor will yield."

Parke: "Representative, it is my understanding that this is going to be quick-take or is it eminent domain or are you gonna use both?"

Rita: "It's gonna be quick-take."

Parke: "Now, under quick-take, it is our understanding by the State Constitution, that quick-take can only be used for the purpose of a park district or of a community center for

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a municipality or something to that effect that it cannot be used for private use. How do you answer what you're trying to do with quick-take? Because if you're saying it's economic development such as a K-mart, which is what we've been told, then how do you justify this use of this quick-take provision?"

Rita: "It's for economic development use."

Parke: "Well, quite frankly, that then makes this unconstitutional because under this SWIDA v. National City Environmental court case in 2001 ruled that taking a private land by a public entity and then transferring that land to any other private entity is unconstitutional. Therefore, this Bill, as written, is unconstitutional and should be challenged. Ladies and Gentlemen, to the Bill."

Speaker Novak: "To the Bill."

Parke: "The Gentleman making the presentation to us today has been... has said that this is for private use. Well, that may be true and therefore, the ruling says it's unconstitutional. But more importantly, he has stated, by virtue of a letter, that this will not be used for a casino. I want everybody to pay attention to this. It will be used, not as a casino, but for the support area of the casino. They're gonna put either a parking place in or a parking garage or some kind of restaurant that'll be serving the casino, but that's what the purpose of this is. Now, if that's the purpose, that's fine, but it ought not to be done this way. And for anybody to try and presume that this is not a part of a casino complex is very much

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mistaken. This is part of the casino complex. Ladies and Gentlemen, I rise in opposition. This is an expansion of gaming. The Governor will have to veto this because he told us and many times in the media that he is against the expansion of gaming. This will be used for a casino, even though it's not going to be directly used, it will be part of the casino complex. Therefore, I will respectfully rise in opposition and call upon the Governor to veto this legislation."

Speaker Novak: "Mr. Parke, are you finished, Sir?"

Parke: "I am, Sir. Thank you."

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

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We did debate this quite thoroughly the other day. And I just want to talk about a few things. One was... it's ten pieces of property, not eleven. They talked about the fact that only one out of 11 of the property owners had any trouble with this. As of this date, and I did ask the other day, please get something from the nine parcel owners to say they're happy with this. I haven't seen one bit of that information. I have seen two owners out of the ten. Now, some, of course, are afraid to come forward, but two have come forward with written statements saying that they're very unhappy with the offers, very unhappy with the way this is going. The one man that was mentioned the other day, he has an eight-acre parcel. The other guy right next door to him has an eight-acre parcel that's

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being offered like five times as much money. This is private property, as Representative Parke had mentioned. Private property going from one private property owner to another private property owner. We had a quick-take Bill here yesterday. It was like 15 different pieces of property, every one of them was for a certain street, a certain road, a certain municipal purpose. The Wal-Mart commitment that they talked about, I asked for a letter on that. We did have notification from Country Club Hills, another village just 30 blocks down the road, they are in serious negotiations. They did show us the preliminary letters showing that Wal-Mart is thinking of going there. The odds are that this isn't for, you know, something else. And some of the people who are being asked to sell this property were also asked for names of potential investors in a casino. So, if a casino's not going there, that seems pretty coincidental, as well. I think my new young colleague has done a good job on the Bill. He got 28 votes the other day. I hope maybe 15 or 20 of you jump on with 'em, get him up to 43 or 45, so we can be a testament to the great job he's done the last two days lobbying this vote. But please, let's not go anywhere near the number 60. Thank you very much and I'd appreciate a 'no' vote."

Speaker Novak: "Thank you. Any further discussion? The Gentleman from DuPage, Mr. Biggins."

Biggins: "Yeah. Thank you, Mr. Speaker. To the Bill."

Speaker Novak: "To the Bill."

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Biggins: "I, in order to find out some information about this project, called the real estate developer, a well-known name in the Chicagoland area and the State of Illinois probably, too, Rubloff Development. The developer assured me that the land will not be used for casino purpose. He has contracts ready to be signed with these major retailers already mentioned in the floor debate and he's hopeful that the Legislature will vote favorably on this and get the Village of Crestwood and the south suburban areas, which was mentioned in the previous Bill, lacking in commercial development, a site that'll be good commercial development. So, I'm gonna vote 'yes'."

Speaker Novak: "Thank you. Further discussion? The Gentleman from DuPage... Further discussion? The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. To the Bill."

Speaker Novak: "To the Bill."

Slone: "Even if the Bill would do what the Sponsor says it would do, it, of course, has the impairments that Representative Parke referred to, but in addition to that, I am totally at a loss to see why the State of Illinois or this General Assembly should do anything to assist the largest corporation on the planet with its land acquisition needs. I mean, if Wal-Mart can't afford to buy it, I don't see why we should help 'em out. Similarly, with Super Menard's. And I would certainly urge a 'no' vote."

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

McKeon: "Thank you, Mr. Speaker. I raised a couple of questions to the Sponsor in committee that I'd like to..."

Speaker Novak: "Spon..."

McKeon: "...speak to the Bill regarding. Besides the issue of what this property is really going to be used for, there is the clear issue of how this whole matter has developed over time, the very process, the very nature of the city's handling of this event, rather this project, commitments that were offered, commitments made, commitments not made. I hope that the Sponsor a year or two years from now is not personally embarrassed by the outcome of this project. But there is a lot about the process with which this project has progressed over time that I think is worthy of examination by the Cook County state's attorney, the attorney general or both. I am not suggesting any specific wrongdoing, but when one 80 parcel acre or 80-acre parcel is offered 2. or \$21 million and a comparable piece of property 3 million if you take it now, a million and a half or a little bit more if we have to go to quick-take, seems very curious to me and I think that it gets more curious as we go along. Now, the proponents of this Bill have indicated they were going to use this property for a particular purpose. I'm not gonna stand in a way... stand in the way of that intended purpose as they stated, but I think there is good reason to believe that the process in which this development has proceeded thus far raises some

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very, very serious questions and I would urge the appropriate authority to monitor this project, to examine it very closely as it moves down the line. There's something going on here that I really think may be improper and out of the... out of question. Thank you."

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

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

Speaker Novak: "To the Bill."

Lang: "I rise in support of the Gentleman's Bill. The... the notion that this has anything to do with gaming expansion is really kind of silly. We don't have the ability to give the city... the Village of Crestwood or anything... any other place a gaming license at the present time. Today, the law authorizes ten gaming licenses, by my count, all of them are occupied. There is no authority in the law for another gaming license for Crestwood. So, the notion that you... some people want to scare people on this floor that big, bad gaming expansion is coming from Mr. Rita's Bill is really kinda nuts, in my opinion. Secondly, I think we know... all need to support a Gentleman who's out here to try to help his community. He's here telling you that his community wants to be able to do this for the purposes he's stated. I don't think we should be subscribing any other motives to Mr. Rita or any other Member on this floor who stands up and tells you what he or she is all about. He very openly and honestly told you what the Village of Crestwood wanted to do with this legislation, nothing more

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nothing less. So, support it if you wish, don't support it if you wish, but why don't we assess this piece of legislation on its merits and based on the character of the Sponsor and not somebody's guesswork or somebody's fear mongering on the floor of this House. I would recommend 'aye' votes."

Speaker Novak: "Any further discussion? The Gentleman from Cook, Mr. Molaro."

Molaro: "Thank you, Mr. Speaker. I'll just be very brief, if I can. I just passed out of here, not too long ago, Senate Bill 640 which had a bunch of votes on it both Republicans and Democrats had about 25 quick-take provisions of which one or two talked about certain villages procuring property within a TIF district that they were gonna use for redevelopment. There weren't all these questions about whether they were gonna then, after they redevelop it, use it for private ownership. The village is gonna buy this and they're gonna determine what to do, what's gonna be a parking lot, what's gonna be a park district, what's gonna be sold to other communities in... I mean, other businesses inside a TIF district is what's happening here. This has happened many, many times in this General Assembly and will continue to happen in this General Assembly. Again, as Representative Lang said, vote for it or against it, but let's for or against it for the right reasons. We've done this before. There's absolutely no casino going on there and if there are people out there that are buying property because they think there's a casino going on, I have lots

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of property to sell ya everywhere in Cook County if you think there's casinos going everywhere. There's this Phantom casino that's been being built forever and I just think that's a red herring that we shouldn't fall for. Be for or against it, but there is no casino, nobody's being disingenuous. We know what this is. It's just quick-take that we pass every year in this General Assembly, nothing more nothing less. And all I do know it does help the south suburbs and I will certainly support Representative Rita in his efforts."

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

Rita: "We've heard a lot about this Bill. And I have a... as I said, I have a letter from the developer, a letter from the mayor and the board what the intended use of this property is. This is vacant land. It's one owner holding up this development. We're not takin' anyone's home. We're not takin' anyone's farm. It's vacant land in a TIF district and one owner is holding up this development which should be bringing jobs and development to the south suburbs. I urge an 'aye' 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. Clerk, take the record. On this question, there are 63 voting 'yes', 51 voting 'no', 1 voting 'present'. Mr. Black. And having reach the required Constitutional Majority, Senate Bill 1740 is hereby declared passed. Mr. Black."

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Black: "Yes, Mr. Speaker. I rise for a point of personal privilege."

Speaker Novak: "State your point, Sir."

Black: "I... The hour... I mean, it gets late and I know we're all tired, but even my good friend, Representative Lang, referred to people as being nuts. Now, Representative, I resemble that remark and just restrain yourself from now on."

Speaker Novak: "Thank you, Mr. Black. Supplemental Calendar #4, on the Order of Concurrences, there is House Bill 3412. The Gentleman from Kendall, Mr. Cross. We'll stand at ease for a minute. Just stand at ease for a second. Mr. Cross on the Concurrence Motion on House Bill 3412. Mr. Cross."

Cross: "Thank you, Mr. Speaker. This is a Motion to Concur on a Bill sent over from the Senate. This Bill is the ethics Bill, less the creation of the ethics commissions for the legislative and constitutional bodies. It takes out also the inspector general language, as well as the clarification on the gift ban. It makes the Bill we sent over, obviously... or it's a different version. It doesn't have everything that this Body wanted, but it seems to be the one version that can pass. So, I would appreciate an 'aye' vote."

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

Fritchey: "Thank you, Speaker. To the Bill. As the Sponsor indicated, this is not the Bill that we sent over, folks. There was a lot of work that was put in to putting some

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oversight into these rules and giving us some ability to have guidance. Everybody was worried about not having innocent actions get tripped up into violations of what would become State Law. And by creating the inspector general and by creating the ethics commissions we tried to give us something that was both an enforcement mechanism as well as a safety valve to make sure that we were able to comply with the new laws that we put in. We've seen all too often these chambers pass different versions of ethics Bills so they can both say that they passed something and then have nothing get to the Governor's desk. Well, it's a testament to the Speaker, it's a testament to Representative Cross that we were not going to let that happen. This Bill should pass. This Bill will pass. We can all go home and say that we put a very, very good piece of ethics legislation on the books. But we will be back on this, we will need to be back on this. We will need to have some type of oversight that both Leaders of our respective caucuses have tried to put into this Bill. We will come back hopefully, in the Veto Session and do that. Our job's not done. Illinois being what it tends to be at times, we had individuals across the rotunda who were more interested in preserving golf and tennis rights than they were at having oversight in the ethics Bill. Well, they've managed to succeed in doing what they wanted to do, but this is a good Bill. Again, both of our Leaders deserve a lot of credit for standing firm in their commitment to get something to the Governor's desk. This Bill will be signed

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when it gets there. And I request, albeit somewhat reluctantly, an 'aye' vote."

Speaker Novak: "Is there any further discussion? Representative Cross to close. Yes, Sir, Mr. Cross."

Cross: "I just want to... just for some purpose of legislative intent, Mr. Speaker, let me read into the record..."

Speaker Novak: "Proceed."

Cross: "...the following. Ladies and Gentlemen, this Bill, styled the ethics Bill, contains what I believe is the first iteration of appropriate and inappropriate conduct in relation to two at times rather vague and unclear terms, legislative and political conduct. You have certainly heard in the recent past of investigations, trials, statements, comments, opinions, and the like on the subject. We can safely state that with this Bill notice will be given to the legislative staff, their supervisors, and even us as Legislators on this subject. That is what we say is legislative and political in the use of staff and the appropriate use of state compensation and state property. I believe I can state with some assurance that virtually everything that occurs in this building is political and in some way either direct or indirect. After all, we are here to do the people's will in the best way we know how and what can be more political than that. Obviously, there is some activity which is more directly legislative than political in nature, particularly efforts in one's district while campaigning for office, one against another. What has not been clear, however, is what

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legislative staff of elected officials can do as elections approach. This Bill seeks to define what is appropriate and what is not appropriate and how we as Legislature... Legislators utilize state staff, personnel and property. As stated in the Chicago Tribune yesterday, the legislation for the first time sets out specific guidelines of what is and what is not permissible political activity for state workers on the taxpayers' time. Thank you, Mr. Speaker."

Speaker Novak: "Thank you. Is there any further discussion?"

The Lady from Cook, Representative Coulson."

Coulson: "Will the Sponsor yield?"

Speaker Novak: "The Sponsor will yield."

Coulson: "The question I have is, currently there is an ethics commission in current law of some sort? Is that accurate?"

Cross: "The answer is 'yes'."

Coulson: "And has that commission ever been formulated or met?"

Cross: "Beth, to the best of my knowledge, it has not been formed."

Coulson: "We had originally had the commissions in there so that we would be able to have some prevention mechanism. Is the ethics training still in this Bill?"

Cross: "The ethics training is out, but the mandated... or mandatory ethics training is out."

Coulson: "Is out of the Bill?"

Cross: "The Senate took it out."

Coulson: "Is there still a mechanism for those of us who have a question to be able to get any kind of a recommendation on whether or not we should accept something?"

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Cross: "Wait, Beth, I apologize. The ethics training apparently still is in."

Coulson: "Oh, good."

Cross: "Thank you."

Coulson: "That makes me feel better. The other question is there... is there any way for us to get a... even an advisory opinion on an ethics question? It... with the old commission or not?"

Cross: "You have... at this point there are two avenues. You can rely on the Attorney General of the State of Illinois or you can talk to the ethics officer in your respective caucus."

Coulson: "Okay."

Cross: "I know that's one... your... one of your concerns, Beth, and I thought it was an appropriate one of looking to do things in a proactive way. And at this point, given the changes the Senate made, the only options are the Attorney General or the ethics officer in your... in each respective caucus."

Coulson: "Thank you. To the Bill."

Speaker Novak: "To the Bill."

Coulson: "I believe that we've tried very hard to make this a preventive as well as a comprehensive Bill, unfortunately the Senate has chosen to remove some of, what I believe, are the more proactive parts of the Bill. However, it does require ethics training which is a good thing. I think that will help people understand when they do have a question and I do hope that the ethics commission that's in

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current law could be formulated and put together so that if we do have questions we might be able to go to them. And I guess I will reluctantly support this, because at least it's something related to political activities and legislative. Thank you."

Speaker Novak: "Any further discussion? Seeing none, the Gentleman moves that... Excuse me, Mr. Cross to close."

Cross: "Well, no need to... no closing, but if possible with the permission of the original Sponsors of Senate Bill 703, I'd like to add them to this Bill, if at all possible, Mr. Speaker?"

Speaker Novak: "Yes, Sir, we will do that."

Cross: "With their permission. Thank you."

Speaker Novak: "If we can get the information to the Clerk, we will add them to the Bill."

Cross: "I think he has it."

Speaker Novak: "Okay. The original Sponsors of Senate Bill 703 should be added to this Bill as cosponsors. No further discussion. The Gentleman now moves that the House concur in Senate Amendments #1 to House Bill 3412. 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', 1 voting 'present'. And the House does concur in Senate Amendments #1 to House Bill 3412. And having reached the required Constitutional Majority, is hereby declared passed. On page 13 of the Calendar there is

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Senate Bill 787, Speaker Madigan. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 787, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "Senate Bill 787, a Bill for an Act in relation to courts. Third Reading of this Senate Bill."

Speaker Novak: "Speaker Madigan."

Madigan: "Mr. Speaker, with the Amendment the Bill would provide that the Supreme Court must bargain with an exclusive bargaining representative of the court reporters that work for the court system concerning wages, hours, and terms and conditions of employment. It mandates that the court recognize an exclusive bargaining representative of all persons employed as court reporters in the State of Illinois and it also mandates that the court appoint a panel to handle the question of arbitration if there's a need for that process. And I move for the passage of the Bill."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. Just to comment on the Bill, if I might. I hold the... I have the highest respect and regard for the Sponsor of this legislation. The young man is sincere and I'm sure is highly motivated to do what the

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Bill purports to do. I'm not totally convinced that the Bill does what he purports it to do, but that's neither here nor there. I certainly hold him in high regard. I've the utmost respect for him. He's a wonderful man. A decent man. A good family man. I can go on, but maybe that's enough to get one or two of my Resolutions called. But actually, Mr. Speaker, I just simply rise to point out some of the things that we do here and I think it's fascinating, I love this place and I love this process. I certainly don't take myself seriously, but I take this process seriously. And I find this very interesting. Yesterday, we approved a pay raise, retroactive pay raise, for judges that in some cases amounted to \$10 thousand pay raise. And when I spoke in opposition, I was told, oh, oh, we cannot... we cannot tell judges what to do. We... They're a separate branch. That would... that might be unconstitutional, but then the next day here comes a Bill where we clearly and explicitly tell the Supreme Court what to do. I guess, we can't tell 'em what to do on their salary, but I guess we can tell 'em what to do on collective bargaining for employees. No disrespect intended. I love this place, you know that. And I love this process and I respect this process, but sometimes our inconsistencies just... I just find it sometimes incredulous that on one day the Supreme Court is so sacrosanct and the judges are so sacrosanct that we certainly dare not say that they shouldn't get a raise, but the next day they're not so sacrosanct that we can't tell them how to run their

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collective bargaining or their negotiations with their employees. It's a fascinating business, but I enjoy doing it."

Speaker Novak: "Thank you, Mr. Black. Is there any further discussion? The question is, 'Shall Senate Bill 787 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 109 voting 'yes', 6 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 787 is hereby declared passed. On Supplemental Calendar #4, on the Order of Concurrences, there is House Bill 917. The Gentleman from DuPage, Mr. Millner. Mr. Millner on the Concurrence Motion."

Millner: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #3 to House Bill 917. The language provides if a proposed transfer station would be located within an unincorporated area of DuPage County and immediately adjacent to a municipality or within a municipality in DuPage County then the local siting approval may not be granted unless approved by resolution of the municipality."

Speaker Novak: "Thank you. Is there any discussion? Take it out. Mr. Clerk, please take this Bill out of the record. The Motion, the Concurrence Motion, is still in committee. We'll get back to it. Senate Bill 1923. The Gentleman from Cook, Mr. Lang. Senate Bill 1923. Mr. Clerk, read the Bill, please."

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Clerk Bolin: "Senate Bill 1923, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

Speaker Novak: "Mr. Lang on the Amendment."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to this Bill is exactly the same as House Bill 89 which passed here, I think, 115-0. This is the Bill that created a program for collecting debt owed to the State of Illinois. As you recall, we have close to \$11 billion owed to the state and this is a Bill I've been working on for a very long time, passed this House five times and it's a Bill that will help us collect as much as a billion dollars in the next couple of fiscal years. It's a very valuable piece of legislation for us. And I would ask for your 'aye' votes."

Speaker Novak: "Is there any discussion? Seeing none, Mr. Lang moves that the House adopt Floor Amendment #1 to Senate Bill 1923. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1923, a Bill for an Act in relation to state collection of debts. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Lang."

Lang: "Please vote 'aye'."

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Speaker Novak: "Is there any discussion? The question is, 'Shall Senate Bill 1923 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 115 voting 'yes', 0 voting 'no', 0 voting 'present'. Having received the required Constitutional Majority, Senate Bill 1923 is hereby declared passed. Mr. Clerk, on page 17 there is Senate Bill 1601. The Gentleman from Macoupin, Mr. Hannig. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1601, the Bill's been read a second time, previously. No Committee Amendments."

Speaker Novak: "Mr. Han... Third Reading. No, excuse me."

Hannig: "Mr. Clerk, I believe that the... there's a Committee Amendment."

Speaker Novak: "Mr. Clerk, please read the Amendment."

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

Speaker Novak: "Mr. Hannig on the Amendment."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Amendment... The underlying Bill deals with variable interest rates. This proposal would allow the state to offer variable interest rate bonds up to 20 percent of the portfolio of General Obligation Bonds. So, it would give us another option, another tool when we negotiate with the bond houses and I believe that it's in the best interest of our state and our citizens to take every opportunity of

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these low-interest rates. So, that's what the proposal does. And I'd be happy to answer any questions."

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

Black: "Just a clarification. An inquiry of the Chair, Mr. Speaker."

Speaker Novak: "State your inquiry, Sir."

Black: "Floor Amendment #2 is a far sweeping Amendment. I just want to make sure that that is not on this Bill."

Speaker Novak: "Mr. Clerk. Can you hang on for little while, Mr. Black?"

Black: "Yeah."

Speaker Novak: "We're just trying to verify..."

Black: "I was going to say, Mr. Speaker, in all due respect, I think, the Gentleman's presenting Floor Amendment #1. I don't believe Floor Amendment #2 has been approved by the Rules Committee. Now, Floor Amendment #2 is extremely controversial and that's just why I want to make sure what we're voting on."

Speaker Novak: "Okay. We will find out very, very quickly."

Black: "Thank you."

Speaker Novak: "And I thank you for the inquiry. Mr. Clerk."

Clerk Bolin: "Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Novak: "Representative Reitz on Floor Amendment #1. Mr. Hannig. Mr. Hannig on the Amendment."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. I thank Representative Reitz for filing the Amendment for me."

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The Amendment I just described is Amendment #1 and so, I would be happy to answer any questions. It's... it allows the state to sell variable rate bonds up to 20 percent of the portfolio. And I move for the adoption of the Amendment."

Speaker Novak: "Is there any discussion? The Gentleman from Lake, Mr. Beaubien."

Beaubien: "Yes. I worked with Representative Hannig and the Governor's management and budget office and I'd just like everyone to know that having worked extensively with him, I agree with this Bill and urge its pass... urge its passage of the Amendment."

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

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

Speaker Novak: "Sponsor yields."

Mulligan: "Representative, vario... variable rates means what and what bonds are you going to let be variable rates?"

Hannig: "Representative, this would deal with our General Obligation Bond portfolio. Variable rates, I guess the best way to explain it is, that when you do a mortgage rate, when you buy a house, you have several options as a potential homeowner. You can do a 30-year mortgage."

Mulligan: "Right."

Hannig: "You can do a 15-year mortgage, a ten-year mortgage. Or you can get some of these variable rate mortgages. The State of Il..."

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Mulligan: "And when rates are down, it's good and when rates go up, they're not so good. So, what happens?"

Hannig: "Well, Representative, the rates are down right now and so this would seem to be an opportunity to lock into these rates. It also gives the state another tool as we negotiate with the bond houses on some of the 15-and 20-and 30-year rates, to say, look, if you don't want to give us good rates on those long bonds, we'll take the shorter bonds. So..."

Mulligan: "All right. So, how long would the variable rate bonds be for?"

Hannig: "I think it's up to the... it would be up to the agency. That isn't up to the State of Illinois to determine..."

Mulligan: "Like 10-, 15-, 20-year."

Hannig: "Yes... Yes, these types of bonds already exist in the bond market and other states use them and it would be up to the state, the Bureau of the Budget, on our behalf to negotiate these, as they do on every bond issue."

Mulligan: "All right. So, if we have a variable rate bond that's for 15 years, and that's why I'm asking how many years. If you have a variable rate bond that goes for 15 years, and as happened in the late '90s or the early '90s, when things were bad, you know, we had different things happen with state economy and as things picked up things got better. So, now, if the rates go back up and we have low rates, would we be able to refinance or redo those bonds?"

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Hannig: "Well, Representative, if it would be... the advantage of the variable rate bonds are that you can generally get a lower interest rate on the front end. The banks or the bond houses will give you something closer to what's the rate today because they're not so concerned about what will be the case in 30 years. So, you can save money by issuing these bonds."

Mulligan: "Now."

Hannig: "Issuing them now."

Mulligan: "All right. So, ten years from now, then what?"

Hannig: "Well, Representative, we still have the option to convert the bonds if we think that we've reached the bottom of the interest rate cycle and we wanna convert."

Mulligan: "All right. And then the bond house and the lawyers are gonna get money again, but we try to get a better rate then."

Hannig: "But re... also, remember that, that at the time when we issue the bonds where we owe the most, that's the time where we want to have probably the lowest interest rate."

Mulligan: "Okay. I agree with that. Right now we're looking at a big debt, but I also like to look at public policy for the future of my son and sons and daughter-in-laws and people like that so that we're not mortgaging their future into oblivion."

Speaker Novak: "Further discussion? Seeing none, Mr. Hannig moves that the House adopt Floor Amendment #1 to Senate Bill 1601. All those in favor say 'aye'; opposed say 'no'."

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The 'ayes' have it. And the Amendment's adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 1601, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. The underlying Bill, which came over from the Senate, had to do with clarifying and bringing up to date some of the language that we have for municipal governments and how they can issue variable interest rate bonds. And then, of course, the Amendment that we just adopted that would apply to the state. So, that's what the Bill is about. And I'd be happy to answer any questions. I'd ask for your 'yes' vote."

Speaker Novak: "On that question, Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker. Just a quick inquiry of the Chair."

Speaker Novak: "Yes, Sir. State your inquiry."

Black: "I just want to make certain that Floor Amendment #2 is not on this Bill that we are voting on."

Speaker Novak: "Mr..."

Clerk Bolin: "Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2 has not been approved for consideration."

Black: "Okay, fine. Thank you very much."

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Speaker Novak: "Thank you. The question is, 'Shall Senate Bill 1601 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. Mitchell. Ms. Graham. Mr. Clerk, take the record. On this question, there are 102 voting 'yes', 13 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1601 is hereby declared passed. Mr. Hannig on Senate Bill 1075. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 1075, the Bill's been read a second time, previously. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Novak: "Mr. Hannig on the Amendment."

Hannig: "Yes. Thank you, Mr. Speaker, and Members of the House. This proposal, which is an initiative of the Governor, would consolidate seven of the state's sixteen existing bond authorities into a new Illinois Finance Authority. And we believe, and let me... and let me suggest that we believe that if we would do this that we could save as much as \$1.5 million in annual savings and as much as \$5.5 million that would be available to the General Revenue Fund as well, so that we could have a total of about \$7 million that would be available to us in this time when we are struggling to find available cash. So, the..."

Speaker Novak: "Is there any discussion?"

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Hannig: "The... Well, let me just conclude, Representative, that the underlying agencies that we would roll into one would be the Illinois Rural Bond Bank, the Illinois Dep... Development Finance Authority, the Illinois Health Facilities Authority, the Illinois Education Facilities Authority, the Farm Development Authority, the Research Park Authority and the Illinois Community Development Finance Authority or Commission, which is a dormant agency. So, that's what this proposal is about. We don't reach out and affect any of the agencies or any of the bond authorities that affect our local governments and many of the other bonding authorities that exist in State Government will remain in place, as well. It just affects those seven. So, I'd be happy to answer any questions. I'd move for the adoption of the Amendment."

Speaker Novak: "And on that Motion, Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, I have some very serious concerns about this Amendment because you're rolling in seven bonding agencies into one. It's my understanding that there would be a new 15-member board appointed by the Governor with the advice and consent of the Senate. So, all of the current board members that have some expertise and I'm particularly interested in the Farm Development Authority and the Rural Bond Bank, all of those board members with some experience and expertise in those areas would be eliminated. Now,

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that's not to say that some may not be reappointed to the new board, but the Governor also has the authority to name the executive director. Is the executive director subject to Senate confirmation?"

Hannig: "Representative, I... the Governor will certainly want to do his best to find qualified people for these boards. And certainly, the people who are there, I think, can make the case of their expertise. You may have people in your district that you'd like to recommend. These people are gonna serve without pay on the board. So this is not a... you know, really a question of a job. This is a question of trying to find qualified people to serve on the board and I think that this Governor will work with us to insure that we can find those individuals."

Black: "No. Representative, I didn't mean to imply or insinuate, and if I did, I apologize. This isn't about jobs. It is about expertise in some areas. We have come to, in rural and downstate Illinois, we've developed a good relationship with the Rural Bond Bank and the Farm Development Authority and they have done, I think, a very good job over the past several years. But my specific question was, will the executive director of this new super bonding agency be subject to confirmation by the Senate?"

Hannig: "The question is, would he be subject to confirmation?"

Black: "Yes, the executive director."

Hannig: "I believe the answer is 'yes'. Yes, he would."

Black: "Okay. And then... we're taking these seven agencies and combining their bonding authority. What would be... Are we

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increasing the bonding authority at all or just taking what all of these have and putting them in one pool?"

Hannig: "Yeah. We would just combine the bonding authority. So, this Bill doesn't even attempt to try to increase their authority. That would be a different kind of Bill that would do that."

Black: "Staff informs me that in the Bill there's enabling language that would increase the total amount of bonded indebtedness over and above what these seven agencies currently are authorized. It would incr... it would authorize a \$6 billion increase in the total bonded indebtedness as what the seven have separately now. Now, why is that?"

Hannig: "Representative, I'm advised that it caps it at 23, of which 18 is presently outstanding. And I believe that that's... that that's what the current amounts would be if you put 'em together. I could be wrong and would stand corrected if you can point that out, but we thought that it was just a combination."

Black: "It would appear that in the next fiscal year this super agency would have an additional \$5 billion in bonding authority. And when you combine these seven into one, how will the project... well, that's a bad word around here lately. How will the development request be handled? If you have one that used to be handled by the Rural Bond Bank and is it strictly... strictly an agricultural issue and then you have a rather a large request that would fall under the old Health Facilities Act, my fear is, what guarantee do we

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have in downstate or less populated areas that the grant requests or the loan requests will be given the same consideration as they were given when the board on the Rural Bond Bank could focus on that rural issue? Now, we have 15 members who are going to be looking at projects on a statewide perspective and my fear is, there's no language that says the 15-members have to be geographically appointed. My only fear is that there is a possibility and I'm not implying anything. I don't think the Governor would want to stack this board, there would be no advantage to doing so. But my fear is, all of a sudden we have had board members who could focus on rural issues, now we're relying on a 15-member board that has to focus on requests everything from some of the largest hospitals in the state to some of the smallest agricultural value-added facilities in the state. What assurance can I give my constituents that we will get the same kind of thorough consideration that we did under the Farm Development Authority or the Rural Bond Bank?"

Hannig: "Representative, we will still have experts from every part of these fields that will be a part of this agency that will work very closely with your community and mine as well as the others in order to ensure that those interests are met. But we also can gain some efficiency by having one person to be the legal advisor and one person to be the accounting person instead of each of these having their own staff and letting their own contract and having their own counsel and actually by combining they probably can get a

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better bid when they have to go out and hire counsel to advise them on certain things."

Black: "All right."

Hannig: "So, we think that there are efficiencies to be gained that are significant enough that we need to try to work this through. And I believe the Governor would be willing to sit with you and I and talk about people that you would like to see appointed and issues in areas that you and I as downstaters would want to ensure that were addressed. I believe that, Representative... that you, Representative and I have very much in common and I have faith in our Governor that he's trying to represent all of the state and can do so in a proposal like this in a way that can save the State of Illinois significant money."

Black: "All right. I certainly hope my remarks aren't misinterpreted. I talked to the Governor twice yesterday and I very much appreciate that time. He has been very receptive and very open. I'm just trying to make sure we're actually going to accommodate or be able to accommodate some real savings. Will each of these agencies retain their current staff or just simply some of them? It's my understanding there would be one legal counsel for the agency. Correct? Not seven."

Hannig: "Yes."

Black: "We wouldn't need seven."

Hannig: "I think instead of having seven we can have one."

Black: "All right."

Hannig: "As far as, and the same thing with accounting..."

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Black: "All right."

Hannig: "...and things of that nature."

Black: "And so we would go out rather than just to sell bonds for one particular purpose, this agency would engage in a bond sale for all of these entities, what they thought they might need in the next fiscal year. Correct?"

Hannig: "I think that would be correct."

Black: "And that... it would be the executive director of this new and super agency. Would that executive director be the one who would issue the request for bonds with the advice and consent of the 15-member board?"

Hannig: "Yes, that's correct, Representative."

Black: "All right."

Hannig: "But always remember that whether it's the director of this agency or the director of transportation or the director of corrections, you and I still have the ability to appropriate their moneys..."

Black: "Right."

Hannig: "...if... and to have the auditor general do investigations. We will still retain a certain degree of control over all of State Government, including this agency."

Black: "Okay. Fine. Thank you very much, Representative. As always, I appreciate your forthright answers."

Speaker Novak: "Any further discussion? Seeing none, the Gentleman moves that the House adopt Amendment #2... Floor Amendment #2 to Senate Bill 1075. All those in favor say

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'aye'; those opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1075, a Bill for an Act concerning the Rural Bond Bank. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. The Amendment is the Bill. It's an opportunity to save significant amount of dollars to consolidate state bureaucracy. I think it's a good plan. And I ask for your 'yes' vote."

Speaker Novak: "Thank you. Is there any discussion? The question is, 'Shall Senate Bill 1075 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 98 voting 'yes', 17 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1075 is hereby declared passed. Mr. Hoffman. Something wrong with your switch?"

Hoffman: "There's something severely wrong with my speak switch, yes."

Speaker Novak: "We'll have..."

Hoffman: "Could you please call the electrician?"

Speaker Novak: "Yes, we will, Sir."

Hoffman: "Thank you."

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Speaker Novak: "Senate Bill 1621, Mr. Brosnahan. Out of the record. Senate Bill 1909, the Gentleman from St. Clair, Mr. Holbrook. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 1909 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Novak: "Mr. Holbrook on the Amendment."

Holbrook: "Thank you, Speaker. House Amendment 1 to Senate Bill 1909 sets up a Illinois Environmental Protection Agency Foundation. This is the exact same wording as House Bill 3507 had that passed out of here 116-0 about two months ago. I'd ask for an 'aye' vote or I'll take questions."

Speaker Novak: "Is there any discussion? The Gentleman now moves that the House adopt Floor Amendment #1 to Senate Bill 1909. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Is there... are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1909, a Bill for an Act concerning coal development. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Holbrook."

Holbrook: "I ask for an 'aye' vote."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1909 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting

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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', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1909 is hereby declared passed. On page 11 of the Calendar is Senate Bill 275. The Lady from Cook, Representative Nekritz. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 275, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Speaker Novak: "Representative Nekritz on the Amendment."

Nekritz: "Thank you very much, Mr. Speaker. I know that this Bill has been very heavily lobbied. This legislation is really about promoting bicycling in the State of Illinois and the safety of cyclists of all ages. This is the result of a Supreme Court case that was decided in 1998 in which the determination was made that cyclists are not intended users of the roadway, even though I think everyone agreed before then that they, in fact, were considered intended users of the roadway. The cite... What the result of that Supreme Court has been... the Supreme Court case has been that there's been a strong disincentive for counties and municipalities and townships to proceed with bicycle lanes, bicycle paths, bicycle routes and those kinds of facilities and I think that that's not good public policy for the State of Illinois. So, the cycling community is trying to

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remove that disincentive and this is the legislation by which we are going to do that. I introduced some legislation earlier on in this year that simply stated that cycling... cyclists are intended users of the roadway. The opponents to that legislation raised two major concerns that we heard over and over again. The first was that this legislation was going to somehow require them to upgrade the roadway to include bicycle lanes or wide shoulders on every roadway. The second concern that we heard was that somehow that the roadways were going to have to be maintained to a very high standard, much higher standard than is currently in place to make sure that no bicyclist ever fell on roadways. So, the legislation that I... that this Amendment does two things: first, it says, yes, that bicyclists are intended users of the roadway, but there is... it specifically states in the legislation that there is no obligation to upgrade the roadway or to reengineer the roadway. And the second thing it does is to say that there is no obligation to maintain to a higher standard than the counties and townships and municipalities are already maintaining the roadway. We are not breaking new ground on this leg... on this legislation. We are the only state in the Union where we have this issue. In 49 other states, bicyclists are treated the same as motor vehicles when it comes to liability with regard to local governments. So, this is not something that we are trying to put forward to create a new... a new standard with regard to bicycles. And for those that think that other states don't have tar and

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chip roadways and that bicycles don't do just fine on those, I was born and raised in Kansas, I've ridden many, many miles on tar and chip roadways in rural Kansas, so I'm very well aware of how bicycles can be fine on that. So, I would appreciate your support for this Bill. This is for the benefit of all cyclists in your district of all ages, children through adults. We're hoping, once we get this legislation through, to really promote bicycling which is... We have a public health crisis in this country with regard to a lack of exercise and we also need to do what we can to address issues of air pollution and over reliance on oil and this is one way in which we can do that. But we must have this legislation before we can move with it... move ahead with alternate forms of transportation in Illinois. And I would appreciate your support."

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

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

Speaker Novak: "Sponsor yields."

Parke: "What kind of events are you trying to solve here? I mean, what's the genesis of your legislation?"

Nekritz: "Thank you, Representative. The genesis of this legislation is in a 1998 Supreme Court case that determined that bicyclists are permitted users of the roadway but not intended users of the roadway. And what that did was it created disincentive for local governments to create bicycle facilities."

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Parke: "Okay. And does this create an additional cause of action?"

Nekritz: "Right now, there is complete immunity with regard to bicyclists whether you're... if your seven-year-old falls in a four-foot pothole on a roadway as a result of negligence of the municipality, there is... there is no right to recover. So, yes, it does. It does reinstate bicyclists as intended users of the roadway."

Parke: "Thank you. To the Bill. Ladies and Gentlemen, I rise in opposition to the Lady's legislation. All this does is say that if you ride your bicycle and you ride it somewhere that's not safe, that you can sue the municipal government of which is... which is... has the jurisdiction over the area of which you have your accident. Well, it just seems to me if you're riding your bicycle, you oughta make sure that you ride it in a safe manner in an area that is safe and that we should not allow the ability of an individual then to turn and say, well, I injured myself on your roadway and therefore, I can sue you. Ladies and Gentlemen, we have enough of a logis... litigious society as it is without... for us deliberately creating another cause of action. Ladies and Gentlemen, I think that we should soundly defeat this legislation. We do not need this kind of legislation. It just makes us... our municipal governments' insurance premiums for liability have to go up and then, of course, if it's... they can convince the jury that it's wanton and not been taken care of, that they, in fact, then can get punitive damages which means it even costs more money. I

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think, if you drive a car, you ride a bicycle, you have a certain amount of onus on you to make sure you ride it in a safe area. Ladies and Gentlemen, I rise in opposition to this legislation."

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

Fritchey: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, this Bill came through our committee and I saw the Bill this year, I saw the Bill in a similar form last year. We all have issues that are near and dear to us and this is one that is near and dear to the Lady and she has put a considerable amount of time and effort into. When this issue first arose many of the proponents of this measure were staunch opponents. And the fact that today they line up in support of this measure is a testament to her resolve and to the changes and enhancements and improvements that have been made to this Bill. The Bill is reasonable. The Bill is sound public policy. We all have bicyclists in our district, be they adults, be they seniors, be they kids. We all want them to be able to ride in safety. We all want there to be an incentive for municipalities to allow them and to provide roadways that let them ride in safety. Out of deference to common sense, out of deference to sound public policy, out of deference to the heartfelt and lengthy efforts and accommodations and negotiations that were made by all interested parties in this and there are still opponents. I don't want to misstate anything. But there were very sincere discussions

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to try to come up with the best Bill that they could that accomplished the desires of the Sponsors and the proponents. This Bill represents those efforts. And this Bill deserves your support for all those reasons. Thank you."

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

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

Speaker Novak: "Sponsor will yield."

Beaubien: "Yes. A question. At one time there was a discussion that of using a willful and wanton standard and that seems to have been replaced by the language in the Bill at the current time. Is that accurate?"

Nekritz: "Yes."

Beaubien: "And I believe, it was accurate that many of the municipalities and the municipal leagues were in support of it under the willful and wanton standard but are not necessarily in support of it with this language?"

Nekritz: "Correct, Mr. Beaubien."

Beaubien: "Okay. Does this apply to the entire state..."

Nekritz: "Yes, Sir."

Beaubien: "...including the City of Chicago?"

Nekritz: "Including the City of Chicago."

Beaubien: "Okay. I guess, my concern is and this is really to the Bill, that this is a trial lawyer's dream. I live in a community where on a Saturday and Sunday morning there are literally hundreds of bikes going up and down our rural

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roads and frankly, they're rural roads with gravel and blacktop with... not a sound foundation. I'm just concerned that it's gonna have a very negative impact on our insurance premiums and anybody that has an accident is gonna get sued and their gonna sue the municipalities. And I'd be very careful in voting for this Bill. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I often rise to articulate a position of some people in our caucus or a particular group who's asked to take a position. I am asking you to pay particular attention on this because I'm speaking from my standpoint as a former chairman of the Vermilion County Board. I've great respect for the Sponsor. I know she's an avid bicyclist and in her opening remarks, she said this Bill is an attempt to increase the awareness in sport or whatever of bicycling. I respectfully disagree with her. The Bill... The Amendment that is before us quite frankly simply will increase the opportunity to file a lawsuit against the local unit of government. This is the fifth opportunity or the fifth time since 1996 the Supreme Court decision, excuse me, 1998, the Supreme Court decision held... listen to this, even if... you know, one of the things that really a previous speaker said and I tend to agree, sometimes we tend to vote for a Bill because the Sponsor is a nice person and popular, sometimes we tend to vote for a Bill because the Sponsor has worked so doggone hard on it

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that we just think that we oughta really help that Sponsor get the Bill through. I would ask you just to bear with me. Listen, if you would, to the Supreme Court decision in 1998. The Supreme Court held that although bicyclists are permitted users of public streets and roads those streets and roads are designed and intended for use by motor vehicles. Therefore, while bicyclists may generally use the public streets and roads because they are not the intended users of these roadways municipalities are not obligated to maintain the streets and roadways in a condition which will be safe for use by bicyclists. Now, this is the fifth time since that Supreme Court decision that we have had a Bill in this chamber to make bicyclists fall under the heading of intended users of highways. Now, I... as a former county board chairman and I've heard from my current county board chairman who's a very sharp young man and a Democrat. I've heard from very, I mean, almost every township road commissioner and every highway... county highway engineer in my district. I would just like to paraphrase some of the things that concern them and they work for you, no matter where you come from, you have a county engineer, township engineer, township road commissioner, whatever. First and foremost, this Bill will place an impossible financial burden on the use... on units of local government. Any legislation that would obligate the municipalities to make sure that the deteriorating roads in their area are smooth, flat and level for the use of bicyclists would simply be an impossible standard to

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meet. This is especially so in this era of tax caps. Moreover, any expansion of the maintenance of signage obligations could not come at a worse time. As the Chicago Tribune reported on 2-5-02, the State of Illinois faces a \$236 million cut in federal assistance for local road projects and repairs. Number two, if the goal is to promote the development of bicycle paths and routes, the Legislature should provide immunity from negligence liability rather than creating an additional liability. What the Sponsors of this legislation have failed to mention for the last five years, a bicycle path and if you're fortunate enough to live in the City of Chicago, you have miles and miles of bicycle paths. And the Chica... the City of Chicago enjoys a wide latitude in immunity from lawsuits if you're on that bicycle path, but you won't enjoy that same immunity from liability if you're on a roadway. Now, this legislation says that a public entity will incur liability on a mere negligence standard for any bicyclist injured by a condition of a public roadway. But the law goes on to say from a public policy standpoint this is not going to make any sense. The Bill will actually result in fewer places for bicyclists to ride since there's language in the Bill that says the Bill would encourage local public entities to prohibit rather than to permit bicycle riding on public streets and roads so that they could therefore avoid the negligence liability. I have a five-year-old grandson, he got a bicycle for this birthday. He can ride his bicycle with training wheels and it's

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delightful and really neat for me to see him and go with him. But under this Bill, my five-year-old grandson becomes an intended user of roads and streets. Now, that's an impossible standard. Under existing law, a municipality owes a duty to maintain street surfaces in a safe condition for pedestrians only within a designated crosswalk. Outside of that crosswalk, a pedestrian takes the road surface as he or she finds it and has no right to complain that it wasn't smooth enough for his or her use and is limited in liability against the entity. Why shouldn't the same rule apply for bicyclists? Last but not least, existing roads are not adequate for dual use by motor vehicles and bicycles. Ladies and Gentlemen, I submit in due respect to the Sponsor and those who enjoy bicycling, there is a very legitimate concern particularly in older areas of our state where we do not have and for example, in my district we have what are called single-slab roads. That's a ten-foot piece of concrete with a six-foot gravel shoulder on each side. If you're a motor vehicle, the intended user, you drive down the middle of the slab. You see a car coming from the other way, you have to get off on the gravel shoulder. If a bicycle does that, the possibility for accident or injury is great. By very... by the very definition, existing roadways are arguably of inadequate width to accommodate safe use by both motor vehicles and bicyclists. Unless we are granted some tort immunity to grant bicycles the right of an intended user of a roadway po... creates the potential liability for claims

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that your counties, your cities, and your townships even though they might have a tort liability fund they can levy, they simply cannot afford the exposure to liability. I'm not against bicycles. I'm certainly not against the Sponsor. What I am against is making bicycles intended users on roadways. It will create a liability nightmare. Ladies and Gentlemen, I ask you to please consider the importance of this Amendment beyond the popularity of the Sponsor, beyond the hard work she has put into it. There is an inherent flaw in this unless you grant some tort immunity. And keep in mind, and many of the supporters of this don't like to bring this up, bicycle paths that a city builds or maintains have a measure of tort immunity. If we make them intended users on roadways, your unit of government does not have that immunity from liability. Mr. Speaker, I would respectfully ask for a Roll Call vote on the Amendment and I would urge my colleagues to stop and think of the potential liability they create for the very local units of government that many of us have served in and have come to the General Assembly after serving in that local unit of government. Almost every county engineer, township highway commissioner, city council member or mayor is opposed to this Bill simply based on the fear of liability that will far exceed the municipality's ability to pay and to comply with the law, should it become law, it far exceeds the municipality or county or township's ability to maintain roads in those conditions. I urge a 'no' vote."

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Speaker Novak: "Mr. Black, your request is granted for a recorded vote on the Amendment. Further discussion? The Gentleman from Will, Mr. Meyer."

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

Speaker Novak: "Sponsor yields."

Meyer: "Representative, this Bill passed out of the Senate over to the House at which point you added an Amendment. Is that correct?"

Nekritz: "The Amendment becomes the Bill, Sir."

Meyer: "How does this Amendment differ from what passed out of the Senate?"

Nekritz: "The original Bill had a willful and wanton standard with regard to bicyclists. This Bill makes them intended users of the roadway which does create a negligence standard, but addresses the concern, the two concerns that we heard over and over again from the municipalities and counties and so forth with regard to that standard. And Sir, the Senate Sponsor of the legislation is here and agrees with the legislation as we're changing it."

Meyer: "Well, the Senate Sponsor's always welcome in these chambers. Unfortunately, he can't use your microphone so I guess you'll have to count on him for some input possibly. In the Senate, who was supportive and who was opponents of this legislation?"

Nekritz: "I don't know, Sir."

Meyer: "Why did you change the legislation from 'willful and wanton'?"

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Nekritz: "Well, it is the belief of the bicycling community that this will provide greater protection for them while also removing the disincentive that we have seen around the state. The Grand Illinois... it's the Grand Illinois Trail through northwest and north central Illinois is a perfect example of how the disincentive created by the Supreme Court case in 1998 has limited the development of bicycle facilities in this state."

Meyer: "Well, it seem like the Senate Sponsor at the time that he introduced it in the Senate could have chosen to use the language you're now trying to put on it. Certainly, that Bill has been around here for a number of years and we've seen it here in this chamber before, yet it was introduced and seemed like it passed with fairly substantial support over there. Now, you're bringing the Bill over here making it... changing it and making it more contentious. I'm still having a hard time understanding why you're doing that."

Nekritz: "Sir, it was not an agreed Bill when it went through the Senate and we continued to have numerous meetings throughout the entire Legislative Session and this is the result of a last ditch effort to try to get everyone on board. Now, I agree with you, it is not an agreed Bill, but it is in a compromise that we just reached, I believe, a week ago last Monday."

Meyer: "Well, I guess a compromise is somewhat of a stretch. In other words, you had a compromise..."

Nekritz: "No, it..."

Meyer: "If I could finish here, Representative."

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Nekritz: "Sure."

Meyer: "You had a compromise that successfully passed it out of one Body over to here, originally, and you are changing it to the point where there is more contention on the issue. I do have a question, a further question, on lawsuits which are liable to or likely to be a result of your legislation here. Do you expect that there will be numerous lawsuits because of it?"

Nekritz: "Sir, prior to 1998, prior to the Supreme Court case that made cyclists not intended users of the roadways, the standard in Illinois was a negligence standard and I... my guess is that there were somewhere between four and ten lawsuits a year around the state, that would have been a lot."

Meyer: "Well, I've talked to a number of people that believe that your language will increase the likelihood of lawsuits and pro..."

Nekritz: "I know that's what they believe. I disagree."

Meyer: "Well, just for the record, whether you do agree or disagree, I'd like to indicate what they feel and they're not without knowledge of this subject matter either. They rec... they believe that every time that somebody falls you're probably gonna end up with a lawsuit which is going to certainly increase the number of lawsuits that'll be in the court and probably you're looking at a \$2500 to a \$5 thousand factor just to settle nuisance lawsuits. Certainly, they believe that they're correct. Why would you believe that they would not be?"

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Nekritz: "I'm sorry, Sir. Did you ask a question?"

Meyer: "I said, certainly, they believe that they're correct and they're using their legal staff to make that determination to some extent. Why would you believe they would not be correct?"

Nekritz: "Because prior to the time that this... that the Supreme Court decided the case that is the reason we're here, there were a minimal nu... a diminimous number of lawsuits every year and so, I'm relying on past experience for that."

Meyer: "Well, I guess we'll just have to have a difference of opinion on that, respectfully. I do believe that you've compounded the problems with this Bill by changing that wording. You probably had a Bill that would have undoubtedly flown through here and now it's a very contentious Bill. I'm having a hard time understanding exactly what your motivation was for it, but that's your decision. So, I would just stand in opposition to the Bill."

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

Slone: "Thank you, Mr. Speaker. To the Bill. The Sponsor of the Bill is to be commended for her work and her achievement in bringing a compromise to fruition. This has been a very intractable issue ever since the State Supreme Court decision in 1996 that a number of us have tried without success to bridge the gap between the parties on this and Representative Nekritz has achieved this. She's got a Bill here that nobody is wildly enthusiastic about,

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but everybody feels she can live with. It deserves your support."

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

Hamos: "Thank you. Speaker, Ladies and Gentlemen. I rise in support of this Bill. I carried this Bill for the past two years and it's gone through a lot of changes and a lot of conversations since then. The Bill... Some of the previous speakers spoke to the general outlines of this Bill, but seemingly did not look at the specific language that Representative Nekritz has very carefully worked out. And because of the language, the City of Chicago and the county of Cook are at least two municipalities that, in fact, have signed on to support this, so it's not correct that no one is supportive. They care as much about liability as anybody. This specific language is intended to prevent lawsuits, is intended to prevent any kind of problems for municipalities because it's very specifically says that there's nothing that requires, that there's no obligation to upgrade, widen or reengineer. There is no obligation to widen. It is incorrect to say that that is what this Bill does. This Bill, as amended now, really has very carefully worked through with the municipalities their exact concerns and that is why it deserves your support, your strong support. Of course, municipalities would like it if they weren't liable for anything. All government agencies would like it if they had absolute immunity, but this is such an unfair result that the United... that the Illinois Supreme

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Court has given us that this Bill goes partial way to restoring some liability and to elim... so that we can actually protect bicyclists, promote bicycling and protect... and prevent injuries for the bicyclists that are in all of our districts. Please give your... this your strong support."

Speaker Novak: "Thank you. Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I appreciate the very spirited debate. I believe that the issues have been very clearly outlined. I just would like to respond to some statements that were read. That this would impose an impossible financial burden and that roadways would have to be maintained to a level that would be immaculate, I don't know if that was the word that was used, for the use by bicyclists. As the previous speaker noted, we have very carefully tried to create exceptions for that and in fact, I believe we have by saying specifically that there is no obligation to maintain the roadway to any greater standard than currently exists for motor vehicles. In addition, there is no obligation to reengineer or upgrade the roadways. So, we have very carefully tried to address the concerns of the municipalities. This is not... For me, the... this issue is not about what really about liability. It is about the safety of bicyclists in this state, all of the bicyclists that you have in your district. We are not breaking new ground. There are some municipalities that are at least

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neutral on this Bill: the county of Cook, the City of Chicago. And I would appreciate your support. Thank you."

Speaker Novak: "There has been a request for a Roll Call vote on this Amendment. The question... The Lady now moves that the House shall adopt Floor Amendment #1 to Senate Bill 275. 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 58 voting 'yes', 55 voting 'no', 2 voting 'present'. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk. Representative, you wish to call this Bill? Mr. Clerk, move it to Third Reading and read the Bill."

Clerk Rossi: "Senate Bill 275, a Bill for an Act concerning civil immunities. Third Reading of this Senate Bill."

Speaker Novak: "Representative Nekritz."

Nekritz: "I think this has been clearly debated. I'd appreciate your support."

Speaker Novak: "Is there any discussion? Mr. McCarthy. Mr. Black."

Black: "Thank you very much, Mr. Speaker. To borrow a phrase from the esteemed Majority Leader, I'd be more than happy to take the same Roll Call. Once again, I get no particular thrill out of opposing anyone's Motion. I just simply ask you again to stop and think not of the Sponsor nor how hard she has worked, but if you'll read the Supreme

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Court decision, if you will talk to your mayors, your town road commissioners, your county engineers. What this Bill says, strip everything else away, what this Bill says is that a person on a bicycle is an intended user of a roadway. That means they are there competing with cars and trucks and don't kid yourself, the municipalities will be sued because of a rough surface a bicycle will... bicyclist could be seriously injured on two lane roads in my road... in my district by a mirror, a mirror that sticks out from the side of the truck. That's happened several times, a bicyclist has been hit by the mirror. Ask yourself if you want your five-year-old son or grandson or daughter to be an intended user of a roadway competing for space with cars and trucks moving 35 to 65 miles an hour. That's all this Bill's about. If you grant our municipalities, counties and townships the same liability immunity that Chicago has on their bicycle paths, we'll take it in a second, but you won't do that. So, all... when all is said and done, if you want bicycles to be intended users of the roadway, then God help you if you hit one on your way home tonight or tomorrow, should this Bill become law. I urge a 'no' vote."

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

Stephens: "Thank you. Should the Bill receive the requisite number for passage, I ask for a verification."

Speaker Novak: "There has been a request for a verification. Further discussion? The Gentleman from Cook, Mr. Molaro."

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Molaro: "Yes. You know, I wasn't gonna rise for this, but I have to now because everybody keeps saying this. The opponents of this Bill are absolutely right. You are makin' a bicyclist an intended user. Well, what I... what it says expressly in the Bill, which I don't see why anybody hasn't brought up and the Sponsor tried to, but nobody was listening, that if you put up a sign and say that it's prohibited, then it's prohibited. That's it. This... Then you do not get the relief that this Amendment gives you. So, if you're in all these counties that the Representatives are talking about that don't like this Bill, all they gotta put up... put up a sign and say bicyclists are not intended users. That ends that. That's all you have to do. So, her Bill makes a lot of sense to me. In other words, if there's municipalities that are out there that say, we don't like this, put up a sign and that relieves their liability. So, that's what I... Thank you."

Speaker Novak: "Further discussion? Mr. Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. You know, the comments that, do you want your grandchild to be an intended user when he or she is on his bike, is exactly the point of this Bill. Kids do ride bikes, people do ride bikes. In fact, more people ride bikes than ever because they don't want to spend the money that a car costs. They don't necessarily want to drive their car and take two gallons of gas to go three blocks. This is exactly the point, to make them intended users to

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make the roadways safer. So, I don't understand why anybody raises that as a red herring. The truth is, that's exactly what the Bill's about and that's what we want to do. It's a good Bill. She worked very hard on it. She deserves an 'aye' vote."

Speaker Novak: "Further discussion? Mr. Mautino."

Mautino: "Thank you and to the... to a couple of the previous speakers. We have a lot of concerns in the municipalities, but the original language of the Bill had a willful and wanton standard and that protected the cities. What happens if we don't have that standard where we have a level of immunity for the cities in these situations is what happened in my home county. We're on the Grand Illinois Trail. Our townships just said, we're gonna stop the trail. We will not allow you to use our roads. We will go ahead and post signs for this. And so, I don't think it gets to what we would like to see. I'd like to see promotion of that, but those court cases came about, those are in my home county, brought about by my townships for the exact reasons expressed by Representative Black. And in this situation, he is correct, we would have that potential liability. Myself, I think that... and I've carried this Bill as a Sponsor in the past. So, one of the... the hurdles that we could never get over was the increased standard. And I think that, that if we could have given that, you could have gotten the agreement from the municipalities because they know they would have some means of protection inside the Bill. So, I reluctantly

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rise in opposition. I appreciate the work that has gone into the Bill, but many of the statements by Representative Black are true and correct. It is my counties that brought the suits and my townships will not allow the Grand Trail to continue simply because we don't have that language. So, on that, I would simply ask for a 'no' vote."

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

Mitchell, J.: "Thank you, Mr. Speaker. You know, it's starting to get a little absurd on this Bill, folks. I mean, if you wanna make children intended users of roadways, then come down to southern Illinois and see some of the roads that we struggle to keep at least passable for our automobiles. There is no reason for kids to be on 'em. I can see a junior high kid flying down there in a race with his buddy because we've made him an intended user of the roadway. This makes absolutely no sense and to post 'em all, to say ya can't use 'em. Why don't we turn that around and say if you want 'em to use 'em, post 'em so that they can say, hey, come on and get on our road. I mean, let's just think about this for a minute. Now, you're talkin' about an unfunded mandate to counties, cities. It makes absolutely no sense. If any, any Bill ever deserved a 'no' vote, this is it. One size does not fit all here, folks. If it's good for Chicago and some of the suburbs, that's fine. Craft a Bill for your area, don't try to say it works for everyone. And this is no reflection on the Sponsor. I've worked with her on some really good pieces of legislation

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and this is probably really good for her area, but it's really bad for mine. Think about the entire state, that's what we're here to represent. Thank you."

Speaker Novak: "Thank you. Representative Nekritz, you wish to close?"

Nekritz: "Thank you very much, Mr. Speaker. Again, I think we have... all the arguments have been set forth in the very clear fashion. And I would appreciate your support."

Speaker Novak: "The question is, 'Shall Senate Bill 275 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? There has been a request for a verification. Have all voted who wish? Representative Jones. Mr. Giles. Monique Davis. Mr. Clerk, take the record. On this question, there are 60 voting 'yes', 53 voting 'no', 1 voting 'present'. There has been a request for a verification. Once again, all staff and unauthorized personnel retire to the back of the chambers. All Members are to sit in their chairs. Mr. Clerk, poll the affirmatives."

Clerk Bolin: "A poll of those voting in the affirmative. Acevedo; Bailey; Berrios; Boland; Bradley, R.; Brosnahan; Burke; Capparelli; Chapa LaVia; Collins; Colvin; Coulson; Currie; Daniels; Delgado; Dunkin; Feigenholtz; Franks; Fritchey; Froehlich; Giles; Graham; Granberg; Hamos; Hoffman; Howard; Jakobsson; Jefferson; Jones, L.; Joyce; Kelly; Kurtz; Lang; Lyons, J.; May; McAuliffe; McCarthy; McGuire; McKeon; Mendoza; Miller; Millner; Molaro; Morrow;

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Nekritz; Novak; Osterman; Pankau; Rita; Ryg; Saviano;
Scully; Slone; Soto; Turner; Washington; Winters;
Yarbrough; Younge, and Mr. Speaker."

Speaker Novak: "Mr. Stephens on the verification."

Stephens: "Thank you, Mr. Speaker. Representative Giles."

Speaker Novak: "Representative Giles in the chamber? Mr.
Giles. Remove Mr. Giles."

Stephens: "Mr. Hoffman."

Speaker Novak: "Mr. Hoffman is near his chair."

Stephens: "Excuse me. Representative Saviano."

Speaker Novak: "Representative Saviano. Return... Mr. Saviano's
in the chamber. Mr. Giles has returned to the chamber."

Stephens: "Mr. Acevedo."

Speaker Novak: "Return Mr. Giles to the roll. Mr. Acevedo is
in his chair."

Stephens: "Representative Pankau."

Speaker Novak: "Representative Pankau. Representative Pankau.
Remove Representative Pankau."

Stephens: "Representative Winters."

Speaker Novak: "Representative Winters. Representative Dave
Winters. Remove Mr. Winters from the roll."

Stephens: "No more."

Speaker Novak: "Representative Nekritz. The Lady wishes to put
the Bill on Postponed Consideration. Representative
O'Brien for a Motion."

O'Brien: "Thank you, Mr. Speaker. Pursuant to the applicable
House Rules, I seek to post... to suspend the posting
requirement on Senate Amendment #1 to House Bill 1458."

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Speaker Novak: "Thank you. Is there leave of the Body? Leave being granted and the Motion is... Motion is granted. Mr. McCarthy, for what reason do you rise?"

McCarthy: "For the purpose of an announcement, Mr. Speaker."

Speaker Novak: "State your announcement, Sir."

McCarthy: "Thank you, Sir. Before the previous Bill, I was asked to announced that Chuck Vaughn was nice enough to set up a dessert table out here in the hallway behind me. The Bill took a little bit longer than we thought and there's not much left out there, but if you'd like to go out and..."

Speaker Novak: "Is that low-fat dessert, Mr. McCarthy?"

McCarthy: "I don't recommend dessert in the middle of the afternoon as you know, Mr. Speaker..."

Speaker Novak: "Is that dessert from the Atkin's diet?"

McCarthy: "...but it is out there and Mr. Vaughn was nice enough to provide it and everyone is welcome to go out there and see what's left. So, thank you."

Speaker Novak: "Thank you. Mr. Stephens."

Stephens: "Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Stephens: "How many Postponed Considerations can you get on a Bill?"

Speaker Novak: "I believe, just one. The Rules allow one."

Stephens: "One?"

Speaker Novak: "Yes."

Stephens: "I wanna make sure."

Speaker Novak: "Okay, Mr..."

Stephens: "Thank you, Mr. Speaker."

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Speaker Novak: "You're welcome."

Stephens: "You're kind as always."

Speaker Novak: "Mr. Clerk, committee schedule."

Clerk Bolin: "The following committees will meet immediately:
Developmental Disabilities & Mental Illness in Room C-1,
Executive in Room 118, Financial Institutions in D-1,
Gaming in 114, Judiciary II-Criminal Law in 122-B, State
Government Administration in Room 115. The following
committees will meet 6 p.m.: Agriculture & Conservation in
122-B, Elementary & Secondary Education in Room 118, Human
Services in D-1, Local Government in C-1 and Revenue in
115."

Speaker Novak: "Mr. Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "Ladies and Gentlemen, we don't want any Members
to leave the chambers yet. Please. Members, please be in
their seats. Members please be in their seats. Mr.
Black."

Black: "Thank you very much, Mr. Speaker. Parliamentary
inquiry of the Chair."

Speaker Novak: "State your inquiry."

Black: "Pursuant to Rule 56 of the Rules of the 93rd General
Assembly, I believe the Rules are silent on whether or not
you can request a Postponed Consideration after a Bill has
been verified. The roll has been taken. The announcement
was made that the Bill had lost. The verification came
off. Excuse me, the verification took it off, the Bill was
declared lost. I believe the Lady's request for Postponed

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Consideration is not in accordance with the Rules and not timely."

Speaker Novak: "Mr. Black. I took the roll, but I did not take the record. I announced the 'yes' votes, the 'no' votes, and the 'present' votes and I stopped there. And then we went into the verification. And when the verification took the two individuals off the roll..."

Black: "Okay. Well..."

Speaker Novak: "...Miss Nekritz..."

Black: "...you know, it was..."

Speaker Novak: "So, I did not take the record."

Black: "Well, I'll save my energy. I think I may need it."

Speaker Novak: "Thank you. Ladies and Gentlemen, if we could have everyone in their seats. We're going to go into committee and we're gonna... and we'll come back, reconvene at 6:30. But the Chair recognizes Mr. Moffitt. The Chair rises (sic-recognizes) Mr. Moffitt. Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. I'd like the House to rise to recognize the loss of a soldier a few weeks ago that was in a county that both Representative Mautino and I represent. Unfortunately, we've had the occasion to do this several times this Session and we've asked that you join with us in mourning the loss of a Bureau County soldier. This is... We're mourning the loss, the combat death, of Staff Sergeant Lincoln Hollinsaid of the United States Army of Malden, Illinois, who died in combat on Monday, April 7, in Iraq. Every time that we stop for a moment to mourn the loss of a Illinois soldier it brings

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home the reality of war, the price paid by some of the families and really the cost of freedom for all of us. Today, we do mourn this death of Staff Sergeant Lincoln Hollinsaid. He was a 1993 graduate of Princeton High School and as a child, he, like many children, he loved to fish, played Little League baseball. He played the guitar and been a member of a Malden area rock band, Rival Kin, that played at schools and other events. During his seven years in the U.S. Army, Staff Sergeant Hollinsaid was stationed in Germany, Bosnia, California, Georgia, and the Middle East. Part of his job was to train young troops and he looked fondly on the team that he was... had been currently working with. Staff Sergeant Lincoln Hollinsaid lived life to the fullest and by example, he showed what it means to have love of family, love of community, love of America, and love of freedom. He died a hero. He died to keep you and me free. God bless the memory of Staff Sergeant Lincoln Hollinsaid and God bless his family. I'd like to turn the microphone over to Representative Mautino."

Mautino: "I join with Representative Moffitt in paying our respects to one of our brave young men from Bureau County and join with him in remembrances and extending our sympathies to the members of his family and friends, people of the City of Malden for the loss of this tremendous young man. Thank you for joining with us."

Moffitt: "I thank the House and the Speaker for this time of remembering this hero. Thank you."

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Speaker Novak: "Thank you. Members are urged to attend their appropriate committees and the House will reconvene at 6:30. House will come to order. Mr. Clerk, Committee Reports."

Clerk Bolin: "Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #2 to Senate Bill 1621. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 1957. Representative Joseph Lyons, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #3 to House Bill 2550. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 1937. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were

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referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 and 2 to Senate Bill 723, Floor Amendment #1 to Senate Bill 742, Floor Amendment #1 to Senate Bill 744, Floor Amendment #1 to Senate Bill 821, and Floor Amendment #1 to Senate Bill 874. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 568, and Motion to Concur with Senate Amendment #3 to House Bill 569. Representative Lang, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendments 3 and 5 to Senate Bill 1607, and Motion to Concur with Senate Amendment #1 to House Bill 1070. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to Concur with Senate Amendment #1 to House Bill 1458. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back

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with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 740. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Saturday, May 31, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 706, and Motion to Concur with Senate Amendment #1 to House Bill 719."

Speaker Novak: "Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 389, offered by Representative Graham. House Resolution 390, offered by Representative Graham. House Resolution 391, offered by Representative Osterman. House Resolution 392, offered by Speaker Madigan. House Resolution 393, offered by Representative Novak. House Resolution 394, offered by Representative Hannig. House Resolution 395, offered by Representative Miller. House Resolution 397, offered by Representative Jefferson. House Resolution 398, offered by Representative Fritchey. House Resolution 399, offered by Representative Mautino. House Resolution 401, offered by Representative Flowers. House Resolution 402, offered by Representative Joyce. House Resolution 403, offered by Representative Rita. House Resolution 404, offered by Representative Flider. House Resolution 406, offered by Representative Dunkin. House Resolution 407, offered by Representative Mendoza. House Resolution 408, offered by Representative Mendoza. House Resolution 409, offered by

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Representative Lang. House Resolution 410, offered by Representative Hannig. House Resolution 416, offered by Representative Hamos, and House Resolution 417, offered by Representative Lou Jones."

Speaker Novak: "Thank you. Announcement of the Chair. Members, the intent of the Chair is to finish all our business tonight, late into the evening. Dinner arrangements, you're on your own. You're on your own for dinner arrangements. The Motion on Agreed Resolutions. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. Senate Bill 742. Mr. Clerk, read the Bill. Representative Hannig."

Clerk Bolin: "Senate Bill 742, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes. This is a... the first of three budget implementation Bills that I'd like to present. This one deals with Human Services. I can either explain it now or on Third Reading, Mr. Speaker, your pleasure."

Speaker Novak: "Are there any questions on the Amendment? Seeing none, Mr. Hannig moves that the House adopt Floor Amendment #1 to Senate Bill 742. All those in favor say 'aye'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 742, a Bill for an Act in relation to executive agencies. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. Again, this is the Human Services Budget Implementation Act. It does a number of things. For example, it provides that the University of Illinois can now have pharmacy services as a purpose for which it can collect money to the tune of about a million dollars, in family care, we say that the match will go back to the fund that paid it. In the Katie Beckett Waiver we say that we'll pay for these kind of children until age 21 instead of 18, which is what we're doing already. In Medicare nursing home rates, those rates are frozen and the language simply adjusts that. We passed a Bill earlier by 114-2 dealing with the State Disbursements Unit, there was no effective date. This puts an effective date in the Bill. It adds federal funds earned by state universities as something that can be deposited by the Public Aid Recovery Fund. This will save us about 4.5 million. And authorizes the Department of Public Aid to establish criteria for the development of a Medicaid reimbursement methodology for payments to hospitals and for hospital residing long-term care services. And it also repeals some obsolete Sections and provides that public... and provides that the al... the regional Alzheimer's disease centers will be paid from the Department of Public Aid instead of the Department of

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Public Health. So, I'd be happy to answer any questions.
And move for the passage of the Bill."

Speaker Novak: "Is there any discussion? Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, I only have two questions and you know
more about this and I couldn't read through it in all of
the time that we have anyway. There is nothing in this
budget implementation Bill that one, establishes any bed
tax on any nursing home, correct?"

Hannig: "There is... You are correct. There is not."

Black: "All right. And there is nothing in this Budget
Implementation Act that creates any special assessment on
hospitals so they can get more Medicaid money, but not
spend money, but get more money?"

Hannig: "That is correct."

Black: "Thank you."

Speaker Novak: "Further discussion? Representative Coulson."

Coulson: "Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Coulson: "Mr. Hannig... there he is. As I understand it, in one
of the Amendments there was language that actually took out
the IOC language and now it's back in there with the MDS
and the IOC language. Can you tell me why that is?"

Hannig: "Yeah. I was advised that that is not really a budget
issue and that's why the language was not in there in the
first place. Should not have been..."

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Coulson: "But now it is in there?"

Hannig: "...should not have been in there. Should not have been in there in the first place."

Coulson: "Okay. And I guess that's what I'm confused about. Is it in there now, the IOC language?"

Hannig: "Yeah. Originally, we deleted all the IOC language 'cause there's new rules that have been set out."

Coulson: "Correct."

Hannig: "I think some people may have misread what that... what that meant and so that was deleted."

Coulson: "So, you put the language back in because that's what the..."

Hannig: "So, the Bill does not address the issue of IOCs, not at all. So, whatever's on the statutes stays in the statutes."

Coulson: "Okay. So, the current language of the IOCs is still there, but you... we would have to delete it in another way."

Hannig: "Yes."

Coulson: "We couldn't do it here."

Hannig: "That's correct, Representative."

Coulson: "Okay. And so, basically, there's no intent to shift away from the MDS language that we spent so much time on last year and this whole House voted for it?"

Hannig: "No, Representative, and in fact, the agency, the Department of Public Aid, has already filed rules beginning to implement the new system. So, we're in tune with that."

Coulson: "Okay. Okay and I thank you for that. And I have one other question and that is related to the shift of the

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Alzheimer's disease assistance funding from the Department of Public Health to the Department of Public Aid. Am I actually then assuming that is so that we can get a federal match?"

Hannig: "Exactly."

Coulson: "Okay. Thank you very much. To... I am encouraged that we will be able to, at some point, move towards the MDS system which we worked so hard for. And once again, I think it's great that we've found another place in the budget to try to get us a federal match on dollars. And I hope we can find more of that. Tha... And I urge an 'aye' vote."

Speaker Novak: "Further discussion? Seeing none, 'Shall Senate Bill 742 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 103 voting 'yes', 13 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, Senate Bill 742 is hereby declared passed. Senate Bill 744. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 744 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Novak: "Mr. Hannig."

Hannig: "Thank you, Mr. Speaker, and Members of the House. This is the budget implementation Bill for education. And

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again, I'd suggest if we could, could we just adopt the Amendment and then I will explain the Bill on Third Reading?"

Speaker Novak: "Correct. Is there any discussion? Mr. Mitchell."

Mitchell, J.: "Fine."

Speaker Novak: "Okay. We'll do it... Mr. Hannig. Mr. Hannig now moves that the House adopt Floor Amendment #1 to Senate Bill 744. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 744, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, and Members of the House. This is the budget implementation Bill that provides that the spending that we put into the budget matches what is on the statutes. So, the provisions of this Bill increase the foundation by \$250. The Governor suggested that we do that, we did that in the spending plan, this would put it in statute. We changed the basis in calculation for the low-income concentration level. The transition assistance... the transitional assistance that the Governor talked about, so that no school would be a loser, that becomes a statutory part of this Bill. The Bill deals with the charter schools and provides that the State Board

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of Education will provide transitional impact aid payments to school districts after a charter has been granted. The Governor suggested that we discontinue gifted education, this will do that. There are some issues also at the higher ed level. The Illinois Community College Board and the City College of Chicago have come to an agreement and this Bill puts that agreement into law. That has to do with the transfer of a portion of the maintenance fund. ICCB also has determined that community college should establish a combined tuition and fee rate for calculations, this does that by statute. And also the Governor's Illinois Future Teachers Corps replaces the ITEACH and there's language to allow that to transition through the process. So, that's the explanation for the proposal. And I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? Mr. Mitchell."

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

Speaker Novak: "Sponsor yields."

Mitchell, J.: "Representative Hannig, during our discussions with John Filan and according to the Governor's promise to fulfill the districts so that no school district will lose revenue from FY04 and that transitional assistance payments will be made to school districts identified by the State Board of Education as receiving less revenue in FY 2004 than FY 2003. Could you tell me how this will be accomplished?"

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Hannig: "Yes. I think at the... the state board will look at the from a... We will establish, by statute, this fund which is in the budget, as well and then those school districts, who believe that they have lost money, will be under rules that will be produced by the State Board of Education will then petition the state board and I'm certain they'll be requested to show how they lost money or why they lost or how they lost money and how much. They'll petition the state board and the state board will then have a program in which they can be reimbursed, so..."

Mitchell, J.: "So, basically, the state board is gonna set rules of parameters by which to determine whether or not the school districts request is valid. Is that what you're saying?"

Hannig: "Well, the point we're trying to make is that if they have a net reduction in their overall school aid, then they can apply and they should apply and should receive the difference in this transitional assistance. The state board will, I think, set up a system that sort of formalizes how that is done."

Mitchell, J.: "Okay. Will there be any kind of an appeals process to maybe the... to the BOB or someone else in case there's a disagreement between the State Board of Education and the school district per se? Because my understanding is the school district... the school board association really is not real keen on this transitional assistance program."

Hannig: "Well, Representative, I think that the state board would and I think that's a good point. The state board

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should set up rules for appeal, as well. And that would give any school district that felt that they came out on the short end an opportunity to have a... have their case restated in case they think that someone missed their point. And we believe now that the transitional money is really down to around 2 million, even though we appropriated much more than that, so I don't think we'll have a problem of not enough money."

Mitchell, J.: "No... I think and I agree with you. I think with the additional money that's in the budget there should be more than enough transitional funds. There may be some disagreements between individual districts and the state board as to whether or not they lost or how much they lost and I think it may be that someone may have to make a decision on an appeal of some kind that, if the district feels they can certainly verify their loss and it falls within the Governor's promise or Director Filan's promise that someone else other than the... David Woods, for instance, may have to make a decision on that."

Hannig: "And we'll still be around, Representative, and you know, we can revisit the issue in the fall if we think that the state board is blatantly unfair. I don't think that they will be, but if someone alleges that, we can take a look at that."

Mitchell, J.: "Well, and some of that could very easily fit into the waiver process, in a kind of a strange way as a reverse waiver from the district, so that it would come to us. Is it your intention to have the transitional payments

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be subject to appropriation and make school districts eligible only to the difference between 2004 appropriation and the amount paid from the 2003 appropriation?"

Hannig: "We believe that this will be a one-time deal. And it is appropriated this year and it should be the difference in the net appropriation, the net money that the school district received for the appropriate funds between the two school years."

Mitchell, J.: "All right. It's my understanding, too, that this will probably be a one-time shot. Hopefully, if the economy is better, we won't be facing these kind of questions. In the case that the poverty grants are not fully funded in a fiscal year, my understanding and I believe there's language in the budget implementation Bill that states that if we can't fund the poverty grants according to what the requests are from the school districts that there could be some proration that happens."

Hannig: Yeah. The way it's set up is that the general state aid, the foundation level, will be paid first and then we'll pay the poverty, if there isn't enough, it becomes prorated."

Mitchell, J.: "Okay. Now, if that does become prorated, that's a potential loss to school districts. Would it then fall under the transitional assistance program and a request be made from the school districts to get that money through transition aid for at least one year?"

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Hannig: "I think if they fall below the '03, that number we talked about, I think you make a valid point, Representative."

Mitchell, J.: "Okay."

Hannig: "And they could then apply for transitional money."

Mitchell, J.: "Okay. Then..."

Hannig: "We could also..."

Mitchell, J.: "Then that bags one more question, Gary and that would be if, in fact, the... because of the change in the poverty grant, there was going to be a lot more money within that particular request from school districts. If that's then prorated to the point that the transitional assistance money is not enough, would we then also prorate the transitional money and of course, is there anything in the budget implementation Bill that would address that issue?"

Hannig: "Representative, the actual language in the Bill is silent on that. First of all, I would hope that would never happen. Secondly, if it would happen, we would maybe consider the possibility of a supplemental appropriation."

Mitchell, J.: "Okay. So, then..."

Hannig: "There would be alternatives."

Mitchell, J.: "So, then it would not be unusual that there would be at least a small supplemental sometime in the fall, basically, after that April deadline that's set so that we know early on, I guess, before the end of the school year how much districts would need so that we could do that if at all possible."

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Hannig: "Yeah. Representative, we hope we're not in this worst case scenario that I think you're explaining, but certainly if that happens, we'll be back in November and we can deal with the issue."

Mitchell, J.: "One other question, Representative. The poverty grant language, I know, that, you know, that we worked very hard to get a change on that so that we're not tied to the census, but there may be districts that when we look at this new method of determining poverty that the census is actually better for them. Is there any provision for at least the one year that a district may go to either/or the poverty grant by the DHS count or the poverty grant by the more traditional census count?"

Hannig: "Representative, the Bill provides that we use the DHS numbers, so there's no... there's no..."

Mitchell, J.: "Okay. So there won't be any leeway."

Hannig: "...there's no options."

Mitchell, J.: "All right. Now, a little question. If a district configures the difference between the DHS count and the census count and considers that a loss, could they then submit that to the State Board of Education as a possible loss to the district according to the 2003 numbers? I realize I'm getting' some way out things, but I know how superintendents think."

Hannig: "Well, I think, Representative, first of all you'd have to look at the total..."

Mitchell, J.: "Right."

Hannig: "...between the two years..."

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Mitchell, J.: "I agree."

Hannig: "...then you have to show that you actually had a loss."

Mitchell, J.: "Yeah."

Hannig: "And so you may..."

Mitchell, J.: "They could subtract that loss against the total net..."

Hannig: "Yeah, yeah."

Mitchell, J.: "...or the total growth and then come up with a net that would either be a gain or a loss and submit that."

Hannig: "Yeah. So, you would have to first demonstrate that you had a loss between the two years in..."

Mitchell, J.: "Right, right, right, right."

Hannig: "...overall a net loss..."

Mitchell, J.: "I understand."

Hannig: "...and then at that point you..."

Mitchell, J.: "Okay."

Hannig: "I think you could come to the state board and..."

Mitchell, J.: "So, these are the kind of rules or parameters that the state board needs to put into their logic and get the superintendents so that they can underhand... understand how to calculate the gains or losses. Representative, I appreciate your answers and I know, as usual, education funding gets tricky. If there's another way that superintendents can figure out a way to show a loss, I'm sure they will. Thank you very much."

Speaker Novak: "Further discussion? The Gentleman from DeKalb, Mr. Wirsing."

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Wirsing: "Thank you, Mr. Speaker. Once again, it's an honor and a privilege to be in the same room with you."

Speaker Novak: "Thank you, Sir. Will the Gentleman yield?"

Wirsing: "Yes, will the Gentleman yield, please?"

Speaker Novak: "Gentleman yields."

Wirsing: "Representative, we just talked about this in committee a little while ago, but there's been some questions on it so I wanted to raise it here in the chambers relative to the deferred maintenance issue with the Illinois Community Colleges and also the Chicago City Colleges. And if I can either ask you what it's gonna do or you can tell us what it's gonna do, however. It'd be..."

Hannig: "Repre..."

Wirsing: "Yeah."

Hannig: "Well, go ahead, Representative."

Wirsing: "Okay. Well, let me just... let me read the part that I read in committee, maybe that'd be a good way to start. That when the budget for the Illinois Community Board was passed by both Houses, the Bureau of the Budget was supposed to draft a trailer appropriation Bill that zeroed out deferred maintenance, therefore, the ICCB was forced to go to a plan 'B'. The board was forced to redefine who gets deferred maintenance from the GRF funding. The City Colleges of Chicago will get the GRF appropriation for deferred maintenance. The rest of the system will get their deferred maintenance provided that the higher education capital Bill is passed. So, what that means is if the higher education capital Bill is not passed, then no

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community college other than the City Colleges of Chicago will receive deferred maintenance grants. And then, Representative, do you want to respond to this?"

Hannig: "Yeah, I agree with you, Representative. I think what you read is exactly correct."

Wirsing: "So, the challenge here is to make sure that there's a capital budget passed..."

Hannig: "That's the key."

Wirsing: "...for our community colleges."

Hannig: "Absolutely. That's the key."

Wirsing: "That's what we all need to be mindful of in order to make this work the way, I think, we want it to work."

Hannig: "Yes, Representative, I agree."

Wirsing: "Would that be an accurate statement? Everybody agreeing over there?"

Hannig: "Yes, absolutely."

Wirsing: "Good."

Hannig: "We agree."

Wirsing: "Thank you, thank you. Okay. All right. But it would... This is important, that's why I raised the issue."

Hannig: "Very much so."

Wirsing: "Okay, thank you. And then... Okay, thank you."

Speaker Novak: "Further discussion? Mr. Giles."

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

Speaker Novak: "Sponsor will yield."

Giles: "...for a question?"

Speaker Novak: "Sponsor will yield."

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Giles: "Representative Hannig, couple things that I wanna talk about dealin' in higher education and some of the changes made. One is concerning the career technical education, the adult education program. What are the changes in the funding mechanism for this particular program?"

Hannig: "Yeah. I think we just... we used to give money to the state board and then it ended up with the community colleges and we just sort of took the shortcut and went in and appropriated the money directly to the Illinois Community Colleges."

Giles: "Will..."

Hannig: "And that requires a statutory change and that's what this is about. It's..."

Giles: "So, this is a required statutory..."

Hannig: "Yes."

Giles: "This is a required statutory change and it..."

Hannig: "But it is an agreement, Representative, between the Chicago schools and the Illinois Community College Board. I'm sorry. Between the State Board of Educa... the board of higher ed and the community colleges."

Giles: "Will it provide more or less or as... the same to the community colleges?"

Hannig: "It's the same, Representative, it's just that we take a shortcut to get to the same point."

Giles: "Okay. The other changes, the tuition and fees, what are the actual changes proposed in this Amendment?"

Hannig: "Yeah. They... You know, some of the reimbursements are based on your tuition and some schools would have maybe a

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low tuition and high fees and other schools would have high fees... or low fees and high tuition and even though the student might be paying the same amount, the reimbursement would be different because it's based on tuition. This said that you combine the two, then we'll base it on that and it's really more of a true measure of what the students are paying."

Giles: "So, this is... there's no way in this particular language that would encourage a university to do either/or or do they have the option of..."

Hannig: "Well, they can..."

Giles: "...doing what they think that is..."

Hannig: "...they can still do what they think, but this takes away any incentive for the universities to maybe try to charge lower tuition and higher fees and look like they've got this low tuition."

Giles: "Okay."

Hannig: "So, we look at the total amount that the student pays which we think is a more true measure of what we should be measuring, not just the tuition part."

Giles: "Is there any changes in this Amendment, I didn't see it according to our analysis, dealing with the MAP Program?"

Hannig: "No."

Giles: "Are we still getting the same amount of moneys in for the fifth..."

Hannig: "Now, this..."

Giles: "...that is the general for the fifth-year student?"

Hannig: "Yeah."

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Giles: "Is that still the same, that's no changes?"

Hannig: "This is a stand... these are statutory changes..."

Giles: "Statutory, okay."

Hannig: "...and they do not affect the spending levels. They simply... maybe in some cases affect how the money is spent, but in MAP there are no changes."

Giles: "Okay. The last thing, the Illinois Future Teachers Corps, this replaces the ITEACH teacher shortage scholarship program. What do you know, if you can recall, the genesis of why this program replaced... I guess, maybe we're just changing the name, but is the program similar or it's the same or different?"

Hannig: "Representative, this is... this is an initiative from the Governor and it's an effort to try to get qualified, young people who are thinking about teaching to agree that an exchange for some additional aid, student assistance, that they will agree to teach in areas that are either in a shortage area or hard-to-staff schools. And so it's a recognition that... or it's an incentive program to try to get some very, potentially, very good teachers into these difficult areas."

Giles: "Is there a dollar amount for this program? Is that dollar amount exemplary of, I guess, the amount of funds that's available for the program? Is there..."

Hannig: "My recollection is that it's about \$7 million..."

Giles: "Seven million?"

Hannig: "...that what somebody's think, but that's not in this Bill, it's in the spending Bill."

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Giles: "Okay. And... Okay, okay. Thank you. Thank you, Representative."

Speaker Novak: "Further discussion? Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. The Gentleman yield?"

Speaker Novak: "Sponsor yields."

McCarthy: "The last question you just answered, Representative Hannig, as far as the \$7 million, was that an increase, a decrease or..."

Hannig: "Representative, this is not a spending Bill. This is a..."

McCarthy: "I understand that. But you estimated it was \$7 million to Representative Giles. Do you know if that's an increase or a decrease?"

Hannig: "We believe... I believe that it's an increase, but I don't have my notes on that Bill in front of me because this is a substantive Bill not a spending Bill."

McCarthy: "Okay. And as far as the five-year commitment that you are supposed to teach for five years in order to... to, you know, pay back this scholarship money."

Hannig: "Yeah, that's in this Bill."

McCarthy: "Okay. It looks like we added in this year, that before you could teach at a public, private or parochial preschool or an elementary or high school. This year we changed it so you can still teach at a public, private or parochial preschool, but your... if you're in a parochial elementary school, your five-year commitment doesn't meet the demands of the Bill. Is that correct?"

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Hannig: "I don't think that we see that at all in the statute, Representative."

McCarthy: "Can I show you where to look in the Bill?"

Hannig: "Okay."

McCarthy: "If you look at the bottom of page 59, it is lined out and put in there, right in front of elementary or secondary, it now says 'an Illinois public'. In front of preschool, it still has all three: public, private or parochial. I mean, was that an intentional move in the Bill to make sure that parochial elementary and parochial high schools would not meet the requirements of this?"

Hannig: "Representative, this is the Governor's proposal that we're trying to work with and I can't speak for his intentions. It may have been an oversight on his part. It may have been intentional. I don't know."

McCarthy: "Okay. So, you would... maybe you... would you assume that that was part of the Future Teachers Corps legislation then?"

Hannig: "Yes."

McCarthy: "Okay. The other thing about the transitional money that Representative Mitchell was asking you. Many times during Representative Smith's committee, the superintendent and Mr. Filan spoke of that they would match the transitional money minus the one-time grants that are in fiscal year 2003. We did ask him a couple times to list what those one-time grants... we talked about it many times in committee, but I don't see anything in the language there on page 11 that talks about the operations to say

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what one-time grants would not be part of a transitional formula."

Hannig: "So..."

McCarthy: "They talked about one-time grants that came with 2003. I don't know if those were capital grants or whatever, but they were things that were obviously a one-time thing, maybe you applied under a grant form. So, the last year..."

Hannig: "The first year example, the technology money was..."

McCarthy: "Okay."

Hannig: "...awarded on like a rotating basis. So, my school may have gotten the money this year, but there was no expectation that they would get it next year. So, it's not really fair for..."

McCarthy: "But is there anything... is there anything in this Bill that says that will not be included when they do the transitional formula, 'cause I don't see that?"

Hannig: "I think the State Board of Education has made that clear, that they're looking at continuing kind of lines and they'll formalize that through the Rules, Representative."

McCarthy: "So, you feel that the language in this Bill is firm enough that they can do that by Rule and make sure that the one-time grants..."

Hannig: "Yeah. The appropriation was set up so that we would not include those, those kind of programs that like rotate or they're awarded to school districts based on some application, but not on a consistent basis. But we have other ones, other programs, that are awarded to schools on

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a continuing basis and the state board will set it up on those programs, on those lines in the budget."

McCarthy: "Okay. The other thing was, Representative Mitchell kept talking about, like a school district would make this application. The way the Bill is written it looks like on April 1 of next year the state board automatically... I mean, my school districts don't have to do that for the transitional funding. Will the state board do that automatically or is there something in here that says each school district has to monitor the amount or... or is it the way I read it correct?"

Hannig: "Well, the state board will have the discretion to operate the fund. We'll, obviously, still be an oversight agency."

McCarthy: "Correct."

Hannig: "I mean, the Legislature always has the authority to come in and write laws if we feel that the rules are not correct and of course, there's always JCAR, as well."

McCarthy: "But... Okay. So..."

Hannig: "But we're giving the authority to the state board to set this up because we feel that they're the best and you know, that they understand the system the best and just like Representative Mitchell mentioned, there are a lot of nuances and possibilities that you have to deal with, so we're not trying to anticipate all those, but I think the people of the state board can and will."

McCarthy: "But you assume from the writing of this Bill that the state board will automatically do this and that

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individual districts don't have to wait 'til April 1 and file applications or something. They'll automatically look at what they got in 2003, by April 1 of 2004 estimate what they're gonna get for that fiscal year and then set up the transitional funding."

Hannig: "That's a good possibility, Representative. I mean, I can't really speak for exactly how the state board will do it. We're trying to give them some flexibility and not tie their hands and see how..."

McCarthy: "And at that point, would we then have to pass a supplemental Bill for them to appropriate that money?"

Hannig: "No. There's money already in the budget and we think there's actually more than enough money already in the budget to cover all the transitional costs."

McCarthy: "Okay. Well, thank you. To the Bill, Mr. Speaker. I just say that the future teacher program did come through my committee. We discussed it there, we discussed it on the floor. I never remember the Sponsor at the time telling us that he was intentionally taking out private and parochial elementary and high schools, the Bill does read that way. So, if he didn't intend that, I hope the Governor would correct that through an Amendatory Veto."

Speaker Novak: "Further discussion? Mr. Smith."

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

Speaker Novak: "To the Bill."

Smith: "I rise in support of this legislation and I wanna thank the Members of the Appropriations Committee for their input as we put the... our budget together and I think most of what

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we approved last week in the budget and what we're implementing with this Bill was a result of the work that our committee did. So, I thank the Members for that. Whatever else you think about the budget, I think we can be very proud when we leave here this evening or tomorrow morning, whenever it may be, that we have produced a very good spending plan for education. We're guaranteeing, with this legislation, that no school district in the state will receive less money than they are or have during this current fiscal year and indeed, many of them will receive much more. And we're making sure that we're sending money to those districts who need help the most, those with the highest level of poverty count. So, I think, given the fact that we're... we've looked at a \$5 billion budget deficit, the fact that education is doing as well as it is, is something that we can all be proud of. I commend Governor Blagojevich for saying that education would be held harmless from the beginning and I urge everyone to vote for this Bill to make sure that it happens."

Speaker Novak: "Mr. Mitchell, for what reason do you rise, Sir?"

Mitchell, J.: "Thank you, Mr. Speaker. My name was used in debate and I'd just like to try to explain to some folks, had a lot of people come up wanting to know where I'm at on this issue. My vote is not indicative of how I think Representative Hannig has done nor the Appropriation Committee. I think they've done a fine job. What this Bill does it simply tells the State Board of Education and

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the budget folks that it's okay to spend the money that we authorize for ya. It's a plan to spend the money. And what we were talking about with the payments and an application process, that simply by applying is not gonna be a form probably that districts fill out, it's just that districts have to pay attention to the fact that there's money out there to assist them if they lost money. If they figure ways that they lost money, they submit those ways and believe you me, superintendents are really good at figuring out ways. Those will either be approved or denied. If they're approved, then they will get a supplemental payment from the money that's there. What we were trying to establish with Representative Hannig was the fact that if, in fact, there are more needs out there, accepted losses, then we will probably need a supplemental. All of that simply says, this is the way we're gonna spend the money. If you voted for the education money, then you certainly should vote for this because if you don't you're tellin' the budgeteers, yeah, I approved the money you put in education, but you can't spend it. So, one vote deserves the other and that's my explanation. That oughta be about as clear as mud. Thank you, Mr. Speaker."

Speaker Novak: "Thank you. Further discussion? Mr. Davis, Will Davis."

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

Speaker Novak: "Sponsor will yield."

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Davis, W.: "Representative, as I'm reading the analysis on the computer, it says that the increase, I guess that's general state aid, is \$250. Is that correct?"

Hannig: "Yes, that's correct."

Davis, W.: "Can you explain to me what the basis for determining that it would be \$250 is?"

Hannig: "Okay. Representative, the Governor proposed that amount. That is the amount that is in the spending Bill. So, unless we actually change the statute, the old statute says \$4,560. We need to increase that by \$250 to reflect the fact that there's more money in the spending Bill this year. If we don't pass this Bill, the state board will simply pass out the old amounts of money and the rest of that money will just sit in the bank. So, I think what Representative Mitchell said is exactly true. We need this money to drive the appropriations to the school districts in a way that we intended it to be spent."

Davis, W.: "Thank you very much, Representative."

Speaker Novak: "Any further discussion? The question is, 'Shall Senate Bill 744 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 94... 93 voting 'yes', 22 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 744 is hereby declared passed. Senate Bill 874. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 874, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes. On the Amendment, I would move for the adoption of the Amendment and I'll explain the Bill on Third Reading, Mr. Speaker."

Speaker Novak: "Mr. Hannig moves that the House adopt Floor Amendment #1 to Senate Bill 874. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 874, a Bill for an Act regarding finance. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is the third budget implementation Bill and I'll hit some of the highlights. It authorizes CMS to direct the transfer of information technology functions from agencies. It changes the names of DCCA and the Bureau of the Budget. It amends several statutes to require companies during business with the government, that is the State of Illinois, to have their affiliates collect and remit sales tax. It has a portion authorizing CMS to make recommendations to the Governor for initiatives to reorganize and restructure and reengineer the business and

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process of the state. It deals with the issue of the Road Fund. It continues funding for the Secretary of State and State Police from the Road Fund. And it sets the funding levels for '04 at the same level as '03 which is \$130.5 million. And further says that in '05 and thereafter the level reverts back to the previous level of 30.5 million. And the Bill clarifies that the Road Fund money can be transferred to GRF as appropriate by statute and any additional expenditures authorized by the Road Fund are to be repaid from the GRF Fund, the General Revenue Fund, in succeeding years when there is a positive balance in the General Revenue Fund under government... generally accepted accounting principles. It allocates that the new money collected under the fee increases will go to the General Revenue Fund, the increases will go to the General Revenue Fund. It talks about the federal workforce training and creates the Federal Workforce Training Fund to receive that money. It clarifies that the Arts Council is an agency of the state. And it provides for the Mandatory Arbitration Fund in the courts that for one year that they'll be increased flexibility for our court systems so that they can make do with the money that they have and save the State of Illinois some General Revenue Funds. So, they were able to hit the mark for their General Revenue spending by using some of their other funds and this authorizes them to do that for one year. Those are the highlights of the proposal. I'd be happy to answer any questions."

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Speaker Novak: "And on that question, the Gentleman from Bureau, Mr. Mautino."

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

Speaker Novak: "Sponsor yields."

Mautino: "Representative Hannig, I appreciate the work that you and the appropriation staff have done this year. I have some... there's been some great concern on the Road Fund and it's... so I wanted to find out if some of the language... Originally, the Senate, the proposals that they had, had local projects being spent from the state construction account. Is there any language that would allow for that in here?"

Hannig: "There is no language in this Bill, Representative."

Mautino: "It's my understanding, as well, from the bureau that that language had been removed. There also was not a repayment clause for the Secretary of State, State Police which is a diversion. That language is in this Bill?"

Hannig: "It says that any expenditures authorized by this Bill from the Road Fund, that is the increases, are to be repaid from the General Revenue Fund in the next succeeding year that the General Revenue Fund has a positive budgetary balance under the generally accepted accounting principles."

Mautino: "That'd be like 1995. Yeah, yeah."

Hannig: "It has happened, Representative."

Mautino: "No, no. And I appreciate that. And we had concerns because there weren't payback provisions. Now, my... we have one thing we had asked about was the sunsets towards these

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diversions and as I understand, because of the times that we're in, we need to have a continuing balance so we don't lose the bond rating. Was that your understanding, as well?"

Hannig: "Yeah. Representative, when you look at the fees that were assessed against, not only the Road Fund but the other funds, it's important that when we talk to people out East about our bond rating that we can demonstrate that those are ongoing revenues as opposed to one-time revenues."

Mautino: "Well, with that, I do thank you for workin' with us to get some language in for some protections and I know that as the economy picks up, it's one of our main issues. To the Bill. I do rise in support of this legislation. It's changed greatly. And we face a time, right now, where we've got an unprecedented deficit, not only here but in all 50 states, well in excess of a hundred billion dollars. This is one of the funds that we... and especially in downstate guard, so it's good to see there are some pay... repayment clauses in there. When we go forward on this, I would like to see a definite number placed in there as when we reach a fund balance like 750 million or 500 million dollars for yearend. Because when you use the term 'generally accepted accounting principles' that draws in all the other pension obligations and debts and we don't hit that number. So, I think that's somethin' that we want to look towards in the future and then once we get back on our seat... on our feet, fund the... get rid of that sunsets on or put the sunset in for any of those diversions. But I

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thank you for workin' with us on that and thank you for assisting us in reducing the Road Fund diversions by \$65 million. It's my understanding if that money would be divided out and has been structured back to some of those districts who were more hard hit and it'll keep our construction projects going. And so, like with some other Bills today, it is all about jobs and downstate we count on those. Thank you."

Speaker Novak: "Further discussion? Mr. Black. Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, I, too, join in thanking you and our appropriations people and the staff. This has been, I'm sure, as difficult a year as you have had or any of our appropriations staff has had, there's no question about that and I do congratulate and thank you for the tremendous amount of work you do. I do have two questions on this particular implementation Bill. First of all, the transfer of the Community College Technology Information Fund is... becomes a fait accompli in this Bill. That 12 million is transferred to CMS, correct?"

Hannig: "I'm advised that the Bill authorizes CMS to direct the transfer of information technology functions from any agency, department or board or commission to CMS."

Black: "Yeah. In fact, I think that takes care of that community college fund. I had hoped..."

Hannig: "Yes."

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Black: "...since it was no new money to leave that under the control of community college board. I know our appropriations staff worked very diligently to get that done, but sometimes you... sometimes you can win and sometimes you don't. The only other question that I have and I don't really understand. I've never seen this language before. It allows DCCA or what will be, with a substantive change in law, the Department of Commerce and Economic Opportunity, it allows their administrative cost to be paid from local tourism funds. Now, I don't understand that. I mean, I... it may be a semantics problem or it may not be. First of all, what do we mean by 'administrative costs'? Just the costs of the Bureau of Tourism? 'Cause I... local tourism funds aren't... don't have enough money to pay the overall administrative costs of economic and commerce opportunity."

Speaker Novak: "Any further discussion? The question is, 'Shall...'"

Black: "Well, wait a minute, hold it."

Speaker Novak: "Oh, I'm sorry."

Black: "Mr. Speaker."

Speaker Novak: "Excuse me."

Black: "I'm sorry. We're trying to get an answer here. All right."

Hannig: "Representative, the... in the past, they were allowed to take the administrative charge or collect the administrative costs against what was appropriated, but since they're obviously working with more than just the

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appropriation, it seems fair, I believe, to say that all moneys that are involved should participate in the cost of the administration."

Black: "Why... I think this is a very important point, Representative. I've heard from my local tourism bureau director and her question to me is one that I couldn't answer. I think I know the answer, but I need to make sure. She interprets this as meaning that the department could assess an administrative fee on the funds that her tourism bureau raises locally through a local hotel-motel tax and a... I think they have a... they get a piece of the city and surrounding areas' liquor tax. And she's concerned that this language is new and would somehow mean that of the few thousand dollars they raise of local funds, that they may be assessed and that, of course, has made her very nervous and rightfully so."

Hannig: "It talks about the percent of local tourism funds, Representative, is what I'm... what the language actually says."

Black: "All right. But can we get a clarification? I understand if we take an administrative fee out of state funds that will be distributed to local tourism bureaus, my concern is this in no way or I believe, it shouldn't be..."

Hannig: "Okay. Representative, I think..."

Black: "...possible for them to grab any local funds..."

Hannig: "Yeah. I think... Yeah. I think I misunderstood your question, Representative, and so what you're saying is right. I mean, I don't know that the state would even know

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how much your local people have. I suppose they could ask or somehow try to find out, but what I think..."

Black: "Okay. Well, I... that... I mean, that made sense to me, but I promised her I would make sure that was on the record because I don't know how in implementation language we could assess any fee on local funds for local use and with your acknowledgement that that's certainly your intent and understanding..."

Hannig: "Yeah. And..."

Black: "...at least I can look her in the eye and give her an answer Monday morning. Thank you very much."

Hannig: "And just let me say that that's certainly not the intent of this Bill, Representative. So, we'll have that on the record right now."

Black: "Okay. All right. Thank you very much, Representative. I appreciate that."

Speaker Novak: "Thank you. Any further discussion? Seeing none, the question is, 'Shall Senate Bill 874 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. Reitz. Mr. Reitz. Take the record. On this question, there are 76 voting 'yes', 39 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 874 is hereby declared passed. Senate Bill 4. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 4 has been read a second time, previously. No Committee Amendments. Floor Amendment #1,

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offered by Representative Currie, has been approved for consideration."

Speaker Novak: "Representative Currie on the Amendment."

Currie: "Thank you, Speaker and Members of the House. This Amendment would make the Earned Income Tax Credit refundable. So, it would be identical to a Bill that we passed as a House Bill earlier in the season. The good news is that the Governor's Bureau... Office of Management and Budget believes that we can fund the refundability part of the credit by using Maintenance of Effort dollars if we don't spend those dollars in the TANF Program, we not only have to spend them next year, but in fact we will receive less federal participation. So, I hope you will join me in supporting this Amendment and then the Bill that extends the life of the Earned Income Tax Credit when the Amendment is adopted."

Speaker Novak: "Is there any discussion? Seeing none, the Lady... Mr... Representative Mulligan."

Mulligan: "Representative Currie, we hadn't planned to have the money refundable until the following year. How come we decided to do it this budget year?"

Currie: "Because the... in fact, it wasn't clear we could find the support for it at all. The Governor's Office concluded that this is one... one kind of thing that the Federal Government will accept as a Maintenance of Effort spending program in respect to Temporary Assistance to Needy Families. If we do not spend the required Maintenance of Effort dollars, not only will we have to spend them next

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year, but we will get a reduced amount of federal support for the whole TANF program."

Mulligan: "How much of the Maintenance of Effort money will this take?"

Currie: "This will cost about 28 million. The other portion will be spent in school programs. I have a chart from the Bureau of the Budget."

Mulligan: "Normally, it goes into everything from day care to jobs programs and I'm just wondering..."

Currie: "That's right."

Mulligan: "...how..."

Currie: "So, some of it is child care. We are spending a good deal of money on Maintenance of Effort, but there was expected to be a \$70 million shortfall and this will... will take care of 28 million of that shortfall."

Mulligan: "'Cause that usually picks up the slack in a lot of different areas and I'm hoping that we're not gonna be double-spending it. And also, that... if that qualifies with the Earned Income Tax Credit, that it doesn't take all the money."

Currie: "Right. Way... In fact, it does credit... does work for this credit, other states have had such programs approved."

Mulligan: "Did they base the figure for the earned income tax on federal income tax, Earned Income Tax Credits?"

Currie: "Ours is set at 5 percent of the federal earned income tax..."

Mulligan: "No. But I mean, did they come up with the number of people that applied for it through the Federal Government

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to assume... or to come up with a number of what we would spend?"

Currie: "No, I don't know that we have an actual count, but the estimate that's been... that the Office of Management and Budget is similar to the numbers that we have seen offered by Voices for Illinois Children and other advocacy organizations."

Mulligan: "Are they assuming this will be a permanent or how is it written? Is it written..."

Currie: "The way the Amendment reads, the refundability portion would be contingent on the availability of federal Maintenance of Effort dollars or TANF money."

Mulligan: "So, would we have to reauthorize this every year or is this..."

Currie: "No, but the refundability provision would be dependent on federal funds."

Mulligan: "All right. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of this Bill. It is long overdue. In my opinion and many may disagree, the Earned Income Tax Credit that I helped sponsor years ago, along with Representative Currie and others, I think can do more good than the minimum wage increase that we passed after some rather harsh debate the other day. What we have to realize in Illinois, and one of these days the General Assembly will get around to changing

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this, our tax policy literally discriminates against the poor. Now, if we were to simply expand and renew our Earned Income Tax Credit because the current one does not reach the lowest income workers. Approximately 25 percent of Illinois working families who receive the Federal Earned Income Tax Credit cannot benefit from the State Earned Tax Credit because it's nonrefundable. The benefit, which averages about \$75, can only be credited against tax liability. The lowest income families cannot share in this benefit to the extent that the credit exceeds their tax liability. Alas, by 2001, fiscal 2001, over 584 thousand working families received this critical work support. That put an additional \$44 million in the pockets of low-income working families. Now, if we go to a refundable State EITC we're going to eliminate the tax liability for families with below poverty income. And it's... I think it's extremely important that we do this. It will end or I shouldn't say end, it will help eliminate some of the pressures on our General Revenue Fund for subsidized day care, other benefits, because they will get some of the tax money that they're paying in back and they will be able to better support their families and maintain some kind of quality of life. I'd rather they get the money back that they paid in because they're out working, than to just simply give them a transfer payment from the General Revenue Fund which is just a pure loss to the Treasury of the State of Illinois. It isn't that these people aren't willing to work, they are. But some of these people who

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benefit... I'll give you an example. There's a family in Chicago, I won't mention their name, I don't have their permission. In 2001, this couple had a one-year-old son, the man worked two jobs. Their family's total income for 2001 was \$10,565. They received TANF benefits and they received food stamps during the year. This individual filed for a EITC credit the first time in 2001. He got a federal tax credit of \$2,400 and a state tax credit of \$121, but he's not able to get that money from the state. If you put this money back in the household budget, then they will be able to move up that scale. The need for subsidized day care may diminish. The need for food stamps may diminish. And I'm not telling ya it's gonna go away, it won't, but it may diminish. This is a good investment because it rewards those families who are trying to make ends meet at low-income jobs, but at least out there trying to realize the American dream. And I've never understood the tax policy in the State of Illinois as to why we penalize someone who is trying to advance up the economic ladder by literally taxing first dollar benefit. In many respects, some working families in the state would be better off to say, to heck with it, I'm just gonna stay home and draw benefits for as long as I can draw benefits. I stand in strong support of this as a Republican because I think it puts the emphasis where it belongs. If you're out trying to help yourself, government tax polly... policy should help you help yourself. This is a good investment. I urge a 'yes' vote."

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Speaker Novak: "Further discussion? Seeing none, the Lady moves that the House adopt Floor Amendment #1 to Senate Bill 4. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 4, a Bill for an Act regarding taxes. Third Reading of this Senate Bill."

Speaker Novak: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I wish to associate myself for my opening and closing on this Third Reading measure with the eloquent remarks of my colleague, Representative Black. He said it better than it could otherwise have been said. I urge your 'aye' votes on Senate Bill 4."

Speaker Novak: "The question is, 'Shall Senate... Senate Bill 4 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 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 4 is hereby declared passed. Mr. Clerk, Senate Bill 706. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 706 has been read a second time, previously. No Committee Amendments. Floor Amendment #1,

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offered by Representative Currie, has been approved for consideration."

Speaker Novak: "Representative Currie. Mr. Davis on Floor Amendment #1."

Davis, S.: "Yes. Thank you, Speaker, Ladies and Gentlemen of the House. House Amendment #1 is an initiative by Secretary of State Jesse White. It amends and creates... this Amendment creates the Inspector General for the Secretary of State's Office. The IG is appointed by the SOS and with the advice and consent of the Senate. This Amendment deals with the duties of the IG, the term, the qualifications, the authority that is given to the IG for the Secretary of State's Office, subpoena powers, complaints, retaliation. It also deals with rule procedures, investigations, collective bargaining and it deals with the current investigators. I'd be happy to answer any questions on the Amendment."

Speaker Novak: "Is there any discussion? The Gentleman from DuPage, Mr. Millner. Your light's on, Mr. Millner. Is there anyone seeking any recognition? Mr. Parke. Mr. Parke."

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

Speaker Novak: "Sponsor yields."

Parke: "Representative, this, again, affects the adjutant general and the Secretary of State?"

Davis, S.: "Only the Secretary of State's Office."

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Parke: "And when you presented the Bill in committee this evening was there anybody in opposition?"

Davis, S.: "There was no opposition. It came out on the..."

Parke: "Did anybody speak..."

Davis, S.: "...leave."

Parke: "Okay. Very good. Thank you."

Speaker Novak: "Further discussion? Mr. Black."

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

Speaker Novak: "Sponsor will yield."

Black: "I apologize. There's been so much back and forth on how the constitutional officeholders, Inspector General's would be. Staff just got up on the floor. So, I apologize. Representative, one of the concerns I had with the original ethics Bill is if the constitutional officers were literally free to appoint anybody as their Inspector General. I think we finally got language in that said, ya... you know, come on, you can't appoint your children or your spouse. But what kind of restrictions are in this Amendment as to who the Secretary of State could appoint as the Inspector General?"

Davis, S.: "Do you want me to read it from the Bill, Representative, or I can give you a synopsis? The qualifications would..."

Black: "Representative, I'm not so hung up on the qualifications because you know, obviously, a Secretary of State who appoints an Inspector General who doesn't do his or her job, the public will have a way to remind that

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person of that. I just want to make sure. Are there certain guidelines in here that you cannot... cannot appoint a family relative, your best friend, your former business partner. Ya know, I think all of us want an Inspector General to be someone that will be fair and objective and not tied too closely to the Secretary of State and I think that's what the Secretary of State would want."

Davis, S.: "There are no specific provisions to prohibit that in this language, Representative. However, the current Secretary of State has appointed temporarily a former U.S. attorney and the IG that he does appoint has to get the consent of the Senate."

Black: "Okay. Well, I... As you know, I have a lot of confidence in our current of Secretary of State, served with him in this chamber for a number of years. I have some concerns that there is no prohibition on the hiring of family or even a spouse. And I think, at some point, that should be addressed. This isn't the time, we don't have the time. I intend to vote for the Bill. But at some time, I really think we need some specificity on close friends and family should not be appointed as the Inspector General to a constitutional office."

Davis, S.: "I..."

Black: "But... and I know you're working toward that and I appreciate it."

Davis, S.: "I agree with you, Representative. Possibly we can address this at a future time."

Black: "All right."

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Davis, S.: "I don't disagree with your premise. I think it's probably a good idea."

Black: "That's fine. Thank you very much, Representative. Thank you, Mr. Speaker."

Speaker Novak: "Thank you, Sir. Any further discussion? Seeing none, the Gentleman moves that the Floor Amendment #1 be adopted to Senate Bill 706. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 706, a Bill for an Act in relation to governmental ethics. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Davis."

Davis, S.: "I would just simply ask for an 'aye' vote. Be ready to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 706 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 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 706 is hereby declared passed. Senate Bill 740. Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 740 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner..."

Speaker Novak: "The Gentleman from Cook, Mr. Turner."

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 740 does simply this, it... it allows Mt. Sinai Hospital to now have a designation as a children's hospital. And what this means is... is that this will generate over a million dollars to our state. As you know, Mt. Sinai Hospital sees some 85 thousand patient care for children alone. They're a level three pediatric unit. And... and working with the Department of Public Aid, we discovered that in giving this hospital this designation it would generate the dollars that I mentioned earlier. Mt. Sinai Hospital is located in my district. Over 80... over 55 percent of its patients are Medicaid... Medicaid eligible. And this designation, as I say, would do a lot to help the hospital and help it to stay alive and keep it afloat. I move for the adoption of Amendment 1 to Senate Bill 740."

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

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

Speaker Novak: "The Sponsor yields."

Parke: "Representative, was this... was this a Bill... was this 461?"

Turner: "What did you say?"

Parke: "Were... was this in the provisions of... of 461?"

Turner: "No, this is not 461."

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Parke: "Now, is this... is this a funding Bill? Does this change..."

Turner: "It doesn't change the funding. What it does is... there are 12 hospitals in and around the Ch... the Illinois/Missouri area that are designated as children's hospital. And because of the... because of this designation it would require... it would allow this hospital to generate another million bucks that would come to our state in terms of federal dollars. This was brought to our attention through the Department of Public Aid. And they are the ones that thought that this would be very beneficial to this hospital."

Parke: "Okay. This is not any kind of assessment or anything?"

Turner: "This is no assessment. It takes nothing away from any other hospital. It does not hurt Children's Hospital or, I think the hospital down by St. Louis, I think it's St. Mary's Hospital... yeah, but they're 12 around the state, it does not affect any of them. In fact, what it does is generate more money, in particular for Mt. Sinai Hospital, as a result of receiving this designation. Actually, a million bucks comes to the state. A lot of it which would go to help underwrite the care that this hospital provides."

Parke: "Okay. When you presented this in committee, did anybody object to this?"

Turner: "Not a soul."

Parke: "Thank you very much."

Turner: "Not a soul."

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Speaker Novak: "Further discussion? Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. I rise in support, but I would like to ask the Sponsor some questions. Will he yield, please?"

Turner: "Yes."

Speaker Novak: "The Sponsor yields."

Hamos: "Thank you. Representative Turner, as I understand, this Amendment only applies to Mt. Sinai Hospital. Is that correct?"

Turner: "That's correct."

Hamos: "And I also underst..."

Turner: "At this time."

Hamos: "I'm sorry?"

Turner: "At this time, it only applies to Mt. Sinai Hospital."

Hamos: "Okay. But this... okay, this Amendment only applies to Mt. Sinai Hospital?"

Turner: "That's correct."

Hamos: "Okay. I also understand from the Department of Public Aid that this new funding for Mt. Sinai Hospital will not reduce the Medicaid funding of any other hospital provider in the state. Is this true?"

Turner: "That's correct."

Hamos: "Okay, thank you. And I do rise in su... support. And I hope everyone will... will support this Bill."

Speaker Novak: "Further discussion? Mr. Daniels."

Daniels: "Great Bill. Great cause. Great hospital. Trauma one center, absolutely essential. Good job."

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Speaker Novak: "Further discussion? Seeing none, the Gentleman moves that the House adopt Floor Amendment #1. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 740, a Bill for an Act concerning the Comprehensive Health Insurance Plan. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Turner."

Turner: "Thank you, Mr. Speaker. I believe that in the description of the Amendment, it pretty much states what the Bill is. I did misspeak in terms of saying that this hospital... that 55 percent of it's Medicaid... 55 percent of its utilization is Medicaid. Actually, at Mt. Sinai 82 percent of the patients are Medicaid eligible. So, it's much higher. Of that 55 percent threshold is just what's needed in terms of our qualifying for this designation. And I move for the adoption of Senate Bill 740."

Speaker Novak: "Any discussion? Seeing none, the question is, 'Shall the House pass Senate Bill 740?' All those in favor vote 'aye'; all those opposed... 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 115 voting 'yes', 0 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 740 is hereby

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declared passed. Senate Bill 785. Mr. Clerk, read the Bill, please."

Clerk Rossi: "Senate Bill 785 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Dunkin, has been approved for consideration."

Speaker Novak: "Mr. Dunkin on the Amendment."

Dunkin: "Thank you, Mr. Speaker, Members of the House. This Bill... Senate 785 will preserve and try to expand the Ill... the existing Illinois human infrastructure as it relates to the film industry. It creates a film production... for film production companies a 25 percent tax credit for ind... for those individual entities or film production companies that hire Illinois residents regarding their wage and salaries. This is a Floor Amendment. I... request an 'aye' vote."

Speaker Novak: "Is there any discussion? Mr. Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. I rise in support of Floor Amendment #1 to Senate Bill 785. We've... we've worked for the last couple years... and in fact, that hearing, Representative Holbrook had some hearings in Chicago last year regarding this issue. And myself and Representative Dunkin have worked together with the film industry with the organized labor, AFTRA, SAG, the Independent Producers Association, the Motion Picture Association of America to come up with a plan to bring the movies back to Illinois. In the year 1999, we had... we produced or filmed 26 movies in this state. In 2002, that dropped drastically to 4 movies. This industry brings in

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billions of dollars in tourism and... and wages to this state on a yearly basis. And we've lost all that business. What... what this Amendment will provide is an incentive to bring back that business. We have lost the business to Toronto. We've lost it to South Africa. We've lost it to Australia. We've lost it to New York. We've lost it to Maryland. This... this incentive that were providing, if you'll look in the United States, it is the largest tax credit on income taxes, but those states also bundle that with other incentives that we're not able to bundle with here in the United States and in the State of Illinois. In Toronto, the Canadian govern... the Federal Canadian Government along with the province where Toronto resides, they... they have such a lucrative tax credit program that we really can't compete with. This gives something back to the people who bring these movies to our state. I'm very familiar with this industry. My father was in this business for about 40 years. And we gotta keep... we have to keep the talent in Illinois. We have to keep the labor in Illinois. 'Cause in the past few years they've been leaving our state and working elsewhere. We owe it to these people to rebuild the infrastructure available for the film industry. And I would ask that you adopt Floor Amendment #1 to Senate Bill 785."

Speaker Novak: "Any further discussion? Mr. Lang."

Lang: "Thank you, Mr. Speaker. I rise to support the Gentleman's Amendment. First, let me thank the Sponsor for his hard work, along with Representative Saviano. It's an

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interesting piece of legislation, an important one. We're at a time where the film industry is a growth industry. It's an industry that could bring many new jobs to Illinois, instead of shrinking our jobs in this area as we have. When one of the most ludicrous events of the last couple years the movie Chicago which received such great acclaim, wasn't shot in Chicago, wasn't shot in Illinois, it was not even shot in America. It was shot in Toronto, Canada. We can do better than that. We need to bring the best and brightest creative minds to Illinois and bring those jobs with them. So I support this Amendment. And the jobs and the... the new vitality it will bring to our state."

Speaker Novak: "Further discussion? Mr. Holbrook."

Holbrook: "Thank you. I... commend Representative Dunkin on this. Representative Saviano and I worked on this for a couple of years. I can tell you that they're cleaning our clocks, nationally, internationally, on this... on this business. We have one of the best infrastructures set up in the Chicago area and it's dying on the vine. This is a jobs Bill. We need to do it if we expect to hang on to those millions and millions of dollars which it generates. And I would urge an 'aye' vote on this Amendment and then on the Bill. Thank you."

Speaker Novak: "Any further discussion? Seeing none, the Gentleman moves that Floor Amendment #1 be adopted to Senate Bill 785. All those in favor say 'aye'; opposed say

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'no'. The 'ayes' have it. And the Amendment is adopted.
Any further Amendments?"

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

Speaker Novak: "Mr. Dunkin on Floor Amendment #2."

Dunkin: "Yes, Mr. Speaker and Members of the House. Amendment
#2 creates the effective start date, January 1, 2004."

Speaker Novak: "Is there any discussion? Seeing none, the
Gentleman moves to adopt Floor Amendment #2 to Senate Bill
785. All those in favor say 'aye'; opposed say 'no'. The
'ayes' have it. The Amendment is adopted. Any further
Amendments?"

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

Speaker Novak: "Mr. Dunkin."

Dunkin: "Yes, Mr. Speaker and Members of the House. Amendment
#4 requires that the tax credit be a nonrefundable, or just
a straight credit, just a straight tax credit, that way it
won't cost the state any money."

Speaker Novak: "Is there any discussion? Mr. Black."

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

Speaker Novak: "State your inquiry, Sir."

Black: "Was Floor Amendment #3 tabled or withdrawn?"

Speaker Novak: "Mr. Clerk."

Clerk Rossi: "Floor Amendment #3 remains in the Rules
Committee."

Black: "Why am I not surprised? All right, thank you very
much."

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Speaker Novak: "You're welcome, Mr. Black. Further discussion?
Mr. Rose. Mr. Black, your light is on."

Black: "Yeah. Thank you ver... Mr. Speaker, on the Amendment,
will the Gentleman yield?"

Speaker Novak: "Yes, he will."

Black: "Thank you. Representative, you and I talked about this
in my office last week and I appreciate you coming in and
doing that. For the record, nothing in this Bill should be
construed as being super refundable? Correct? In other
words, if the tax credit exceeds the liability, you are not
expecting a check... for the state to write and send them a
check. Correct?"

Dunkin: "Correct. Yes, Sir."

Black: "Okay. So, all they would get is the credit against the
liability, not a refundable dollar amount. Does the... does
this Amendment or does the Bill apply statewide to... to
movies filmed anywhere in the state?"

Dunkin: "That's correct."

Black: "All right, thank you very much. Thank you,
Representative... or thank you very much, Representative, for
your work on this. Mr. Speaker, to the Bill."

Speaker Novak: "To the Bill."

Black: "As an old teacher, I have audio visuals. This is a
promotional poster from a film that was made in Danville,
Illinois, filmed in the summer of 1990 and 1991. It's
called The Babe. It starred John Goodman and Kelly
McGillis. It was a major Hollywood production filmed in an
old ball park, an old baseball park that we have retained

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and restored. And it was a fascinating thing to see, to watch a Hollywood production being filmed in your hometown. And many of my friends and neighbors were extras on this film. And I can tell you from personal experience and why I support the Gentleman's Motion. This film company left a great deal of money behind in my hometown. And that is... for those of you who've been here for a while, that's when we were in Session up until July 22, as I recall, otherwise I would have been an extra in the film, something that I will always regret that I didn't have a chance to do. But I can tell you from experience that this is something that we do need to do because the film companies bring in a lot of part-time jobs, a lot of skilled tradesmen. But I would be remiss... and by the way, it doesn't apply to somebody's \$20 million salary. Okay? I mean, if Julia Roberts is at the star, we're not gonna give a tax credit, as Representative Dunkin told me when we first discussed this, on a movie star's salary that might be 20 million for the picture. I would be remiss and I hope you don't think any less of me for pointing out, the very thing that we're talking about, on both sides of the aisle, is something that people on my side of the aisle have been trying to say for the last two or three days, and I know you haven't always appreciated it and you may not appreciate me saying it at this time. But Ladies and Gentlemen, the issue that he has brought forth and the issue that many of your Members have said is one that we have tried to focus on, in the last week, Illinois is not competitive. We are losing

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our competitive advantage, not only to Canada, but to other states: Louisiana, South Carolina, Florida where they film movies. I think it's a shame that Chicago had to be filmed in Toronto. And I enjoyed what I read in the paper yesterday that the mayor of Chicago said to some of his unions, you're gonna have to give me more flexible work rules or I'm gonna lay you off. Good for you, Mayor Daley. And I'm not criticizing union people. I'm not criticizing what they've worked by the sweat of their brow to get in hard-fought negotiations. All we're trying to say for the last week, and I think you're saying the same thing, at some point we have to bring some common sense, reasonable work rules, reasonable wage scales, the abil... the ability to be flexible, to encourage someone to film a movie in Chicago, or Danville, or anywhere else. And... what I've seen in the last few days scare me. Because we're saying over and over again, you're gonna make this, we're gonna mandate that, you'll do this if you come here. All of those things together influence the business climate of the State of Illinois. And I hope we remember that. It isn't a partisan issue, as this Gentleman has brought to the surface. When you're not competitive, when your work rules are too strict, or your salaries too high, or your city permits too expensive, a movie company just goes somewhere else. They can make the movie. You've seen the movie. Didn't Toronto look like Chicago? Well, it's a doggone shame that that has to happen. But if we're gonna stop it from happening, we must learn to be flexible, competitive,

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and aggressive in the marketplace. Representative, you've done an excellent job. I stand in full support of your Bill."

Speaker Novak: "Further discussion? Seeing none, the Gentleman moves to... for the adoption of Floor Amendment #4. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 785, a Bill for an Act in relation to taxation. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker and Members of the House. It gives me great pleasure and an honor to hear Representatives of this chamber speak so fondly of this Bill that Representative Saviano brought to my attention. Representative Holbrook, Kurt Granberg, Bob Molaro, Turner, and others to support this Bill, the Black Caucus, a number of the motion picture film... black filmmakers, independent production filmmakers, Monique Davis. It's a new day in the State of Illinois with good, positive legislation that's gonna affect the economy, that's gonna stimulate growth, that's gonna make the difference in highlighting our great state. This is a Bill that all of us should support. Power to the people. I urge an 'aye' vote. Thank you."

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Speaker Novak: "The question is, 'Shall Senate Bill 785 pass?' All those in favor vote 'aye'; all those... 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 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 785 is hereby declared passed. Mr. Clerk, Senate Bill 1621. Read the Bill, please."

Clerk Rossi: "Senate Bill 1621 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Brosnahan, has been approved for consideration."

Speaker Novak: "Mr. Brosnahan on the Amendment."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd move to adopt Floor Amendment #2 on Senate Bill 1621. This Amendment simply removes language that... dealing with the Medicaid article of the Public Aid Code. It now, the language contained is a... an agreed Bill with the Department of Human Services. I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, the Gentleman moves for the adoption of Floor Amendment #2. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 1621, a Bill for an Act in relation to health. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Brosnahan."

Brosnahan: "Thank you, again, Mr. Speaker, Ladies and Gentlemen of the House. Again, this Bill is agreed language with the Department of Human Services. This Bill will serve as the blueprint for the state's implementation of the 1979 Supreme Court case of Olmstead. And I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1621 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 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 1621 is hereby declared passed. Mr. Bost, for what reason do you rise, Sir? Mr. Aguilar, was your light on? Senate Bill 1937. Mr. Clerk, read the Bill, please. Take this out of the record, please. Representative Turner. Representative Turner, can you come to the podium, please."

Speaker Turner: "On the Order of Third Reading, we have Senate Bill 1937. What's the status of that Bill, Mr. Clerk? What's the status of Senate Bill 1937, Mr. Clerk?"

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Clerk Rossi: "Senate Bill 1937 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Novak, has been approved for consideration."

Speaker Turner: "The Gentleman from Kankakee, Representative Novak on Amendment #1."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As you know, for some time, a little bit over a year, the Department of Transportation has been purchasing land from willing sellers in the area... in the vicinity of the third airports, specifically, what is commonly referred to as the inaugural footprint. The land that's been purchased has been... some of the parcels that have been purchased from the willing sellers has been land banked and then some of the oth... some of the homes and farms that have been purchased are being rented out to individuals that wish to live in that area until such time as a third airport is developed. The concerns that have come from the local governing... local governing bodies, specifically, the taxing districts such as school districts and townships are that they might not be able to... they'll be losing any type of valuable tax dollars from the rental of these properties. This Amendment just simply sets up a mechanism where the state still is the agent for the collection of the rents or the renting of properties and then the Will County treasurer and the county of Will government has signed off on this, will administer the subtraction of the leasehold tax and then the Will County collector or the

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Treasurer's Office will allocate those leasehold taxes to the appropriate taxing bodies. They won't get a lot of money out of this arrangement. A leasehold tax is much, much less than actual property taxes. Leasehold taxes are based on fair market rent value. So, this simply sets up a mechanism. The Illinois Department of Transportation is neutral on the Bill. Will County government, pursuant to Mr. Mikan and the administration in the County Treasurer's Office, are very willing to have this program put together. It has a ten-year... it has a sunset that ends in 2010, hopefully, by then we'll have a decision on whether an airport is gonna be built or not in that facility or in that area in eastern Will County. And I'll be more than happy to take any questions."

Speaker Turner: "The Gentleman from Cook, Representative Parke, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Parke: "Now, again, this is to be used as simply the property that's leased by a farmer."

Novak: "No. Mr. Parke, the state, IDOT, has been purchasing land..."

Parke: "Right."

Novak: "...from willing sellers within the inaugural footprint of the airport. Some of the property has been actual homesteads with farmland, others have been just residences. The state is now in the process of renting those houses and farms out and so they can attach or the local supervisor

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assessment, Will County in this case, can attach a leasehold tax. This sets up the mechanism to ensure that the local taxing districts where those parcels of land are located that the state is renting will receive that leasehold tax and be allocated to the local taxing bodies."

Parke: "Where does the bulk of the money go to that's not tax?"

Novak: "The bulk of the money goes to the rents that goes to the treasury of the State of Illinois."

Parke: "Okay. And so this is sort of a collection fee?"

Novak: "It's not a collection fee. It's the collection of a leasehold tax that's already been in law for years."

Parke: "And it's given to the local taxing bodies or taxing body?"

Novak: "Correct. It's given to the affected taxing bodies: the school districts, township government for... as an example."

Parke: "Is Peotone in your district?"

Novak: "It certainly is."

Parke: "Okay. Very good. Thank you."

Novak: "You're welcome."

Speaker Turner: "The Lady from Will, Representative Kosel, for what reason do you rise?"

Kosel: "Thank you very much. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Kosel: "This is an excellent Bill and really addresses a lot of the concerns that the local schools have. When these houses are rented back after they've been purchased and by the way, I want to commend the State of Illinois and the Department of Transportation for not just leaving this

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property vacant, but renting it back and putting the funds from those rentals back into general revenue. The school districts are still having students they have to educate, the fire departments still must protect the house, they still require police protection and none of those entities are getting property taxes. This will not answer the whole problem, but will go a long way towards helping these local government entities answer their needs. It's excellent legislation. I just signed on as a Sponsor and I would ask for your 'yes' vote on this. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Amendment #1 to Senate Bill 1937 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 the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1937, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker. I certainly ask my colleagues for an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall Senate... The Gentleman from DeKalb, Representative Wirsing, for what reason do you rise?"

Wirsing: "Thank you, Mr. Speaker. Would the Sponsor yield?"

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Speaker Turner: "He indicates he will."

Wirsing: "Representative, I'm confused by your explanation here. If you... if you're... if you got an acre of farmland in this area, you're cash renting it out to a farmer for, let's say, a hundred and fifty dollars an acre and the normal real estate tax on that acre of land, let's say, is \$40 an acre. So, this \$40 is not now going to the county to be distributed to school districts or whatever?"

Novak: "Yeah."

Wirsing: "That's what it sounds like from what you're saying."

Novak: "Yes, that is the end result, Representative, is to get the leasehold taxes..."

Wirsing: "It's not... That \$40 is not now going to the county to be distributed."

Novak: "Right. That \$40 is included in that rent check and it's sitting in the State Treasury. All these local taxing bodies want is their little fair share of the pie that they've been losing for the last year."

Wirsing: "So, the state has... does not have a mechanism to in essence separate that \$40 out, send it to the county..."

Novak: "Correct."

Wirsing: "...for distribution."

Novak: "Correct."

Wirsing: "And the terminology you're using is a mechanism that has been in place?"

Novak: "Yes. It's a leasehold tax arrangement, correct."

Wirsing: "So, now, that \$40... if this Bill becomes fact, then that \$40..."

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Novak: "That \$40 will go to ABC school district..."

Wirsing: "For..."

Novak: "...whereas heretofore..."

Wirsing: "...it would..."

Novak: "...it would go to the State Treasury and sit there and be used for any other purposes."

Wirsing: "Yeah. It'll go to the county to be disbursed like..."

Novak: "Yeah. The county..."

Wirsing: "...any normal..."

Novak: "...the county treasurer will disburse it to the affected taxing bodies."

Wirsing: "Okay. Was not aware of that. Thank you."

Novak: "You're welcome."

Speaker Turner: "The Gentleman from Kankakee, Representative Novak to close."

Novak: "Once again, I certainly ask my colleagues for an affirmative vote. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1937 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 'aye', 0 'noes', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have Senate Bill 1957. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1957, the Bill's been read a second time, previously. No Committee Amendments. Floor

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Amendment #1, offered by Representative Giles, has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Giles on Amendment 1."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1, what it does is provide for the transfer of students out of the persistently dangerous school to another public school in the district that is not persistently dangerous or if the student is a victim of a violent crime on school grounds during school hours or during a school-sponsored event. This... Amendment #1 was similar to Senate Bill 814. This legislation is required of the No Child Left Behind which were... which are requires that the parent has the option of transferring their students out of an unsafe school. This policy will allow all school districts and public schools in Illinois, including special charter school district, laboratory schools operated by the governing board to a public university and alternative schools operated by a regional superintendent of schools. This piece of legislation passed out of the committee with no opposition. Also, it'll establish a school board to establish and implement a policy allowing the transfer of students within the school district from a persistently dangerous school. I ask for a favorable adoption of this Amendment."

Speaker Turner: "The Lady from Will, Representative Kosel."

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

Speaker Turner: "He indicates he will."

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Kosel: "Thank you. This Bill, as you said, required for No Child Left Behind and something that we just went over. There is some very strict criterias in this Bill that have to be met in order for a school to be designated in this category. Is that not correct?"

Giles: "That is correct. Some of the criteria... First of all, the criteria has to be met two consecutive years. The criterias are as follows: more than 3 percent of enrolled students have been expelled for violent-related conduct; two, one or more students have been expelled for bringing a firearm to school, as defined in 18 US code 921, and at least 3 percent of the enrolled students exercise the option to transfer because they were victims of a violent crime, as defined in Section 3 of the Right of Crimes and Victims and Witness Act."

Kosel: "This Bill... To the Bill, Mr. Speaker. This Bill..."

Speaker Turner: "To the Bill."

Kosel: "...will help us access No Child Left Behind funds. It is part of the regulations that we need to do in order to access those funds, but more importantly will help keep our children safe in the State of Illinois. And I would ask for your approval of it. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Turner: "To the Bill."

Black: "No reflection on the Sponsor or anyone who will vote for this Bill. I intend to be the only 'no' vote and I

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would like to explain why. First and foremost, it's an unfunded mandate. Secondly, Ladies and Gentlemen, where else but government could you get a plan that says if the school is persistently dangerous, we have to have a way to get people to transfer out of the school to a less dangerous school? You know, when I grew up, your task was to take the persistently dangerous school and move in the proper administrative and teaching staff and community resources and you cleaned up the school. Only government could come up with this. So, my question is, when all of the kids who wanna transfer from the persistently dangerous school have transferred and been assimilated and there's no more room to transfer anybody, what happens to the poor kid who didn't get to transfer? What happens to the kids who don't wanna transfer because they're the ones causing all the problems? Only government. In Washington, D.C., aided and abetted by us, their good friends in Springfield, could come up with a policy that is absolutely ludicrous on its face. It's backwards. We must have a policy to let children transfer from a persistently dangerous school to a safer school and all of this will be done in accordance with rule and regulation. Most people would say, what do we have to do to make the persistently dangerous school safe and that's what we'll do. And it never addresses the two dozen kids who didn't get to transfer for whatever the reason and it doesn't even mention the fact that if you've got 12 little hellraisers, take care of 'em. Settle the

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problem. Don't just pass it on. Only in government, we're the only Body, no reflection on the Sponsor who's well-intentioned or anybody else, but I just, after a period of time, get so tired of the Federal Government coming up with some of the stupidest, most ridiculous ideas I've ever heard. It reinforces what I've always said about Washington, D.C., and in all due respect to the Governor, he was smart enough to get out of there, that is Disneyland East. This whole program is stupid. I wanna be the only one to vote 'no'."

Speaker Turner: "The Gentleman from Lee, Representative Mitchell. For what reason do you rise?"

Mitchell, J.: "Well, as a former principal for Representative Black, sometimes I get a little nervous. Representative, this Bill does not give parents the right to just simply walk in the principal's office and say, hey, I think the school is dangerous, therefore, I want my child transferred to ABC school?"

Giles: "Representative, that is correct. There are certain criterias that has to be met."

Mitchell, J.: "And the criteria themselves simply say that if, in fact, there is an incident in the school, such as Columbine School, then it does give parents the right to at least feel safe and move their child."

Giles: "That is correct, Representative."

Mitchell, J.: "Now, the former Representative is correct in the fact that there is an unfunded mandate and we did talk about that with the state superintendent of schools and I

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did ask him if he would simply make this a checklist form, something very simple, very easy to do for most schools that don't have this problem. Unfortunately, in today's climate in today's society, there are times when the most catastrophic things happen in our public schools that you could ever imagine. It's unfortunate, but it does happen. This is not a protection against those things happening. It is saying to parents that we are trying to give you an option. No, it doesn't take care of the 12 little hellions that are in that school and that's still the responsibility of the local school district and they must set up policies to take care of that problem themselves. Now, I don't agree with this legislation either, but I do agree with the fact that there are millions of dollars that are attached to the simple things that government asks us to do. Sometimes in order to reap the rewards we have to do some silly things, I will agree with that. This one I think we can make at least palatable. I don't think it's gonna be a tremendous work burden, especially if the state board carries through with their promise to make this a very simplified form that has to be filled out. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from DuPage, Representative Millner, for what reason do you rise? You don't. The Gentleman from Will, Representative Meyer, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

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Meyer: "Representative, just to follow forward on some of the previous debate which I think was very well-taken and again, I don't think it's any reflection against anybody in this Body whatsoever. But is there anything in the Bill that would have a remedy for once a school has been judged a dangerous school, persistently dangerous school? Is there anything that would require them to cleanup that problem?"

Giles: "Representative, in this particular legislation, I did not see that particular remedy other than that parent would go through a process and would have the option of removing their child. Once again, I simply believe that the No Child Left Behind... the No Child Left Behind Act sort of supersedes those measures that the state may have upon this legislation."

Meyer: "Well, and the reason why I even got up on this is because the debate brought to mind an incident I had in my district a number of years ago now when I first was elected, probably about nine, ten years ago, actually, whereby a student was beat up a couple times in the school. The perpetrator continued to go on in the school and the parent was having a heck of a time transferring his student out, the victim out and certainly your legislation, now, I think, would give that parent a remedy. But it's still beyond me why that other student, the perpetrator, was still in the school creating the problem. And it doesn't make sense to provide for a remedy without making sure that there is some responsibility for cleaning up that problem.

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That's the point I would like to make. Obviously, your legislation doesn't cover that, as you indicated. It's not going to because where here at the last moment of the last night of the Session. But at some point, we have to start addressing the problems like this in the schools, so that we just aren't perpetrating and continuing that problem on into the future. We have to make sure that the students that are in the schools understand that it's a learning process, that is why they're there. We have to grab onto them, I believe, and not let them go, but direct and redirect them through whatever means, whether it's a supplementary school provided for them or something else, to make certain that they are at least given the benefit of having an opportunity to have that training that will allow them to get jobs in the future when finally maybe they get their head screwed on the right way. But I certainly would like to see you at some point come in with some type of legislation that would require that that school be cleaned up in terms of those types of problems if they, in fact, do exist and, in fact, we have parents transferring students out of 'em. We certainly have the brain power here in this Body to put those types of ideas together into a end result that, I think, would benefit all the children. So, thank you."

Giles: "Representative, and I would since like to respond by saying, you know, as the previous speaker, Representative Black, spoke which I think he was on target. We're sort of in the rock and the hard place. We don't have the remedies

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and the proper... there is a procedure, but the real procedure to address the scenario that you just brought out. Unfortunately, our friends in Washington, D.C., have given us sort of the rule as to the way we should go or else we will lose tremendous amount of funding and at this late hour, that's what we are afraid of, as a state tryin' to protect funding for our schools' districts. And so, this is not... this is truly a, from my prospective and many Representatives here, a Band-Aid, we're just simply meeting a criteria to protect funding. But we have not, I believe as well, have not, as Representative Black has stated, addressed the real problem."

Meyer: "Thank you for your responses."

Speaker Turner: "The Gentleman from Lake, Representative Washington. For what reason do you rise?"

Washington: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Washington: "Representative Giles, how did this legislation come about?"

Giles: "The legislation came about that we must abide by the Federal Law of the No Child Left Behind. This is one of the requirements that we have to meet or else we will... if we do not comply with the No Child Left Behind, we will lose approximately \$7 million in federal funding."

Washington: "Is this one of the initiative of the Governor?"

Giles: "I'm sorry, Representative."

Washington: "Is this one of the initiative that the Governor would like us to do?"

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Giles: "Yes, from the Federal Government."

Washington: "No, no. From the Governor? Is this something that the... Blagojevich would like to see and implemented?"

Giles: "I can't... I'm not... I can't answer if this is something that our current Governor would like to see, but I think he would like to follow the law and the law is to follow the federal guidelines that has been placed before us."

Washington: "Well, the reason I raise the question, because as I was reading the legislation and I was looking at what I understand to be the reasons for Senate Bill 1957... Who is the original Sponsor? Link and the President, right?"

Giles: "Representative, I'm afraid... I'm sitting right... I'm standing right next to you and I cannot hear nor understand. Could you..."

Washington: "Okay. I was raisin' the question, but I was trying to see who was the original creator of this legislation. Well, did you... of the Senate Bill."

Giles: "I believe, what you're lookin' at first..."

Washington: "Who are the original author of the legislation?"

Giles: "Representative, this was Senate Bill 814 which was... I was the Chief Sponsor since we did not, because of technical reasons or did not meet the deadlines, we did not get this passed out of Elementary & Secondary Education since we have to do this or else we're in jeopardy of losing federal funding, this is now in the form of a Amendment #1 to Senate Bill 1957."

Washington: "Okay. I guess... I guess, I'll go ahead and try to get to what made me stand up and wanna speak to this

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particular legislation. In lookin' at this legislation where it says this legislation could potentially be used as a vehicle to remove dangerous student from a persistently dangerous school and then later on down in the body of language under Amendment 1, it describe the criteria in which is used to define schools and students who are problematic and it, for some reason, it parallel with a piece of legislation that came through earlier dealin' with the alternative school. And that was somethin' that I was an advocate for the Governor to put back in his budget. And see this... these same reason in this Bill bears me witness that what I was saying or what I would have liked to said about the alternative school is exactly the same here because I'm sure you know, Representative Giles, the alternative school is an alternate school. And it's an alternate school, but you or Julie have not identified and someone been have been misidentified as having potential behavior problem coming from dysfunctional family. Are you following me so far?"

Giles: "I believe I am and I would just simply to respond by saying, I think I know where you're going with what you're asking. The only way that I can respond intelligently and that is that these are federal guidelines that we have to meet as a state or else we're in jeopardy of losing funds. I think what we need to do is contact our federal officials, our Congressmen, our US Senator who sit down as we do and legislate these particular laws and the language in these laws and to address our concerns on that level to

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make sure that we can get some language that will truly address the problem and remedy the problem before it gets to the state that we have to abide by."

Washington: "But see, Representative Giles, I know that you are concerned about this and your concern goes beyond what funds we're losing. We're losing our children. And that's ironic that this legislation and the President's legislation is about No Child Left Behind. But I'm sure, you and I comin' from a similar background know a whole bunch of children that we see that have been left behind. To the Bill, Mr. Speaker. What I would like to say to this Bill, I think this is some good legislation, but Representative Giles and anybody in the room that's interested that kinda relate to what I'm saying, it seems like this gives us an avenue to see if this No Child Left Behind legislation could be inclusive about alternative school. It look like all of that could fit under one umbrella because it's identical. It's servin' the same identical clientele in terms of the students and it's also tryin' to find some remedies to assist those good parents who are tryin' to manage student for whatever reason who have strong behavior problems and misdirected and not understand the value of an education. So, at any point in time that you and anybody else in this room that's interested in this legislation and the conversation we're havin', I think it's a worthwhile effort to join and I sees... I think it's a worthwhile effort to join to try to see if the alternative school program cannot be just a

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so-called burden on the state the way it's made to look with the budget, but if it can also apply for some of the dollars that are comin' in through the No Child Left Behind. So, I support this legislation. Thank you, Mr. Speaker."

Speaker Turner: "Seeing no further questions, Representative Giles to close."

Giles: "I simply ask for the adoption of Amendment #1. This is something that right now unfortunately..."

Speaker Turner: "The question is..."

Giles: "...we have to do."

Speaker Turner: "The question is, 'Shall Amendment 1 to Senate Bill 1957 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment 1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1957, a Bill for an Act in relation to education. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Giles on Senate... on..."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We have debated the substance of the Bill and I simply ask for the passage of this piece of legislation."

Speaker Turner: "The question is, 'Shall Senate Bill 1957 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? The Clerk... The Clerk shall take the record. On this question, there are 109 voting 'aye', 6 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Lee, Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Mitchell... Mr. Speaker. I'm Mr. Mitchell. It's gettin' late already. Mr. Speaker, I'm assuming that we're gonna be for... here for at least a couple more hours. I understand the Senate Republicans just went to caucus and I realize there's some business that has to transfer from chamber to chamber. Therefore, the folks that are staying at Howard Johnson's, I will be happy to make the phone call and reset the rooms. If you just let me know who all's gonna stay, I'll make the call. Again, as you realize this is kind of a weird setup we got there. I have to make the call for ya to get the right rate. I don't know why. I didn't do that, but that's what happened. So, if you just let me know, I'll call out there for everybody that wants to stay over. Jim Sacia's saying 'aye'. Anybody else let me know, Sid, Moffitt, Mikie. Good man. Thank you, Mr. Speaker."

Speaker Turner: "So, Representative Mitchell is the concierge tonight. If you need to see him, stop in the back. On that note, let me remind the Members that it is now 9 o'clock or almost 9, 12 o'clock is three hours away and there are a number of Bills still on the Calendar. In

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fairness to the Members who would like to have their Bill heard, I would hope that Members are considerate in their debate because time is of the essence at this point. So, I just want to remind the Members and ask that we be cognizant of the amount of time left in the day's work. On the Order of Third Reading, we have Senate Bill 362. Read the Bill, Mr. Clerk. I'm sorry. Mr. Clerk, what's the status of Senate Bill 362?"

Clerk Bolin: "Senate Bill 362, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Molaro, has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Molaro."

Molaro: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 has been being worked on for, I'd say, almost since mid-January. This has to do with the 529 Plan that's under the IRS Code. And this is an agreement between the Treasurer's Office and Bright Start Plan and the Illinois Bankers Association and the community. It caps the account at \$10 thousand per year which is now unlimited. And it caps what can be charged, nothing over 4 percent. It allows recipro... reciprocity which means that if a state takes our plan, we'll take the out-of-state plan. And by capping these fees at 4 percent it allows us to earn as much as we can. I urge... Save as much as we can for people who wanna save for college. And that's what the Amendment does."

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Speaker Turner: "The Lady from Cook, Representative Mulligan, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative, would you explain to me if the out-of-state plans are gonna be deductible now or not, cause this was a big uproar last year?"

Molaro: "Now, well, basically what it comes down... out to, what it means is that if there is reciprocity and we allow an out-of-state plan, they do not get the \$10 thousand credit... up to 10 thousand at the beginning. The only thing will be is after 20 years, if they make \$5 thousand in interest and they don't pay more than 4 percent in their reciprocity, then that money that they earn will pass tax free, not only for IRS purposes, but also for State of Illinois purposes."

Mulligan: "So, they would have to keep it for that length of time?"

Molaro: "Yes. I mean, they'd have to follow all the rules that are there for the 529 Plans under the IRS Code."

Mulligan: "I know that after we passed a Bill similar to this last year, which I think was Representative Burke's Bill, which had rolled in some legislation that I had, we did not... we weren't allowed to or people that had out-of-state plans were not allowed to have them deductible. And the Tribune wrote an article on it and then I got a flood of e-mails."

Molaro: "Right."

Mulligan: "So, I'm just wondering if this makes this better."

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Molaro: "Well, it... Yeah, it really does. I mean, that's why the Bankers' Association are for it as well as the treasurer. And they have said over the last two, three months and they've worked out the best plan that they can that satisfies the bankers. It's good for the, you know, the families, for the State of Illinois. There's no cost to it. It's good for the treasurer's Bright Start Plan and it's a good compromise."

Mulligan: "All right. So, people that have out-of-state plans would eventually be able to get some deduction on it?"

Molaro: "Oh, they will. There's no doubt about it. If there... if we have reciprocity and they don't charge more than 4 percent..."

Mulligan: "All right. Thank you."

Molaro: "...which is what everybody agreed to."

Speaker Turner: "The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Franks: "Representative Molaro, as I'm reading this, we... you and I had a chance to talk about this and I appreciate that because I was the original Sponsor of this Bill and then I removed my name after I saw the Amendment and I just wanted to clarify what this will do. Right now, when one applies for college financial aid, it is not considered how much that person might have in the Bright Start Program for the first \$25 thousand that... put away for college, correct, in determination of financial aid?"

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Molaro: "That's correct."

Franks: "But now, with this Bill, with this Amendment, that will be considered. So, if someone, let's say, had \$25 thousand put away, that would be considered when a college is making a determination for financial aid?"

Molaro: "Yes."

Franks: "Okay. And also, this Amendment would limit where individuals could invest in their 529 Plan and still receive tax deferred status in this state, correct?"

Molaro: "Well, I have stop to you, but you're on a roll and I don't want to stop ya."

Franks: "Okay."

Molaro: "Except that that's in... that was in... that's my original Bill which is still standing. The Amendment just talks about a few other things, but yes, that's what the Bill does."

Franks: "Because the original Bill would allow people to invest their 529s anywhere in the country and still get tax-deferred status here in Illinois. But what this Amendment does now is take away the tax-deferred status unless they meet very stringent requirements where other states have a 4 percent load fee and there's reciprocity."

Molaro: "Well..."

Franks: "But this is also part of this."

Molaro: "Yes. I mean, to an extent. That was a compound question. It's very difficult for me to answer."

Franks: "Okay. I'm sorry."

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Molaro: "But the gist of it is, it was... it makes it better, I guess."

Franks: "All right. Let me... let me break it up for you."

Molaro: "Yes."

Franks: "Well, it... I think it is 'cause this deals with both Bright Start and it also deals with College Illinois. Now, let's talk about these. College Illinois is the prepaid college tuition program where one can buy up to nine semesters for anywhere in state, correct?"

Molaro: "Yeah."

Franks: "And this also deals with the 529 Plan, the Bright Start Plan, that our treasurer administers for the state."

Molaro: "That's correct."

Franks: "Okay."

Molaro: "The Bill, not the Amendment."

Franks: "The Bill."

Molaro: "Correct."

Franks: "Now, the..."

Molaro: "But were on the Amendment, right now."

Franks: "Right, but the Amendment says, to qualify for a tax break for a 529 Plan withdrawal that one would have to invest in only Illinois or another state that does... that has a load of 4 percent or less, correct?"

Molaro: "And has reciprocity, yes."

Franks: "And has reciprocity, correct."

Molaro: "Yeah. Absolutely."

Franks: "So, that mean... Okay. Then... I thank you. And you've answered the questions. And to the Amendment."

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Speaker Turner: "To the Amendment."

Franks: "What this would do is limit the ability of individuals to invest where they wish and still get tax-deferred status in Illinois. They don't have any right now. I wanna make that point, but they should. Because we should be encouraging people... okay... we should be encouraging people and families to help invest for college and this is one way to do it. And our 529 Plans are very good, our College Illinois Plan is good and our Bright Start Plan is good. But the fact is, there might be better alternatives in other states than our Bright Start Plan. If you saw the Sun Times last year, they did an exposé on it and it's not any real criticism on Bright Start because everybody's accounts went down. But if you put \$10 thousand into it a few years ago, it was worth \$8600, but you still got the tax break and any gains you might have had, but there weren't any gains, so there was no tax breaks to worry about. But what this does, is saying you can't invest in other state's Bright Start or typical Bright Start programs, the 529, unless, to still get a tax break here in Illinois, unless they have the same deal as we do and I think that's too limiting. Plus, what's really the bad... the worst part about this Amendment is that now those moneys that you put aside for... in a Bright... let's assume we use the Bright Start here in Illinois, those moneys will now be considered, when you're dealing with financial aid, where previously they weren't. I just want people to be aware and I think we ought to encourage more to help our

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people save for college. It's tough for families to get to... for people to get to college. And I'd encourage a 'no' vote."

Speaker Turner: "The Gentleman from Cook, Representative Molaro to close."

Molaro: "Okay. Well, apparently, myself and Representative Franks have a different analysis of the Bill because I don't know what he was just talking about. Basically, right now, if we don't pass this, right now everything he says is true. What this Bill does is rectify that. There are now... you cannot have any plans, anywhere, except Bright Start. When you're finished with this, there are numerous states and numerous plans you can go to. You can't go to all plans because they might charge 7 or 8 percent and we're not gonna allow that. You have to charge 4 percent. And the other point is, we... their... we cannot go to out-of-state plans. We're just saying, you wanna use our plan, you have to let us use yours. So, what Representative Franks was talking about, this Bill makes it much, much better than it is now. The Illinois Bankers, who wanted to go further, are very happy with this. The Treasurer's Office is happy with this. It's an agreed Bill by everybody involved and it's a very good compromise. So, I would ask for 'aye' votes on the Amendment."

Speaker Turner: "The question is, 'Shall Amendment 2 pass?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment 2 passes. Further Amendments?"

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Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill."

Clerk Bolin: "Senate Bill 362, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Molaro."

Molaro: "Thank you. I... The time is now 9:05. I said what I had to say. Everybody's in full agreement: Illinois Bankers, Treasurer's Office. By the way, the treasurer was on the floor just earlier, spending a couple hours with us. It's a good compromise. It goes as far as we can go at this point and it's terrific for the kids who are trying to save for college and families. So... 529 is a great plan and now it's an even playing field. Thank you."

Speaker Turner: "The Gentleman from McHenry, Representative Franks."

Franks: "To the Bill."

Speaker Turner: "To the Bill."

Franks: "What Representative Molaro says is true. And this is a half a loaf, folks. We could have the whole thing. It's better in some respects that we're able to invest and I'm told by Repre... by our Majority Leader that we now can invest in 25 other plans under this Bill. We should be able to invest in all the plans, I think. I think, everyone should be able to have a choice. So, it is better in that respect, but we should be able to do the whole thing. And the other thing, but please be aware, right now, that's not being considered the money that people have

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already saved for financial aid and this will make a big difference. Now, they will consider the money put in for financial aid, so consider this when you're voting. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 362 pass?' All those in favor say 'aye'; all those opposed say '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 'aye', 0 'noes', 1 voting 'present'. And Senate Bill 362, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 1607?"

Clerk Bolin: "Senate Bill 1607, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Hoffman, has been approved for consideration."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment... I would like to talk about Floor Amendment #3 and also about Floor Amendment 5, which will be coming up later. They essentially together become the Bill. Floor Amendment #3 would establish a competitive bidding process for auctioning the tenth riverboat gaming license or any future riverboat gaming license the Gaming Board revokes, non renews, or has been forfeited to the board. It also would permit the Rock Island, Alton, and East St. Louis riverboats to be located within five miles

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of their home dock municipality. It would modify the admissions tax imposed on riverboats by imposing a graduated admissions tax rated \$3 per person on boats admitting up to 1 million patrons, \$4 per person on boats admitting between 1 million and 2.3 million patrons, and \$5 per person on boats admitting more than 2.3 million dollar... million patrons. Essentially, what this does is it allows us to make sure that when the tenth license is available we will be able to have a process in place that will allow the state to enhance its revenues by auc... auctioning the... auctioning the license. I ask for a... I ask that Amendment #3 be adopted."

Speaker Turner: "Gentleman moves for the adoption of Amendment #3. The Gentleman from Vermilion, Representative Black."

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

Speaker Turner: "He indicates he will."

Black: "Representative, is there still language in Floor Amendment #3 that takes a current funding stream from the State University Athletic Capital Improvement Program and diverts that to Chicago State University?"

Hoffman: "Yes, but there is... there is no current funding stream because there is no tenth license."

Black: "But... but when, notice I say when, when the tenth license becomes operational that revenue stream that originally was intended for athletic system improvements at the state's colleges and universities will suddenly divert to Chicago State. And, the last time I was at Chicago

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State other than a gymnasium, I don't think they have any athletic facilities to improve."

Hoffman: "When the tenth... when the tenth license becomes operational, that's correct."

Black: "So, we can maybe revisit that once the license becomes operational?"

Hoffman: "I'm always open to your ideas."

Black: "Alr... all right. Just... ya know, before I die we'd like to see Memorial Stadium completed in its final architectural form. And I... I was a little bit surprised to see that that revenue stream would be diverted. But, as always, you give a forthright answer, Representative. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Amendment #3 to Senate Bill 1607 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Hoffman, has been approved for consideration."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, Floor Amendment #5 would just clarify that the Gaming Board may not competitively bid a license that seeks to revoke or not renew without providing full procedural due process. It also would add a retroactive... retroactive severability clause to the ini... initial tenth license Gaming Act to sure... ensure that if something within that

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Act is found unconstitutional, that that Act would still remain."

Speaker Turner: "Seeing no further questions, the question is, 'Shall... the Gentleman from Vermilion, Representative Black...'"

Black: "I'm sorry, I'll make this very quick. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Black: "Representative, would you be willing to amend this on its face that if or when the tenth license becomes available, it will be located on the Chicago State University Campus?"

Hoffman: "It depends who get the revenues."

Speaker Turner: "The question is, 'Shall Amendment #5 be adopted to Senate Bill 1607?' All those in favor should vote... should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment 5 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1607, a Bill for an Act in relation to gaming. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once again, what this would do is simply allow a bidding procedure, an auctioning procedure for the tenth license to make sure the state enhances its revenues. In

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addition, we believe this would make sure that that tenth license would go onboard quicker. The reason we believe that's important is as you know we recently passed legislation through the House and the Senate that put on a temporary sev... temporary tax on casinos. Once that tenth license comes onboard, the tax on the current licensees will go back to its current level. We also think that it's important that we allow the state to decide that if the auction amount is not enough that they themselves could hold that license to maximize our revenue. I ask for a favorable Roll Call."

Speaker Turner: "The Gentleman from Cook, Representative Lang. For what reason do you rise?"

Lang: "Thank you, Mr. Speaker. I rise to support Senate Bill 1607. I think people on the floor are pretty well aware that the Gaming Committee's done a lot of good work and sent some Bills to the floor that we haven't heard. I think you're also pretty well aware that I, as the chairman of the Gaming Committee, have been pretty critical of the way we've been handling the gaming issues this year and I haven't changed that point of view. But I will say that Senate Bill 1607 is a Bill we need. This is not a perfect Bill, there are things I would like to change in it. But the truth is that it really does set up a mechanism for the first time to make sure we can put the tenth license out for a bid if it becomes available. We've been assuming for a very long time that the Gaming Board can just go ahead and do that if they get the license back through a

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settlement or through the bankruptcy court proceeding. But the fact is the law doesn't really say that specifically. This Bill would, for the very first time, etch in the law that the Gaming Board has the right to proceed to put out this license for bid and any other licenses that become available. Additionally, the mechanism in the Bill works in a very rapid way, and so you heard me say yesterday how I did not like the move to the 70 percent tax, and I did not. But because of the mechanism in this Bill, this will rapidly go back to 50 percent, rapidly go back to the original tax we had by getting the tenth license operational very much more quickly. And for these reasons and because it's important to bring some form and substance to the method by which we're going to use this tenth license and put it out to bid, despite the fact that the Bill is not perfect. It is important that we pass this Bill today and I would recommend your 'aye' votes."

Speaker Turner: "The Gentleman from Cook, Representative Saviano. For what reason do you rise?"

Saviano: "Thank you, Mr. Speaker. For the purpose of legislative intent, I have a couple of questions. Number one, is it... is it in the intention of this Bill that the re... re-issuance of a revoked or nonrenewed owner's license shall only take place after all legal remedies available to the owner's license have been completely exhausted?"

Hoffman: "Yes."

Saviano: "Also, Mr. Speaker, I want to say this legislation provides a mechanism in a situation where it is determined

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that the highest prospective total revenue to the state would be derived from the state, the state conduct of a reissued owner's license. The state will have the authority to conduct the gambling operation in lieu of reissuing the license. Should the state determine that the highest prospective total revenue to the state would be derived from the state conduct of the gambling operation, Illinois would be the first state in the United States to conduct its own gambling operation. Therefore, we ask that this General Assembly and the citizens of Illinois grant the state latitude and time to effectively implement state conduct of gambling operations so as to establish efficient business practices and mechanisms to maximize the revenue to the state from the conduct of gambling operations. Mr. Speaker, additionally, I want to say that the... the language in this Bill, after speaking with the Governor and finding out how dedicated he is to get this... this Bill on line, I'm willing to support this Bill when... if you look at the... at the... the provisions in the Bill are not advantageous necessarily to the Village of Rosemont. What it does say in there is that the highest bidder doesn't necessarily get that license, it... it's up to the... the discretion of the board if they wanted to give it to a... a lower bidder they would have to provide a letter of explanation for that. But after speaking with the Governor, and... and the... the assurances that he needs... he needs the revenue, we need the revenue from this boat, we're willing to set aside those advantages and see this Bill pass. Thank you."

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Speaker Turner: "The Gentleman from DuPage, Representative Daniels. For what reason do you rise?"

Daniels: "Mr. Speaker, I may have a potential conflict of interest, therefore I'm gonna vote 'present' on this Bill."

Speaker Turner: "The Lady from Champaign, Representative Jakobsson. For what reason do you rise?"

Jakobsson: "Thank you, Mr. Chairman. I'm seeing from Amendment #3, as Representative Black pointed out also, that the Amendment changes the first riverboat gambling operations conducted by licensed manner as stated under Section 7 whichever it comes first, 'shall be paid from the State Gaming Fund.' It used to say 'into the State Universities Athletic Capital Improvement Fund.' And the Amendment says 'the State Gaming Fund to Chicago State University.' I think this is unfair to the other state universities who were probably counting on using some of this to improve their athletic facilities. We have heard many times that we are elected to be State Representatives. This is unfair to all of the state universities except for Chicago State University, and with this Amendment in here I urge a 'no' vote."

Speaker Turner: "The Gentleman from Madison, Representative Davis. For what reason do you rise?"

Davis, S.: "Thank you, Speaker. Will the Sponsor yield for..."

Speaker Turner: "He indicates he will."

Davis, S.: "...a couple of questions? I'm looking at House Amendment 3 and it says that the Horse Racing Equity Fund provisions are out of the Bill. Is that correct? There..."

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there's no change to the Horse Racing Equity Fund calculations?"

Hoffman: "No, there is no change from the original tenth license Bill."

Davis, S.: "But I'm talking about the current calculations for the horse racing industry. It was in the original... Bill... and..."

Hoffman: "Yes, Sir... no. That... that is not contained in this."

Davis, S.: "Is there something... have we voted on anything that has changed that up to this point in time or is there something floating around about changing the..."

Hoffman: "Yeah... there was a draft, I believe, there was... that had information about that, but this does not affect that, it's taken out."

Davis, S.: "Okay. And the provisions... do you... could... do you know if the... I'm looking at the analysis that says it permits Rock Island, Alton, East St. Louis to... boats to be located within five miles of their home dock municipality. Is that language that was drafted off of House Bill 1020? Do you know that?"

Hoffman: "I believe it was... House Bill 2314, which was your Bill. And there was a similar Bill that Representative... or Senator Clayborne had sent over here from the Senate."

Davis, S.: "So... so that's the language that's in there?"

Hoffman: "That's the language that's in here."

Davis, S.: "Okay. Thank you."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman to close."

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Hoffman: "Yes, thank you, Ladies and Gentlemen of the House. I would... I would simply ask for a favorable Roll Call. I believe this will move the state forward, ensuring that the tenth license is up and operational and also ensure that the state's revenue is enhanced by allowing an auct... auctioning process. I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1607 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 67 voting 'aye', 47 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 821? The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Black: "Would you welcome with me a former Member now the director of the Department of Agriculture in the gallery where he spent most of his time when he was a Member of the House, Chuck Hartke."

Speaker Turner: "Yeah, Mr. Director. Takin' the easy way out, huh? I understand there's another former Member in the House. Representative Judy Erwin. Is she also in the gallery? So, that appears to be the place for former

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Members. Judy Erwin, in the gallery. In the easy seat. What's the status... The Gentleman from Cook, Representative Molaro."

Molaro: "Well, just quickly. Looks like we just finished most of the Governor's package and I see a lot of his staff packing up. Now, we're here late because we're doing a lot of their work. I think they should be commanded to stay as late as we do. I like havin' 'em around and I hate to see 'em go, so I think they should stay until we're finished. Let's lock the door and let's keep 'em part of the team while we finish the state's and the people's business."

Speaker Turner: "Your point's well-taken, Representative. On the Order of Second Reading, we have Senate Bill 821. The Lady from Cook, Representative Currie."

Clerk Rossi: "Senate Bill 821 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Currie: "Thank you, Speaker and Members of the House. This is another trailer Bill to the Governor's ex... executive orders on reorganization. There were employees in the Prairie State 2000 Authority and the Department of Employment Security who are transferred to the new Department of Commerce and Economic Opportunity. This Bill just gives them Code status. I'd appreciate your questions. It's a simple proposition. And I hope for your 'aye' vote."

Speaker Turner: "The Lady from Peoria, Representative Slone, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Slone: "Representative Currie, wherever you are. Did I miss something? Did we combine the Department of Employment Security with DCEO or is this just some employees?"

Currie: "What did she say?"

Slone: "Did we combine Employment Security with the new DCEO or are we just transferring some former Employment Security people to DCEO?"

Currie: "There was not a... not a complete merger, but there were some employees who were transferred."

Slone: "Okay. To some programs not..."

Currie: "Some of the job training programs went to DCEO."

Slone: "Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Black: "Representative, these people that are transferred, particularly from the Department of Employment Security, will they be... will they be maintained on the Department of Employment Security payroll or will their payroll be reflected as part of the Department of Commerce and Economic Opportunity's budget?"

Currie: "Department of Commerce's budget. And what this legislation does is to establish their Code status because the Governor's Executive Order did not have the authority

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to change their status. So, we're just correcting that error."

Black: "Is it the intent of the... was it the intent of the Executive Order and this trailer Bill to... What's the word? I'm sorry, it's late. Are you dissolving the Prairie State 2000 Authority and putting it, that entire function, under the Department of Commerce?"

Currie: "That is what the Governor's Executive Order did."

Black: "Okay."

Currie: "The only issue in the Executive Order was whether the Governor exceeded to his constitutional prerogatives and there was agreement from your staff and ours and the Senate staffs and the Governor's Office that some of the things that he attempted to do in those Executive Orders were beyond his authority. So, we are making sure that the employees that he transferred retain Code status because he's not permitted to make that kind of a change in an Executive Order. So, this is entirely technical."

Black: "Well, then, if it had been that technical, he wouldn't have made the mistake, but whatever. Prairie State 2000 is being absorbed into Commerce and Economic Opportunity. What I don't understand is what division or what employees of DES are being transferred?"

Currie: "Those who were involved in some job training programs and that... federal job training programs and that, as I say, that doesn't happen under this Bill. That happened under the Executive Order. All we're doing is curative legislation about the details of the Executive Order."

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Black: "Okay. The devil is always in the details. Let's vote 'aye'."

Currie: "That's right."

Speaker Turner: "The question is, 'Shall Amendment #1 to Senate Bill 821 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment 1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 821, a Bill for an Act concerning the Governor. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. Curative legislation, entirely nonsubstantive. Please vote 'yes'."

Speaker Turner: "The question is, 'Shall Senate Bill 821 pass?' All those in favor say 'aye'; all those opposed say 'no'. The voting is now open. Have all voted who wish? I said it wrong. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 759?"

Clerk Rossi: "Senate Bill 759 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

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Speaker Turner: "The Gentleman from Cook, Representative Molaro on Amendment #1."

Molaro: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just language it's... creates the Balanced Fire Protection Act and just basically talks about the risk that we have when we go out and we build dormitories that have high densities in schools. It just makes sure that there are guidelines, that the fire marshals throughout the state come up with guidelines that they have to meet when they go out and they're building new dormitories. It has nothing to do with existing language. It just to add... provides that it's not gonna supersede any state or local requirements relating to sprinkles(sic-sprinklers). And that's what #1 does. But what I'm gonna do since it's so late, I'm gonna withdraw Amendment #1 right now."

Speaker Turner: "You're a good man."

Molaro: "Because we don't have the time. And I'm gonna..."

Speaker Turner: "Withdrawn."

Molaro: "I'm also gonna withdraw House Amendment #2 and let's go right to House Amendment #3."

Speaker Turner: "You're a better man. Clerk, further Amendments?"

Molaro: "Yes. House Amendment #..."

Speaker Turner: "Amendment #3."

Molaro: "Same... actually does the same thing. Except, also, I might add that there's a little part of Amendment #3 that I think contains language from Representative Mathias. And

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what we'll do is we'll let him explain his part of the Amendment, if that's okay with the Body."

Speaker Turner: "The Gentleman from Lake, Representative Mathias on Amendment #3."

Mathias: "Thank you. If you recall, earlier this Session I had House Bill 495. That Bill dealt with school construction and when it got to the Senate, it basically got changed after all of the parties got together: the architects, the school administrators, ED-RED. All the different organizations got together and we kind of came on to a compromise that, I believe, all these organizations have signed off on. That compromise is now part of Senate Bill 759. And it... part of it is developing a task force and that task force has... it's... I'm sure it's on your analysis. It has, I believe, 13 different members and they will work towards getting the inspection process done. And also, it also sets up a review process so that school dis... I'm sorry, so that local government agencies such as municipalities, counties can review the plans of new construction when... But the difference is, is that they can review the plan and comment to the regional superintendent as was in the previous Bill when it was in the House. What it changes is they no longer have the right to come in and make inspections. The reason for the task force is the task force will then develop the necessary rules so that eventually inspections could be made and those inspections... inspectors will make recommendations regarding the training necessary for those inspectors. So, I ask for your 'aye'

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vote on Senate Bill 759. I ask the Sponsor to add me to the Bill as a cosponsor. I know we signed it, but it's probably still somewhere in the... wherever those slips that we fill out go."

Speaker Turner: "The Gentleman from Cook, Representative Molaro."

Molaro: "So, we're gonna ask that Floor Amendment be adopted and Representative Mathias had I known you were gonna be that long, I'd have explained your part, also. But we'll ask for a... if we can move Floor Amendment #3."

Speaker Turner: "The question is, 'Shall Amendment #3 to Senate Bill 759 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 759, a Bill for an Act in relation to education. Third Reading of this Senate Bill."

Molaro: "Thank you. I would just ask for a favorable Roll Call. I don't know if Representative Mathias has anything to add, but we'll certainly answer..."

Mathias: "Folks..."

Molaro: "...any questions if need be. It's a great Bill. It's for safety of dormitories and high density dormitories in schools. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 759 pass?' All those in favor should vote 'aye'; all those opposed

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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 110 voting 'aye', 5 voting 'no', and 0 voting 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 1742?"

Clerk Rossi: "Senate Bill 1742 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1742, a Bill for an Act concerning bioterrorism. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Senate Bill 1742 allows the Department of Public Health authority to order a person or group of persons to be quarantined or isolated on an immediate basis without prior consent or court order. This Amendment does provide for due process by requiring the department to either obtain consent or file a petition requesting a court order authorizing isolation. The concept of authorizing this isolation is based on con... consistent with proposals in the model State Emergency Health Powers Act. This is an Amendment initiated by the director of the Department of Public

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Health to address the emergent diseases such as SARS, as well as smallpox."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 1742 pass?' The question is, 'Shall Senate Bill 1742 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 should take the record. On this question, there are 112 voting 'aye', 4 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. What's the status of Senate Bill 713, Mr. Clerk?"

Clerk Rossi: "Senate Bill 713 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 713, a Bill for an Act concerning accounting. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. These are primarily technical changes in the way in which certified public accountants become licensed. And it describes how they can take the exam once there is a computer-based CPA exam and second, it expands the ground for disciplinary actions so that somebody who's found guilty of a Sarbanes-Oxley violation that could become evidence in an Illinois disciplinary hearing. The Amendment comes from the Department of

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Professional Regulation and from the CPA Board of Examiners. I'd be happy to answer your questions. And would appreciate your support."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino, for what reason do you rise?"

Mautino: "Thank you, Mr. Speaker. I just wanted to... First of all, ask the Clerk. I filed a slip there as a Sponsor... cosponsor, as well. And I simply rise to support the initiative of Majority Leader Currie and the CPA Society. As she said, this allows the text... test to be taken on... on computer and we added in the word 'federal' which if there's a violation of Sarbanes-Oxley, they can be disciplined here in Illinois as opposed to just at the federal level."

Speaker Turner: "The question is... The Lady from Cook, Representative Mulligan, for what reason do you rise?"

Mulligan: "I'm just sorry. Did Representative Mautino said that the CPA Society backed this Bill? Does the CPA... Representative Currie, does the CPA Society back this Bill?"

Currie: "They do back this Bill. They have other changes they would have liked to have seen. This is a fairly narrow measure, but yes."

Mulligan: "All right. Because they've co... certified public accountants have unto some very unfair criticism over the last couple years. They have one of the highest professional code of ethics that goes right up there. It's more stringent than lawyers. I have a son that's both a

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lawyer and a CPA. And you know, I'm just interested in making sure that people understand that and that they do approve of this. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 713 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 Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Bradley, for what reason do you rise?"

Bradley: "Yes, Mr. Speaker. On page 34 of the Calendar on Senate Bill 1126, I wish to withdraw that Motion."

Speaker Turner: "The Motion will be withdrawn. The Gentleman from Madison, Representative Hoffman, for what reason do you rise?"

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For the purpose of an announcement. It looks like there's a good potential that we're going to get out of here tonight as far as the budget is concerned and Governor Blagojevich and his family would like to, after the adjournment of tonight, invite the Legislators and the staff to a party at the Governor's Mansion. You must have a driver's license. In other words, ya gotta be 21 and a state ID in order to enter. Press is invited, but no cameras. And we hope to see everybody at the mansion upon adjournment. Thank you."

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Speaker Turner: "And for the Members' information, adjournment is still a ways off. What's the status of 746, Mr. Clerk? Senate Bill 746."

Clerk Rossi: "Senate Bill 746 has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration."

Speaker Turner: "Out of the record. What's the status of Senate Bill 1620, Mr. Clerk?"

Clerk Rossi: "Senate Bill 1620, a Bill for an Act in relation to health. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1620 creates the Family Caregiver Act to assist frail and disabled adults. It directs the Department on Aging to seek federal funding for the program. Secondly, it tells the Department on Aging to promulgate rules necessary to implement the program. And finally, it directs the department to work with the necessary groups that deal with these types of issues and provide assistance to these groups if and when funding becomes available at that level. So, if there's any questions, I'd be more than happy to answer them."

Speaker Turner: "The question is, 'Shall Senate Bill 1620 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,

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there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative McKeon, for what reason do you rise?"

McKeon: "Thank you, Mr. Speaker. I filed a Motion to reconsider the vote with which House Joint Resolution 36 passed and I'd like to withdraw that Motion."

Speaker Turner: "Motion withdrawn. On the Order of... Mr. Clerk, what's the status of Senate Bill 992?"

Clerk Rossi: "Senate Bill 992, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Champaign, Repre... no. The Gentleman from Winnebago... no. The Gentleman from Boone, Representative Wait. Out of the record. What's the status of Senate Bill 869, Mr. Clerk?"

Clerk Rossi: "Senate Bill 869 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner: "Out of the record. Mr. Clerk, what's the status of Senate Bill 723?"

Clerk Rossi: "Senate Bill 723 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Slone, has been approved for consideration."

Speaker Turner: "The Lady from Peoria, Representative Slone on Amendment #1."

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Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is simply a conveyance of the Department of Natural Resources to the Princeville Medical Center. It was found, much to the surprise of one of our local hospitals, that when they wanted to open... purchase the medical center, that a little corner of the property belonged to the Department of Natural Resources by virtue of a very old conveyance. DNR is more than willing to sell that little piece to them and quitclaim the property and it requires legislation for them to do so. We would appreciate your 'aye' votes."

Speaker Turner: "The question is, 'Shall Senate Amendment 1 to Hou... Senate Bill 723 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Granberg."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg on Amendment #2."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 2 is identical to legislation which passed this chamber unanimously, but unfortunately was derailed in the Senate. It gives the City of Mt. Vernon or extends their quick-take power for the Veterans Memorial Drive. They haven't completed obtaining the parcels necessary for the IDOT plan. This merely extends that quick-take three more years. Crestwood is not in this. No casinos."

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Speaker Turner: "The question is, 'Shall Amendment #2 to Senate Bill 723 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment 2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 723, a Bill for an Act concerning conveyances. Third Reading of this Senate Bill."

Slone: "Representative Granberg and I would appreciate your 'aye' votes."

Speaker Turner: "The Lady from Peoria, Representative Slone, moves that Senate Bill 723 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 68 voting 'aye', 45 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. What's the status of Senate Bill 955, Mr. Clerk?"

Clerk Bolin: "Senate Bill 955, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "Out of the record. Mr. Clerk, what's the status of Senate Bill 869?"

Clerk Bolin: "Senate Bill 869, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 869, a Bill for an Act in relation to state employees. Third Reading of this Senate Bill."

Currie: "Thank you, Speaker and Members of the House. This measure recreates the Teacher Health Insurance Funding Task Force within the Department of Central Management Services. As you know, we've had issues with our TRIP Program financing for retiree health benefits has been a major issue and I think this group would be well-advised or a group... similar kind of group with whatever appointees would be well-advised to continue this task. So, I'd be happy to answer your questions. I think we need to find a way to put this financing on a firm footing."

Speaker Turner: "The Gentleman from Lee, Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill."

Speaker Turner: "To the Bill."

Mitchell, J.: "Ladies and Gentlemen of the House, Representative Currie has said this exactly right. This is a monumental problem. It's a time bomb waiting to go off. The IEA, the IFT, Chicago Teachers Union and everyone else involved tried to work on a program called Project Rescue. That particular attempt, at this point, has stalled. We do need to continue to study this problem. If you remember, about, I believe, nine years ago, wasn't it, Representative, when this one really jumped up and bit us and we had to scramble just to make sure that our retired teachers had some kind of insurance. There's a lot of

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ideas floating around and I think this is a ideal time before we reach that total crisis time to get this problem under control and hopefully, get it behind us. I certainly would suggest a strong 'aye' vote. Thank you."

Speaker Turner: "Seeing no further questions, Representative Currie to close."

Currie: "I appreciate your 'yes' votes."

Speaker Turner: "The question is, 'Shall Senate Bill 869 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, 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 955? Out of the record. Mr. Clerk, what's the status of Senate Bill 955?"

Clerk Bolin: "Senate Bill 955, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "The Gentleman from Rock Island, Representative Boland on Amendment #3."

Boland: "Thank you, Mr. Speaker. Amendment 3 just makes a technical change, changes 'infamous crime' to 'felony', just a couple words."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

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Biggins: "Well, Mr. Speaker, I would like to rise on a point of personal privilege."

Speaker Turner: "State your point."

Biggins: "Well, it just happened that the few fine people in the back row back here have noticed that an unusual thing occurred like eclipses of the sun and the moon. And at 9:55 p.m., you, Mr. Speaker, in all your wisdom put up Senate Bill 955. Now, is that possible that that's also the adjournment time and we're a minute or two late?"

Speaker Turner: "Well, Representative, I didn't see the 9:00 news, but that could possibly be today's lottery number."

Biggins: "Umm, boy, now we're back... now we're in the order..."

Speaker Turner: "There's a better chance there."

Biggins: "...now, we're back on the order of gambling again. Well, anyway, I don't know what it means, but we're in the back row here. We don't miss much 'cause we sleep... we take turns sleeping, so somebody sees everything."

Speaker Turner: "The Gentleman from Cook, Representative Giles, for what reason do you rise? Representative Giles."

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

Speaker Turner: "He indicates he will."

Giles: "Representative Boland, did you say Amendment #3? Could you explain what Amendment #3 does to this... to 955 because my analysis says something differently?"

Boland: "Okay. Yeah, basically, what it says is that a person is ineligible to become a candidate for ward or township committeemen in Cook County if he or she has been convicted

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of a felony. These are political offices not governmental offices."

Giles: "And this is Amendment #3?"

Boland: "Right. It's basically the Bill."

Giles: "Mr. Clerk, I don't see Amendment #3 on my... on my computer. And my Amendment #3 says something... Is that House Amendment or Senate Amendment? Mr. Speaker, I do not see that Amendment on my computer."

Boland: "Hang on a minute here, we're trying to get this..."

Speaker Turner: "Representative, all the Amendments are on the computer. Representative Giles..."

Giles: "Amendment..."

Speaker Turner: "...I think Representative Boland has requested that Amendment #3 be withdrawn."

Giles: "Okay. So, what Amendment is he... is he addressing?"

Speaker Turner: "Well, no, he's changed his mind. Hold on."

Giles: "If he's changin' his mind, Mr. Speaker, that is okay."

Speaker Turner: "It's our understanding Amendment #3 is the Amendment that Representative Boland wants on the Bill. He thought it was misnumbered, but it's Amendment #3 is, in fact, the Amendment that he would like to have discussed."

Boland: "It is on the system, now, I've been told."

Giles: "So, what Amendment are we talkin' about right now?"

Speaker Turner: "Amendment #3."

Boland: "3."

Giles: "I still don't see that Amendment on my computer."

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Speaker Turner: "Take this Bill out of the record. Mr. Status... I mean, Mr. Clerk, what's the status of Senate Bill 1229... 1239?"

Clerk Bolin: "Senate Bill 1239 is on the Order of Senate Bills-Third Reading."

Speaker Turner: "Bring the Bill back to Second Read... Leave it on Second and take it out of the record. On the Order of Concurrences, we have House Bill 276. Representative Currie. Representative Currie, the Lady from Cook."

Currie: "Thank you, Speaker and Members of the House. These Amendments give the attorney general more authority to enforce the Tobacco Escrow Fund both by increasing authority in that respect... on purpose but also by closing a loophole, that means that some manufacturers of cigarettes who do not participate in the Master Settlement Agreement have not been contributing their fair share into an escrow fund. I'd be happy to answer your questions. The point of this Bill is just some technical changes that will enable us to make sure that we have adequate resources in the settlement agreement and in the escrow accounts that nonsignatories are required to fund."

Speaker Turner: "The Lady moves that we concur in Senate Amendments 1 and 2 to House Bill 276. 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 should take the record. On this question, there are 113 'aye', 1 'no', 2 'presents'. And House Bill 276, having received a... The

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House does concur in Senate Amendments 1 and 2 to House Bill 276. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 568. The Lady from Cook, Representative Currie. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 568 with Senate Amendment #1 makes resisting or obstructing a peace officer, correctional institution employee or probation officer or parole officer in doing so causing injury to that peace officer a Class III felony. It makes it a Class A misdemeanor to resist or obstruct a probation officer or parole officer. It adds them into the same category with police officer. And also creates... makes it a Class IV felony to willfully flee or attempt to elude a peace officer. I know that Representative Rose and Representative Wait had a part in this legislation and I'm sure they would be happy to help out to answer any questions."

Speaker Turner: "The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

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

Speaker Turner: "To the Bill."

Rose: "Ladies and Gentlemen, this is identical language to a House Bill that had passed previously, I believe, unanimously. I cannot confirm that, but I believe it was unanimously to the Senate. It got snagged in a procedural issue over there and it's now, it's back. I'd be happy to

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answer any questions on behalf of the Lady. And I additionally, I'd just like to thank the chair of our committee, Mary K. O'Brien, for all of her help on making this possible. So, thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cook, Representative Delgado, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Delgado: "Thank you. Representative, I know we discussed this Bill a couple of times and we've been in committee. Tonight was an extremely long night, but after further analysis and I want to talk to, on the side, but I understand there's some questions I do need to ask and I do have some concerns that were brought to my attention by a variety of staff. And I'm concerned that currently if you're in custody and cut and run, that is considered escape. And if you're under arrest for a misdemeanor, that is a Class A misdemeanor... I'm sorry. And if you're under arrest for a misdemeanor, that is a Class A misdemeanor; however, under that instance, if it is a felony, you are under arrest for and in custody for a felony and a cut and run, that is a Class II felony. So, this actually creates a lower penalty. Is that correct?"

O'Brien: "Mr. Speaker, I think Representative Rose would like to answer that question."

Speaker Turner: "The Gentleman from Champaign, Representative Rose."

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Rose: "Thank you, Mr. Speaker. Representative Delgado, it's a very good question. I do not believe so because I believe the definition of 'escape' would be once you are under arrest in the custodial situation and I believe a correctional institution..."

Delgado: "What..."

Rose: "...ward of the courthouse. I can..."

Delgado: "Representative..."

Rose: "...if you'd like to use..."

Delgado: "...may I interject."

Rose: "...I can double check the 'escape' statute for you."

Delgado: "Representative, may I interject and ask you if once you're Mirandized and you're placed under arrest and you cut and run, it's an escape, Sir? Is that correct?"

Rose: "I don't believe so and I'll double check the 'escape' statute for you, Representative Delgado..."

Delgado: "And my con..."

Rose: "...and I believe... I believe that there's a territorial boundary for escape that would have to be from a correctional institution, but I cannot say that for certain. I'd be happy, perhaps, if the Sponsor... If we want to take it out of the record for a brief moment, I can check that and..."

Delgado: "Well, we're gonna have to check..."

Rose: "Well..."

Delgado: "...well, let me get it all out then because I don't want you to keep pulling it from the record because if it does go through at this stage... I actually would like to

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continue to work on this Bill in Veto Session because there's systemic problems with the legislation and it actually contradicts itself and you might be lowering a violation."

Rose: "I..."

Delgado: "In addition, Representative..."

Rose: "I disagree with that, Representative, on several grounds, but finish your question."

Delgado: "...and I'm just trying to create some scenarios. I want you to help me understand a little bit better."

Rose: "Sure."

Delgado: "Because this will be the type of crime that, if you will, a silly kid might commit as well as more dangerous persons. And of course, you can get supervision for a felony if it's just a kid who might have had a few beers and who was just afraid and pulls off and runs. And if that occurs, then of course we know that: a) if you're convicted under it, you won't be able to vote during your sentence for the period of the probation, you cannot participate in political process. Furthermore, it will not let you... will not allow you, in cases down here, to own or possess a firearm. Furthermore, surrounding states: Indiana, Iowa, Minnesota, Missouri, Wisconsin all continue to treat this as a misdemeanor. So, Representative Rose, I have a high regard and respect for you, however, this has many systemic problems. And I understand the genesis of this Bill and I appreciate Representative Bailey who addressed this Bill for the need of probation because I,

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too, am a former felony probation officer and parole agent. However, we need to sit down and I think we can fix this Bill during the Veto Session and another resort would be utilizing a Governor's Amendatory Veto so that we can clean this up some, because under it's current form it is not crafted in the design that is needed for you to meet your goal."

Rose: "Can I respond, Representative Delgado?"

Delgado: "Yes, Sir."

Rose: "All right. Two points on what you just said. First of all, resisting arrest is currently a Class A misdemeanor. Now, obstruction of justice is a Class IV felony. If you fight with the police officer, that's a Class A misdemeanor. If you lie to him about your identifiers or about your driver's license number, about your name, about your age, et cetera, et cetera, et cetera, that can be charged as a Class IV felony. So, first of all, I think this resolves a constitutional problem in terms of the proportionality clause in both the state and the United States Constitution because lying is a felony, should not be treated more harshly than fighting, physically fighting, with a police officer which is currently treated less harshly. That, Representative Delgado, I believe this Bill helps address the disproportionality problem currently in existence, first of all. And second of all, to your hypothetical situation with, say, a college kid..."

Delgado: "Yes."

Rose: "...first offense."

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Delgado: "Yes."

Rose: "This allows prosecutorial discretion. Nobody says that ultimately the individual has to be charged..."

Delgado: "Right, it could be pleaded down."

Rose: "...with a Class IV. If it's an appropriate situation, he's to be charged in a Class A or more than likely what'll happen is that he'll be charged under the municipal ordinance. They'd pay a fine and nothin' would go on their record..."

Delgado: "All right."

Rose: "...in that hypothetical situation, Representative."

Delgado: "All right. Representative, then will you be so kind, I know you said you would take it out of the record momentarily so you could check on this as to its... its reverse..."

Rose: "As to the 'escape' portion?"

Delgado: "Yes, Sir."

Rose: "I'd be happy to do that."

Delgado: "All right. Thank you, Representative."

Speaker Turner: "Take this Bill out of the record. On the Order of Concurrences, we have House Bill 569. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 569 was amended in the Senate to provide as follows: it makes it a Class II felony to knowingly disarm a correctional institution employee without their consent. The knowing part is that whether or not the individual is in uniform, if you know them to be a

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correctional institution employee and you disarm them, then that triggers this felony provision. There is another provision of the Bill that provides for individuals who have been convicted of a felony to apply for certificate of release from disabil... relief from disability. This would allow them if they have a profession that requires the state licensure such as a nail technician, a family therapist, interior design, a land surveyor, a landscape architect, real estate agent, a roofer, all of these people require licenses. If you are a felon, you can't hold those. This Bill would allow that felon, unless they were convicted for a crime of violence, to apply for a certificate of relief from that disability, so that they could regain the license in the profession that they had worked for. And I would be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur with Senate Amendment 3 to House Bill 569?' 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 113 voting 'aye', 0 'noes', 3 voting 'present'. And this... the House does concur with Senate Amendment 3 to House Bill 569. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 666. Read the Bill, Mr. Clerk. The Gentleman from White, Representative Phelps."

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Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment 1 on House Bill 666 becomes the Bill and amends the Illinois Exotic Weed Act designating certain species of buckthorn and kudzu as exotic weeds. I move to concur with Senate Amendment #1."

Speaker Turner: "The Gentleman from Cook, Representative Joyce, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Joyce: "Representative Phelps, can you tell me why the Catholic Conference is opposed to this?"

Phelps: "I'm not aware that they are."

Joyce: "Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "I'm sorry, Mr. Speaker. I can't hear. What did he say? What is an erotic weed?"

Speaker Turner: "Representative Phelps."

Black: "Yeah. What did you say?"

Phelps: "I'm not sure. I didn't say... I don't believe I said 'erotic'. I said... maybe I said 'exotic'."

Black: "I don't know the definition to either one of 'em. You've got me thoroughly confused. But, hey, whatever. With the number of 666, there's somethin' wrong with this Bill to begin with."

Phelps: "Well, Representative, I thought it was fitting because some of the colleagues on my side, some of the Bills I've had this year, I think they believe I am the devil."

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Speaker Turner: "The question is, 'Shall the devil pass House Bill... The question is, 'Shall we... the House concur in Senate Amendment 1 to House Bill 666?' 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... Millner. The Clerk shall take the record. On this question, there are 115 voting 'aye', 1 voting 'no'. And House Bill 666... the House does concur in Senate Amendment 1 to House Bill 666, and having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 684. Representative Delgado. No, Representative Brosnahan."

Brosnahan: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with House Bill 684. This creates the Developmental Disabilities Services Act of 2003 and requires the Governor with the assistance of DHS to appoint an advisory committee to develop the Developmental Disabilities Services Implementation Plan that will ensure compliance by the State of Illinois with the Olmstead Supreme Court decision. It specifies items that must be included in the implementation plan. It specifies services that may be provided under the implementation plan. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 684?' All those in favor should vote 'aye'; all those opposed

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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 Bill, having received the Constitution... the House does concur in Senate Amendment 1 to House Bill 684. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 687. The Lady from Cook, Representative Jones."

Jones: "Thank you, Mr. Speaker and Members of the House. Amendment #1 amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. It provides that, subject to appropriations, the department shall conduct an education outreach campaign in order to raise awareness about the automatic (sic-auto-immune) disease of lupus, conduct public information campaigns, identify resources and coordinate service concerning Wilson's disease and develop public education and outreach programs to raise the awareness about and promote prevention of Hepatitis C. Both... House Bill 687 is a combination of House Bill 215 and 216 that went out here earlier than it... but it stayed in Rules in the Senate and then the... one of the Senators put 'em both on House Bill 687. And I ask for an 'aye' vote... a concurrence."

Speaker Turner: "The Lady moves for the adoption of Senate Amendment 1 to House... the House concurs in Senate Amendment 1 to House Bill 687. All those in favor should vote 'aye';

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all those opposed vote 'no'. The voting is 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, 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Consti... this House does concur in Senate Amendment 1 to House Bill 687. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 707. The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Speaker. I move the House concur in Senate Bill accept to... Senate... to Amendment 1 in 707. The Bill provides a one-time waiver of the 63-day break in credible coverage. And what this would do is allow anyone who qualified for the health care tax credit on December 1, 2002, to enroll in the CHIP Plan. And this legislation affects those who would be covered from the Trade Adjustment Act, it helps our steel workers, the retirees, those who are now have been structured to the Pension Guarantee Board and they would be able to access this break which is available under that Act. This takes care of our... of about a thousand people who, during the course of our passing the original Bill, ran out of the 60-day break in there of having no coverage. So, this will allow them to come in and receive these benefits."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 707?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting

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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 Bill... the House does concur in Senate Amendment 1, having received the Constitutional Majority is hereby declared passed. The Gentleman from Cook... On the Order of Concurrences, we have House Bill 741. Read the... The Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Speaker Turner. Before I tell you what's going on here with this Bill, I'd like to take a minute to thank the staff. I know that the end of Session, we do that all the time. And I'd like to take my time to thank the staff for all the work they've done this year. And also... You can hold your applause, you're gonna do that again later, but I wanted to do my own. Thank you. I also wanted to thank Leader Currie because this Bill got screwed up and she came to my rescue at the last minute to get this Bill called. This Bill was originally 2201, went out of this House like a hundred to nothing. Somehow got messed up with the gremlins over in the Senate, came back as 741, but we have a couple of Amendments. Senate Amendment 1, we're gonna move to concur. Senate Amendment 2, we're gonna move to nonconcur. I will answer any questions you may have and I'd appreciate your 'aye' vote on both Motions. Thank you, Speaker."

Speaker Turner: "Tony, hold on. Out of the record. On the Order of Concurrences, we have House Bill 765. The Gentleman from Macon, Representative Flider."

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Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 765, as amended with Senate Amendment 1, is very similar to the legislation that we passed yesterday which gives school districts the flexibility to move funds from one fund to another. And the reason that we're... I'm asking you to consider this is that this was actually legislation that Senator Demuzio had been working on in the Senate and it had passed the Senate on a unanimous vote and it's very similar and we had discussed this legislation. And what this will do is it allows the transfer of funds between districts, as we had discussed yesterday, however, there is a two-year sunset. So, it's only for a two-year period of time. And so, this is consistent with the need to help schools in this difficult financial time. And I would encourage your 'yes' vote."

Speaker Turner: "The question is, 'Shall the House... the Gentleman from Lee, Representative Mitchell, for what reason do you rise?'"

Mitchell, J.: "Go ahead."

Speaker Turner: "The question is, 'Shall Senate Amendment 1 to House Bill 7... the question is, 'Shall we concur in Senate Amendment 1 to House Bill 765?' All those in favor 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 the House does concur in Senate Amendment 1 to House Bill 765. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. The Gentleman from Morgan, Representative Watson, for what reason do you rise? On the Order of Concurrences, we have House Bill 841. The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. Speaker, I'd like to make a correction on the board. Representative Osterman had requested to get off of that and Representative Hoffman to be put on as a Chief cosponsor. Can we take care of that, please? Paperwork's already been filed. Thank you. House Bill 841 is the same as House Bill 842 which we passed to the Senate. It allows eminent domain to be used for parking garages for counties. I'd ask for con... 'aye' vote on concurrence. Take any questions."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 841?' All those... all those in favor 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 94 voting 'aye', 22 voting 'no', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 841. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 858. Read the Bill... I mean, the Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 850 (sic-858)... the... Amendment #1 to

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House Bill 858 becomes the Bill. It simply codifies the Joliet arthenal... Joliet Arsenal Development Authority's tax exemption. I'd... I would have a... I do have a statement for legislative intent to read into the record. This legislation is intended to provide that the Joliet Arsenal Development Authority's property exemption is based on ownership alone and not public use. Therefore, if the authority rents its property to a private landowner and the private landowner is not exempt under the Property Tax Code, the private landowner is liable for leasehold property taxes on that portion of the property. Joliet Arsenal Development Authority will not lose its tax-exempt status. If the... if the authority sells its property to a private landowner, the authority will not lose its tax-exempt status, and the private landowner would be liable for the property tax, if the private landowner is not otherwise tax-exempt under the Property Tax Code. As an example, if the authority sold some of its property to Wal-Mart, the authority would still be tax-exempt and Wal-Mart would be liable for the property taxes, unless Wal-Mart was exempt under a different provision of the... in the Property Tax Code. The Joliet Ar... Arsenal Development Authority is a creature of the General Assembly. It was established in 1995 for the purposes of economic development and... and the land transfer transactions from the Department of Defense to the newly created... the authority that was created by this General Assembly. It does not levy taxes. It does not issue bonds. It doesn't have any sources of income.

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It solely relies on any funding... its funding mechanisms are solely derived from any grants or other resources from the State of Illinois. Be more than happy to entertain any questions."

Speaker Turner: "The Gentleman from McHenry, Frank... Representative Franks."

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

Speaker Turner: "He indicates he will."

Franks: "Representative Novak, I... I think it's a good idea and I understand what you're trying to do. My question's, why do we need to do this with a State Law? Can't the local municipality or the county just do this without having to go to the Legislature, 'cause I'm worried about the precedent we'll be setting on this?"

Novak: "Well, there was a question... when the Joliet... when the authority was created, when the land was transferred from the Department of Defense, there was some questions in the... in the Department of Revenue about its tax-exempt status. And... we wanted to make sure that we put this and codified this so there wouldn't be any problems in the future with any... with respect to any future development."

Franks: "Do you know how it's done now? Like, if anywhere else in the state if someone wants to get a tax-exempt parcel whether it be a church or some other, you know, nontaxing body..."

Novak: "They have to... they have to apply before the Illinois Department of Revenue for that tax-exempt status."

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Franks: "But it's not... they don't have to do it through the Legislature. There's a department that can do that, correct?"

Novak: "Yes."

Franks: "And why can't we do that through the Department of Revenue?"

Novak: "Well, as I indicated..."

Franks: "Okay. All right. I..."

Novak: "The authority... the authority was created by the General Assembly."

Franks: "Okay."

Novak: "It's not like a... it's not like a church property being bought... from... for an ex... a building being bought for church... for the purpose of religious reasons and being applied for a tax-exempt status."

Franks: "So, this'll be a very isolated incident?"

Novak: "Correct."

Franks: "Okay. Thank you."

Novak: "You're welcome."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens. For what reason do you rise?"

Stephens: "Thank you, Mr. Speaker. The hour's late. I... made a mistake on the last Bill. I was a hyphenated cosponsor on House Bill 841, but I voted 'no'. I'd like... I apologize. I'd like the record to so reflect."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 858?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting

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is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. So, the House does concur in Senate Amendment and Hou... in Senate Amendment 1 to House Bill 58 (sic-858). This Bill, having received 114 votes, 0 'aye'... 0 'noes', 0 'presents'. Having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Feigenholtz, for what reason do you rise?"

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

Speaker Turner: "State your point."

Feigenholtz: "I'm looking around my row and I'm realizing that in my row we will now call this the nuptial row. There are three people who when we leave here tonight and come back in November will be married. And I'd like for everyone to give them congratulations. Harry Osterman..."

Speaker Turner: "Hey, hey, hey."

Feigenholtz: "Robin Kelly..."

Speaker Turner: "Robin, Robin."

Feigenholtz: "...and Marlow Colvin, all getting married."

Speaker Turner: "So, anyone looking for a husband or a wife should come and sit on Representative Feigenholtz's row. Mr. Clerk, what's the status of Senate Bill 1127?"

Clerk Bolin: "Senate Bill 1127 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

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Speaker Turner: "The Gentleman from Lake, Representative Mathias on Amendment #2. The Gentleman from Cook, Representative Delgado on Amendment #2."

Delgado: "Thank you, Mr. Speaker. On 1127, on Amendment #2... on Amendment #2 deletes language described above this... deletes language requiring that the court treat... staff treat all litigants fairly and equally and must assist in parties to the same extent that they would assist opponents. The Amendment also strikes language described as specifying various information that services... and services that court mu... staff must provide. It also deletes language described providing that court may not perform specific tasks, provide legal advice, fill out forms, or direct parties as to how to fill out forms, interpret statutes, perform legal research, or recommend strategies or techniques. In other respects, House Amendment #2 maintains intact the provisions of House Amendment #1 described. And I would ask for an 'aye' vote."

Speaker Turner: "The Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "Will the Gentleman yield?"

Speaker Turner: "The Gentleman yields."

Flowers: "Representative, so the Amendment #3 says that the clerk may not charge for filing motions for order of protection."

Delgado: "That's correct."

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Flowers: "But the clerk may charge fees for filing motions to consider judgment. So, now, what... explain that, please?"

Delgado: "Representative, we're explaining Amendment #2 right now."

Flowers: "Oh, not 3?"

Delgado: "No, Ma'am."

Flowers: "Okay. Well, I'll look at 2 then. Thank you."

Delgado: "Yes."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Amendment #2 to Senate Bill 1127 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, Amendment 2 is adopted. Further Amendments?"

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

Delgado: "Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Chair. House Amendment #4 inserts the trailer Amendment which is described and maintains the principle provisions, again, of House Amendment #1, adding the fees that the former... the previous speaker talked about for motions to reconsider judgments, forbidding fees for services to parties seeking orders of protection, allowing clerks to charge delinquent amounts on unpaid fees and costs, and allowing delinquent child support fees to be reported to credit reporting agencies. And I would ask for an 'aye' vote."

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Speaker Turner: "The question is, 'Shall the House a... The Lady from Cook, Representative Flowers."

Flowers: "Okay. Representative, Amendment #3 is not applicable?"

Delgado: "That is correct, Representative."

Flowers: "Okay. Because it doesn't say that on my..."

Delgado: "On the synopsis, I understand."

Flowers: "Okay. Just wanted to be sure. So, was that withdrawn or deleted or what?"

Speaker Turner: "Was not adopted."

Delgado: "The Chair pointed out it was not adopted."

Flowers: "It's the language, the language. Where's the language as... It's the language that I was concerned about..."

Delgado: "Right."

Flowers: "Is it... is that still a part of this Bill?"

Delgado: "No, it is not. It was not adopted."

Flowers: "Okay. Thank you."

Delgado: "Thank you."

Speaker Turner: "The question is, 'Shall the House adopt Amendment 4 to Senate Bill 1127?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment 4 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1127, a Bill for an Act concerning fees. Third Reading of this Senate Bill."

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Speaker Turner: "The Lady from Cook, Representative Hamos, for what reason do you rise?"

Delgado: "It's not the Bill, Mr. Speaker."

Speaker Turner: "I'm sorry?"

Delgado: "I need to present the Bill first. I believe she has a question of my sponsorship... or of the Bill legislation."

Speaker Turner: "Representative Delgado on Senate Bill 1127."

Delgado: "Thank you, Mr. Speaker. Senate Bill 1127 will allow the Clerk of the Circuit Court to collect outstanding fees and fines without having to raise either. The main focus of this Bill is to collect outstanding moneys normally collected by the Clerk of the Circuit Court and deposit it into various counties... accounts and funds. The Bill addresses the concern of the battered women's group in that it prohibits the charging of any fees in the filing of orders of protection. Senate Bill 1127 would allow the Clerk of the Circuit Court to collect fees for late payments for outstanding fees. And unless the court establishes a payment schedule for the offender, fines of 5 to 10 to 15 percent would be imposed after a period of 30, 60, or 90 days, respectively, to those uncollected amounts. After 90 days, the clerk may report to a credit reporting agency the delinquency. And this language currently exists in matters pertaining to criminal cases and this Bill would allow the practice to be expanded to midsize counties of 500 thousand to 3 million population. Examples of the fees include: motions to vacate, motions to amend final orders, and filing a claim in an estate and expungement petitions.

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And this legislation is supported by the Clerk of the Circuit Court of Cook County, the Illinois Association of Clerk of Court Clerks, the Illinois Coalition for... of Battered Women, and the Chicago Bar Association. And I would ask for your 'aye' vote."

Speaker Turner: "The Lady from Cook, Representative Hamos, for what reason do you rise?"

Hamos: "Well, Speaker and Ladies and Gentlemen. I raised a lot of questions about this Bill. This Bill has been kicking around for a couple of months I think or at least a month, and the last time it came up on the board, it was Representative Black who asked the question about which counties this applied to. So, when I read the Bill, I discovered that there are, sort of, I thought there were two problems with this Bill. And I'm going to vote 'no' and I just... I guess I don't want to embarrass the Sponsor. I think he just took on the sponsorship this afternoon. But I wanted to explain why I might be the only person voting 'no'. The first thing I noticed is that in the chi... there's a section that said that the clerk may report child support fee unpaid to the credit reporting agency. Now, this is the mom who comes in and seeks help from the clerk's office if she... she pays \$36 and if she hasn't paid it, then they... this will allow the clerk to report it to a credit... I mean, to a credit reporting agency. However, if the delinquent dad owes \$20 thousand, her \$108 is being reported to a credit reporting agency, but the \$20 thousand delinquent child support is not. I thought that was a

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little awkward. In addition to that, and I asked the question about it a month ago, two months ago and nobody got back to me with an answer, why we wanted to pass a law to do that. The second thing I discovered is that this increases... this adds delinquent fees to a bunch of unpaid filing fees with the clerk's office. It adds 5 percent to unpaid after 10(sic-30) days, 10 percent unpaid after 60 days, 15 percent unpaid after 90 days. Kind of like credit card rates to unpaid fees. However, and here's the problem with this, this was brought to us by the Clerk of the Circuit Court in Cook County, however, there was a drafting error, so it does not actually apply to Cook County, it only applies to counties that are midsized counties over 500 thousand and under 3 million. Now, once in a while, we should demand a little exactitude, a little public policy, something that's a little accurate, and that's why I plan to vote 'no', regrettably, because I like both Sponsors. However, I'd asked these questions and nobody has been able to give me a straight answer or actually, to Representative Black from a few months ago."

Speaker Turner: "The Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "Thank you, Mr. Speaker. Representative Hamos enunciated my concerns with this Bill. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

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Black: "Yes. Thank you very much, Mr. Speaker. I just wish to thank Representative Hamos for mentioning my name twice in debate. I really appreciate that. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1127 pass?' All those in favor should say 'aye'... I mean, 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 50 voting 'aye', 62 voting 'no', 3 voting 'present'. The Gentleman requests that the Bill be put on Postponed Consideration. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker, first an inquiry of the Chair and then a point of personal privilege, if I might."

Speaker Turner: "State your inquiry."

Black: "Thank you. The inquiry of the Chair I think is being made, well I don't think, it's being made on behalf of many of us who are questioning what we're doing with the Calendar. On the Order of Concurrence, those... there are agency Bills still on the Order of Concurrence. Those need to be done by midnight without... unless you wanna go to a supermajority. I think, in all due respect to those people who have Bills that are amending a Senate Bill or haven't been called yet, get serious, they aren't going anywhere, they can't possibly get to the Senate and be acted on. Either let 'em sit for the Veto Session or my advice to the Chair would be let's move on with the items of concurrence

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which are live Bills and need to be considered. And I think if we do that we could get through this much more quickly than we're doing."

Speaker Turner: "Your opinion is well-taken and we're going back to the Order of Concurrences."

Black: "All right. Mr. Speaker, also on a point of personal privilege. Earlier this evening it was mentioned that there might be a party at the Executive Mansion and one would have to have an exec... a legislative ID and a driver's license. Mr. Speaker, on my way to the Capitol this morning I wasn't paying much attention, I was driving in the left lane too slowly, the officer pulled me over. I panicked, I hit the seatbelt with my elbow, so I got a ticket for driving in the left lane and failure to where a seatbelt. So, I had to post my license as bond. Can I still get in the party?"

Speaker Turner: "If you know the last four digits of your Social Security number that should do it."

Black: "All right. Mr. Speaker, I'm so old the last... I don't have four numbers in my Social Security number."

Speaker Turner: "That's why it'll work for you. On the Order of Concurrences, we have House Bill 948. The Gentleman from Will, Representative Meyer."

Meyer: "Yes, thank you, Mr. Speaker. House Bill 948, I move to concur in Senate Amendment #1. House Bill 948 is a trailer Bill to House Bill 3402 which we voted on this morning. It was the water Bill for the DuPage area. It amends the Illinois State Auditing Act to require that the auditor

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general annually conduct or cause to be conducted a financial and a compliance audit of the books and records of any county water commission organized for Central Water Commission Act of 1985. It requires a report of the audit to be filed with the legislative audit commission. It provides that the cost of the audit shall be charged to the county water commission, so there's no state fin... fee for it or state expense for it, I'm sorry. Requires the county water commission to make its books, records and certain other documents available to the auditor general for the purposes of the audit. And it provides that the audit requirements apply only through July 1 of 2007, it's effective immediately. The date of 2007 is picked because there was a transfer of funds between the DuPage Water Commission and the county board through that year and after that year those funds will no longer be transferred and it will no longer be required."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 948?' 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 the House does concur in Senate Amendment 1 to House Bill 948. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have Senate Bill 741. The Gentleman from Will, Representative McGuire."

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McGuire: "Thank you again, Mr. Speaker."

Speaker Turner: "That's House Bill."

McGuire: "Thank you again, Mr. Speaker. We'd like to concur on Senate Amendment 1 on House Bill 741."

Speaker Turner: "The Lady from Cook, Representative Currie. For what reason do you rise."

Currie: "I move to divide the question. There are two Senate Amendments and I'd like to divide the question."

Speaker Turner: "The Lady moves to divide the question. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the question will be divided. Representative McGuire on... Representative McGuire with a Motion to Concur on Senate Amendment #1."

McGuire: "Yes, Mr. Speaker, Senate Amendment 1, I'd like to concur."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Am... Shall the House concur in Senate Amendment 1 to House Bill 741?' 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 90 voting 'aye', 25 voting 'no'. And the House does concur in House Bill 741... Senate Amendment #1 to House Bill 741. And this Bill ha... Further Amendments? Further Mo..."

Clerk Rossi: "A Motion to Concur with Amendment #2."

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McGuire: "All right. We wish to withdraw the Motion to Concur on Amendment #2 and we wanna move to nonconcur on Amendment #2."

Speaker Turner: "Motion to Concur is withdrawn and the Motion to Nonconcur... Any questions on the Motion to Nonconcur on Senate Amendment #2? Seeing no questions, those in favor say 'aye'; those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the House does nonconcur on Senate Amendment #2. On the Order of Concurrences, we have House Bill 992. Representative O'Brien. Out of the record. On the Order of Concurrence, we have House Bill 1032. Gentleman from Randolph, Representative Reitz."

Randolph: "Thank you, Mr. Speaker. House Bill 1032 is a great Bill. I'd appreciate your support."

Speaker Turner: "Question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1032?' 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 the House does concur in House Bill 10... Senate Amendment #1 to House Bill 1032. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1038."

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

Speaker Turner: "The Gentleman from..."

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McCarthy: "...Senate Amendment #1 to House Bill 1038 is identical to House Bill 1318 which was sponsored by Representative Parke and myself. It passed the House on April 2 by a vote of 117 to 0. It has to do with medical records and making sure that health care organizations, such as groups of doctors, are responsible to return them to... in a timely manner. And I'd appreciate your concurrence."

Speaker Turner: "The questions is, 'Shall Senate Amendment 1 to House Bill 1038 pass?' This should... does the House concur in Senate Amendment 1 to House Bill 1038? 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 the House does concur in Senate Amendments 1 to House Bill 1038. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1043. The Gentleman from Cook, Representative Burke."

Burke: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1, I'm asking for concurrence very simply. It's an easement for highway purposes in Rock Island County. It's to be released by the State of Illinois upon the payment of \$530 to the state. It's only a parcel of .138 acres and was acquired in 1931 as part of a larger parcel and is no longer needed. I'd ask for the Body's favorable consideration."

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Speaker Turner: "The Gentleman from DuPage. Yeah. The questions is, 'Shall the House concur in Senate Amendments 1 to House Bill 1043?' 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 114 voting 'aye', 1 voting 'no', 1 voting 'present'. And the House does concur in House Bill... in Senate Amendment 1 to House Bill 1043. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Thank you, Mr. Speaker. For the first time in my tenure in the House I want the record to reflect that I would've voted 'no' on House Bill 1032. That's what one gets when one has to go to the restroom late on adjournment night. I wanna be recorded as voting 'no'. The last thing I wanna vote for is to give a whole bunch of more people in the State of Illinois some rinky-dink badge so they can pull me over and give me another ticket and take my driver's license away. It's ridiculous."

Speaker Turner: "The record will so reflect your wishes. Mr. Clerk, what's the status of House Bill 719?"

Clerk Rossi: "House Bill 719 is on the Order of Concurrence. There is a Motion to Concur with Senate Amendment #1."

Speaker Turner: "The Lady from Cook, Representative Currie. The Gentleman from Madison, Representative Davis."

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Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment 1 to House Bill 719. This is an initiative of Jesse White's Office. This Bill makes it illegal to possess, use or allow to be used any materials, hardware or software, specifically designed for or primarily used in the manufacture, assembly, issuance or authentication of official drivers' licenses or permits issued by the Secretary of State's Office. Would be happy to answer any questions and would appreciate an 'aye' vote on the Motion."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 719?' All those in favor... all those in favor should vote 'aye'... 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, 113 voting 'aye', 1 voting 'no', 0 'presents'. And the House does concur with Senate Amendment #1. Further Amendments?"

Clerk Rossi: "There's a Motion filed to nonconcur with Senate Amendment #2, that Motion was adopted earlier."

Speaker Turner: "On the Order of Concurrences, we have House Bill 1070. Out of the record, Mr. Clerk. On the Order of Concurrences, we have House Bill 1237. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I urge concurrence of Senate Amendment #1 which provides... adds to the Bill the offenses of watercraft."

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Right now, although you can be as dangerous riding a snowmobile or operating a boat, those... the laws that prevent you from doing that while being intoxicated are a little bit different than our standard DUI laws. And this just makes them all uniform so that you are treated the same for purposes of license suspension and revocation as you would be if you were operating an automobile. And I would urge concurrence."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

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

Speaker Turner: "She indicates she will."

Black: "Representative, there's been some language floating around, I just wanna make sure it isn't in this Bill. I don't think you would do this, but there was language that a boat would have to have reflective tape all the way around it. One of the... one of the more brilliant Bills I've ever read. That isn't in here, is it?"

O'Brien: "It is not in here."

Black: "Oh, thank you. I didn't think you would Sponsor such a ridiculous piece of legislation, but thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in House Bill 1237... Senate Amendment 1 to House Bill 1237?' 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 114 voting 'aye', 1 voting

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'no', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 1237. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Aguilar."

Aguilar: "Thank you, Mr..."

Speaker Turner: "For what reason do you rise?"

Aguilar: "Thank you, Mr. Speaker. I wanna be reported as voting 'yes'. My switches... didn't work."

Speaker Turner: "The record will so reflect."

Aguilar: "And... and I concur."

Speaker Turner: "And it will still reflect. On the Order of Concurrences, we have House Bill 1070. The Gentleman from Madison, Representative Davis. Representative Davis."

Davis, S.: "Can you wait one second, Speaker? Let me look at my computer for a second."

Speaker Turner: "While you're looking at your computer..."

Davis, S.: "Okay, I've got it. I've got it. Okay. Yes, thank you, Speaker. I move to concur in Senate Amendment 1 to House Bill 1070. I believe that this language was included in 1607, however we want to go ahead and pass this in case 1607 does not make it through the Senate. What it does, it permits the Rock Island, Alton, and East St. Louis riverboats to be located within five miles of their home dock municipality, and the provision cleans up language to correct an error found in legislation. Legislation was passed and was intended to accomplish the above goal. Happy to answer any questions and would ask for an 'aye' vote."

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Speaker Turner: "The Gentleman from Cook, Representative Parke."

Parke: "Tha..."

Speaker Turner: "For what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Parke: "This amends the Riverboat Gaming Act?"

Davis, S.: "Yes, Representative."

Parke: "In essence what does it do?"

Davis, S.: "It allows the three boats in the three cities that I just mentioned to relocate their boat within five miles of their home dock in the municipalities in which they currently are moored."

Parke: "So..."

Davis, S.: "It's my understanding that the East St. Louis boat wants to move their boat because they are having extreme problems during flooding... during the flooding season, and the Alton boat has also had problems. This allows them to move their docks farther away from the river, they're still on the Mississippi River, they're still boats, and they are still in the water, but it allows them to move them within five miles of their current dock in their current municipality."

Parke: "So, in essence, what you're saying that this is not land based? Or is this land based?"

Davis, S.: "No, it is not land based. That is correct. It is not land based."

Parke: "Will it be on a barge?"

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Davis, S.: "Well... currently, many of the riverboats are barges and they are defined as a boat in the Riverboat Gaming Act. Under the Riverboat Gaming Act each... each facility can have two boats, whether it's a boat and a barge or two barges, they are eligible to have that. So currently, these boats are... many of them are barges."

Parke: "Well, doesn't this... it says 'municipality' but it doesn't say in here which municipality. You named three but it doesn't say that in here, in my analysis."

Davis, S.: "It's st... It stated, 'the municipalities of Rock Island, Alton, and East St. Louis.' And the host municipality, for those three facilities."

Parke: "Well, to the Bill. Ladies and Gentlemen, this is a gaming Bill. You can cut it any way you want and I don't know if you could call it expansion, other than it expanded from one area of the municipality to another area of the municipality. So, I would just simply say is that if you're against the expansion of gaming then I would suggest that you may want to vote 'no' on this Conference Committee... of this concurrence in the Senate Amendment."

Speaker Turner: "The Gentleman from Cook, Representative Lang. For what reason do you rise?"

Lang: "Mr. Speaker, Ladies and Gentlemen, I rise in support of the Gentleman's Motion. This Bill has nothing whatsoever to do with expansion of gaming. All this Bill does is allow the three boats that are on the Mississippi to move five miles off the Mississippi onto another waterway. That's all it does. The same boat or a rebuilt boat, five

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miles from where it is. The law requires now that these boats be on the Mississippi River. All the Gentleman wants to do is say that they can... they're still gonna be in the same cities, just five miles away on a different waterway. It's a reasonable Bill. It has nothing to do with expansion of gaming, and you should be voting for it."

Speaker Turner: "The Gentleman from... I should say the Lady from Cook, Representative Mulligan. For what reason do you rise?"

Mulligan: "Thank you, Mr. Speaker. Here it is at ten after eleven on the last day of Session, this Bill has moved basically, since yesterday... and if you look at the status report with the Amendments from 5:30 to 5:31 and we're being asked to try and understand what this is and of course, it's not just moving five miles, and if it is then why didn't they bring it up earlier so we could fully discuss it. It's opposed by the people that are opposed to gaming. I don't understand why we are always asked at this hour to take a look at something that has such an impact on our state and has so many people that are morally opposed or opposed for other reasons. It certainly should've come before us sooner, and it would've been much easier to determine whether the Gentleman has a legitimate Bill for those people that normally care to vote for these things, I personally don't. And I would urge an 'aye' vote just on the general premises of why has it taken the last two days rather than the whole Session and here we see it at the eleventh hour."

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Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Representative, the question that's burning at my mind, if a Mississippi riverboat moves five miles off the Mississippi, can it still be called a Mississippi riverboat?"

Davis, S.: "That's my understanding, Representative."

Black: "I tell ya, show business is wonderful. Thank you."

Speaker Turner: "Gentleman from Fayette, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I can't believe some of the things I hear late at night. The most amazing remark... 'I don't know why things happen the way they do here in Springfield.' I gotta tell ya, ya been here 3 or 4 terms... you start to know why things happen. I'm an antigaming guy but... when the Bill is not expanding gaming, don't say that it is. When it's not being shoved down our throats, don't say that it is. I was downstairs earlier and I voted against this, but I'm voting for it now because I'm tired of the games. Let's just get on with the business and let's quit calling things something that they are not. Thank you, Speaker."

Speaker Turner: "Representative Davis to close."

Davis, S.: "Th... this is not an expansion of gaming, it's merely allowing these host cities to... and the host casinos to move

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their boats. They have problems with flooding and makes it more competitive with our... with our people... in Missouri and Iowa and it helps the Illinois gaming industry. It is certainly not an expansion of gaming and I would appreciate an 'aye' vote."

Speaker Turner: "The question is shall... I should say, the Gentleman from Rock Island, Representative Verschoore."

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

Speaker Turner: "To the Bill."

Verschoore: "I can't speak for Alton or East St. Louis but it's a matter of survival in Rock Island. We have two boats, one within less than a mile across the river, and one up the river about a mile and if they can't move they're gonna die on the vine. It's also a part of Jay Hoffman's Bill today. If they hadn't gotten that \$3 head tax fee, they would've been gone and the State would've lost the money. I would urge everyone to vote 'yes' on this. Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1070?' 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? Have all voted who wish? The Clerk shall take the record. On this question, there's 61 voting 'aye', 53 voting 'no', 2 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 1070. And this Bill, having received the Constitutional Majority, is hereby declared passed. What's the status of Senate Bill 1239, Mr. Clerk?"

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Clerk Bolin: "Senate Bill 1239, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the appropriation and reappropriation of the capital Bill for the fiscal year 2004. So I'd move for... I would move for the adoption of the Amendment."

Speaker Turner: "The question is, 'Shall the House adopt Floor Amendment 1 to Senate Bill 1239?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment 1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments?"

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1239, a Bill for an Act making appropriations. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Montgomery, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the appropriation of the capital Bill, the approp and reapprop. It's enough money to keep the state going in fiscal year 2004. I'd be happy to answer any questions. And I'd ask for a 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the... The Lady from Cook, Representative Mulligan.'"

Mulligan: "I would think someone would ask a question about this, I hate to put my light on. But I would like to know

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exactly how much money is being reappropriated if there is any for capital projects?"

Hannig: "About \$6 billion from all funds."

Mulligan: "There's \$6 million is being..."

Hannig: "\$6 billion."

Mulligan: "Six billion, did you say?"

Hannig: "Yes, those are... that's from all funds, for road funds, for Capital Development Funds, for all funds."

Mulligan: "All right. And that's reappropriated money?"

Hannig: "That's reapprop, yes."

Mulligan: "All right. Does that include capital... all capital projects?"

Hannig: "Yes, it does. Every capital project that was appropriated last year and not spent is reappropriated in this Bill."

Mulligan: "All right. And all the projects that were reappropriated from 2002 that were reappropriated for 2003 are being reappropriated for this."

Hannig: "And not spent, are reappropriated, everything is reappropriated, nothing is forgotten, lost or omitted, at least not intentionally. We tried to get it all."

Mulligan: "I just wanted to make sure. Thank you very much, Representative. I appreciate you giving me this information."

Speaker Turner: "The Lady from Cook, Representative Hamos. For what reason do you rise?"

Hamos: "Question of the Sponsor."

Speaker Turner: "He indicates he'll yield."

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Hamos: "Will the Sponsor yield?"

Speaker Turner: "Yes, he will."

Hamos: "Well, I almost regret asking this, Representative Hannig, but is Lincoln Developmental Center in here?"

Hannig: "I'm sorry. Could you repeat the question?"

Hamos: "Is there funding for Lincoln Developmental Center in this Bill?"

Hannig: "Yes, I think it's \$7 million, Representative."

Hamos: "And what is it for?"

Hannig: "I think... I think the Governor had talked about possibly some community living facilities there and so we have \$7 million for... to begin the process."

Hamos: "Well, are we reopening Lincoln Developmental Center as an institution for people with developmental disabilities?"

Hannig: "Representative, this doesn't provide for any operational money."

Hamos: "I'm sorry. It doesn't what?"

Hannig: "There's a DHS task force, I think, that's studying the best use for this property. But this provides for the \$7 million so that once there's a final decision on how to go forward, there'll be capital money so that they can begin a project. So, I think the question of the use is still undetermined, but there is... there is a commitment to go forward with some type of facility in that community."

Hamos: "Okay. A question of the Speaker. Mr. Speaker..."

Speaker Turner: "State your question."

Hamos: "...can you tell me, please, how many votes this requires?"

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Speaker Turner: "This requires 60 votes."

Hamos: "Okay. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Parke.

For what reason do you rise?"

Parke: "Mr. Speaker, will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Parke: "Could you just give us a little bit more about what the general areas of the reapprop is?"

Hannig: "Representative, it's everything, I mean everything that was appropriated in every year that was a capital project that we anticipate will be unspent as of the end of June, we reappropriated as we always do, Representative, this is not unusual."

Parke: "Does the 45... is it \$45 million for the parking garage at Rosemont in there?"

Hannig: "If... I don't know if it was approp... if it was appropriated last year and not spent, it would be reapproped this year, but I don't know of a line item that says that but..."

Parke: "Is there any money for the purchasing of land at Peotone?"

Hannig: "There was some... there was some, Representative Parke. Representative Parke, there was some money in the IDOT spending plan for Peotone, but not in this one."

Parke: "Do you know how much money... is there any IDOT money in this reapprop?"

Hannig: "Yeah, I think the Governor provided for about a hundred million dollars in additional road money for the

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Department of Transportation and a total of... which is a total of \$687 million in transportation A and B. So, that's about a hundred million that he initially thought he would."

Parke: "Do we know what that is set aside for?"

Hannig: "Well, Representative, that... that's for the road projects, so if you go to the five-year plan that would give you the breakdown and then the approp..."

Parke: "Is this... is this on the computer?"

Hannig: "It is on our side, Representative, as far as the... It should be."

Parke: "Could you give me one more minute and I'll be right back."

Speaker Turner: "Representative Parke, any further questions?"

Parke: "I do not have any further questions. Thank you."

Speaker Turner: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker."

Speaker Turner: "He indicates he will."

Jakobsson: "I have a question. I'm looking at the Bill and I wanna know if this includes 1.7 million for Lincoln Hall and if it includes 1.6 for the College of Medicine at the U of I at Chicago. Thanks very much."

Hannig: "The answer is 'yes', Representative."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell. For what reason do you rise?"

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

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Speaker Turner: "He indicates he will."

Mitchell, B.: "Representative Hannig, just like Representative Hamos asked the question I'd like to go into a little bit more depth."

Hannig: "Seven million."

Mitchell, B.: "There is... what amount of money is in there for Lincoln Developmental Center?"

Hannig: "Seven million, Representative."

Mitchell, B.: "Seven million dollars. Okay. And that's for?"

Hannig: "That's for construction."

Mitchell, B.: "For construction at the campus. Well, first of all, I would like to thank you and thank the House. I'd also like to thank the Governor, the Governor lived up to his commitment he promised Lincoln open. And I do thank Governor Blagojevich. Also wanna thank my Leader, Tom Cross, he... it was an initiative, I think he's around here some place, Tom Cross, I wanna thank my Leader for putting that in there. Thank you."

Speaker Turner: "Question is, 'Shall Senate Bill 1239 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 96 voting 'aye', 18 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1475. The

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Gentleman from Fulton, Representative Smith on Amendment #1."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This was the shell Bill that we sent over to the Senate to create the Heart of Illinois Port District. And Amendment #1 is the substance of the Bill. It does create the Heart of Illinois Port District, which is basically in the greater Peoria metropolitan area, includes six counties along the Illinois River. The language is patterned after similar port districts that we have created in the state, most recently in the Quincy area. The district would have the power to issue revenue bonds, but they do not have the power to levy a property tax or to issue general obligation bonds. We view this as a... an attempt, another economic development tool for the Peoria area. The Illinois River has been a part of, obviously, the development of Peoria for probably 400 years or so, commerce has existed on the Illinois River but we've never had a port district and we do feel that this would be an opportunity for us to allow us to expand commerce on the Illinois River..."

Speaker Turner: "And the question is, 'Shall the House...'"

Smith: "...and expand economy."

Speaker Turner: "Question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 1475?' 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? Clerk shall take the record. On this question, there are 110 voting 'aye', 6

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voting 'no', 0 'presents'. And the House does concur in Senate Amendments 1 and 2 to House Bill 1475. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1458. Read the Bill. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 to House Bill 1458 is the rewrite of the Illinois Grain Code. This rewrite has taken a little bit over two years... or a little bit over a year, excuse me, to address. But the problems started about two years ago when a grain elevator entity located in my district, Representative Lindner's district, and Representative Cross' district went bankrupt due to some fraud and some other problems. That made us realize that the current balance that we hold in the Illinois Grain Insurance Fund was not adequate to cover losses since we've had a change in the... the market in farming. So, what this does is it increases the threshold from the current 3 million to 6 million. For the first time we are requiring producers and the banking community to participate. So, we're going to have participation from everyone who benefits from the fund. We are raising the threshold of coverage up to 3 hundred... \$250 thousand per loss. We are also increasing the number of days for collateral warehouse receipt coverer at a price later contracts from 270 days to 365 days. There are a lot of oversight powers that we're gonna be giving to the Illinois Department of Agriculture

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to help prevent the type of fraud that we saw in the Ty-walk grain failure. And at this time I would like to answer any questions if I can and urge for passage... or, excuse me, urge for concurrence of the Amendment."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt. For what reason do you rise?"

Moffitt: "Tha... thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Moffitt: "First of all, I want to commend the Sponsor for working very hard on this over a long period of time. This started out with people on a lot of different sides of the issue. And... and at this point it is an agreed Bill, and that's only after a lot of hard bargaining and negotiating. So, I want to commend the Sponsor and everyone that was at the table. Representative, you did indicate... this, of course, is the result of a failure of Ty-walk. Do you feel that adequate safeguards or changes have been put into this legislation so that we'll have early warnings, so there'll be flags to go off so that regulatory agencies can... can go after a grain elevator when it's... when there's actually corrupt activity or... or improper activity? Do you feel that's been addressed?"

O'Brien: "I believe that it has, Representative. And... in here it gives the Department of Agriculture the authority to go in and do investigations and other kinds of things. And it has three tiers of investigatory power, dependent on... on the type of license and the license is determined by the

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type of risk that that entity holds to, ya know, risk of having a loss sustained and coverage by the fund... the overall fund."

Moffitt: "You indicated that producers are going to pay some now. Is that correct?"

O'Brien: "Yes."

Moffitt: "And will they pay permanently or is there... what's... is there a threshold where they will cease paying?"

O'Brien: "The way the mechanism is set up is that the producers will pay until the balance reaches 3 million. At that time, then only the industry and the banking community will pay until it reaches the cap of 6 million. And then if we should ever be reduced down... dropping down below 3 million is when... the only time the producers would be required to participate again."

Moffitt: "Thank you, Representative. One other quick question. What is this gonna figure out in terms of cost to a producer on a... on a per acre basis or per bu... per bushel basis or whatever basis you want to use for cost of coverage?"

O'Brien: "We figure that it's gonna be between 6 and 9 dollars per \$10 thousand worth of sales, or about, I believe it is, about \$9 an acre."

Moffitt: "And then that would... but that'll... that'll go away when the threshold is reached?"

O'Brien: "Yes."

Moffitt: "Okay. Thank you. Mr. Speaker, to the Bill. Again, I commend..."

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Speaker Turner: "To the Bill."

Moffitt: "...commend the Sponsor. A tremendous effort. We have an agreed Bill here that's gonna offer protection to producers, to grain elevators, to our financial institutions. I think it's an excellent Bill. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. This is about as close as we can come to a perfect Bill. It cleared the Senate 58 to 0. It's in response to a devastating elevator bankruptcy. It isn't gonna satisfy everybody, but it does the immediate work it has to do to put the Grain Insurance Fund back on solvency, as Representative Moffitt said. This is one I don't want to debate and discuss, hopefully, until the hour of midnight. It's an extremely important Bill for those of you, whether you're involved in production agriculture or value-added or whether you just like to have some bread or toast or a breakfast product in the morning. It's a very, very important Bill. I know Director Hartke is in favor of it. And that alone... that in and of itself is good enough for me. I urge an 'aye' vote."

Speaker Turner: "Speaking of which, there's a young man up in the gallery, he looks like he's about ready to fall over into the House chamber, lobbying this Bill. Would you please be careful? Lady from Kane, Representative Lindner."

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who wish? Clerk shall take the record. On this question, there are 97 voting 'aye', 18 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 1458. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 1482. The Gentleman from Kane, Representative Schmitz."

Schmitz: "Good evening, Mr... good evening, Mr. Speaker, Ladies and Gentlemen of the House. This was a work in progress that we sent over to the Senate some time ago, it's the licensing of Fireworks Displayers Bill. Amendments 2,3, and 4 came back from the Senate, it's agreed language that they worked on for quite some time where we're gonna license indoor and outdoor displays of fireworks. This Bill is in a result of a tragedy that happened in Alton, Illinois, in Representative Davis' district. And then we are also been dealing with the issues that happened out on the East Coast with the rock band in the bar. And I'd be happy to entertain any questions.

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendments 2, 3, and 4 to House Bill 1482?' 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 110 voting 'aye', 5 voting 'no', 0 'presents'. And this... and the House does concur in Senate Amendments 2, 3, and 4 to House Bill 1482. And this Bill,

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having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2188."

Nekritz: "Thank you, Mr..."

Speaker Turner: "The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill... Senate Amendment 1 (sic-Amendment 2) to House Bill 2188 is in addition to the Identity Theft Bill that we passed out of here unanimously. The additions to the Bill are designed to prevent identity theft at the... at the time the credit is issued. The Bill provides that a credit card issuer who mails an offer or solicitation to apply for a credit card and receives a completed application with an address that is not substantially the same as the address to which it was sent must take reasonable steps to verify the applicant's change of address. The second part of it indicates that if the credit issuer has been notified that the applicant is the victim of identity... identity theft they must ver... verify the identity of the applicant before issuing credit. And I'd ask for your support."

Speaker Turner: "The Gentleman from Champaign, Representative Rose. For what reason do you rise?"

Rose: "Thank you, Mr. Speaker. Would the record please reflect my intention to have voted 'aye' on House Bill 1458. Thank you."

Speaker Turner: "The record will so reflect. Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 2 to House Bill 2188?' All those in favor

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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 114 voting 'aye', 0 'noes' 0 'presents'. And the House does concur in Senate Amendment 2 to House Bill 2188. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2221. The Gentleman from Cook, Representative Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Concurrence Motion in Senate Amendment #3 and it deals with an organization I think that's been underattended to for many, many years. What the matter would do, it's the Governor's Office has issued an executive order on March 7, 2003 which establishes that personal care attendants and personal assistants under the Department of Human Services Home Services Program are now public employees covered by the Illinois Public Relations Act in the State of Illinois. And they shall be considered their employer under the Act. And I'd 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 2221?' 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', 0 'presents'. And the

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House does concur in Senate Amendment 3 to House Bill 2221. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative McAuliffe. For what reason do you rise?"

McAuliffe: "A point of personal privilege."

Speaker Turner: "State your point."

McAuliffe: "Two things. One, after we leave here and get out for adjournment you're, of course, all invited to the Governor's Mansion, plus we also have the other end of Session party, which will be at Remy's. That will still be open. And one other point, I'd like to also welcome one of my favorite constituents from the 41st Ward, Jim Mitchell, right up front, who happens to be married to Eileen Mitchell right next to you."

Speaker Turner: "Mr. Mitchell, we wanna welcome you to Springfield and thank you for lending us Eileen. I did have one question. On that second party, if I don't have my ID, because I got pulled over, will I still be able to get in?"

McAuliffe: "Mr. Speaker, if you don't have your ID we will do finger printing and we have all the records of all the House Members, staff and lobbyists in file at Remy's."

Speaker Turner: "That I do believe."

McAuliffe: "So, we'll verify that with the State Police."

Speaker Turner: "On the Order of Concurrences, we have House Bill 1543. Read the Bill. I mean... 1543, the Gentleman from Clinton, Representative Granberg."

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Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House... House Bill 1543 requires the higher education to line item their appropriation Bills. Representative Wirsing and I and some others were involved in this in the beginning of the Session. At that point Governor Blagojevich indicated that he was in favor of doing the same policy. We deferred to the Governor and let him entertain negotiations with all of the universities. This is the product of those negotiations. It requires the universities to submit their budgets in bi-line item form for state contributions, Social Security, contractual services, travel, commodities, equipment, personal services, and others. We are very hopeful this will bring better accountability to their budgets, save the state money, and hopefully, streamline the financial process for these universities. I was just involved in negotiations with Joe Handley and Margaret Houlihan of the Governor's Office, he indicated the Governor is very much in favor of this and the universities are in favor of it, as well. And I would ask for your support."

Speaker Turner: "Question is, 'Shall the House concur in Senate Amendment 2 to House Bill 1543?' 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', and 0 'presents'. And the House does concur in Senate Amendment 2 to House Bill 1543. And this Bill, having

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received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2317. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 to and... Senate Amendment #1 and 2 to House Bill 2317 provides a mechanism whereby special assessment districts can rebate any residual that's left over after the repayment of the bonds. It also adds different categories for... that are eligible for special assessment districts, including landscaping and things of that nature. It was compiled... bicycle paths, lighting, lighting improvements, signage. They compiled this list based on what most homeowners and municipalities said they really wanted to have and weren't able to do in special assessment districts. I'd be..."

Speaker Turner: "And the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 2317?' 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 105 voting 'aye', 11 voting 'no', 0 'presents'. And the House does concur in Senate Amendments 1 and 2 to House Bill 2317. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2345. The Lady from Cook, Representative Hamos."

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Hamos: "Thank you, Speaker. I move to concur with Senate Amendments 1 and 2. This is the Illinois Housing Initiative. In the Senate it removed the... really the only controversial part of this Bill which we did spend some time talking about in the House, which would... we would have required municipalities to create local housing developing plans. That has now been removed. In addition to that there's a Bill that we never got to hear in the House, which allows, it's a 'may', it's... it allows the Illinois Housing Development Authority to create a first-time home buyer program for teachers. And this is in response to some hearings that now Attorney General Lisa Madigan and Jeff Schoenberg had about the teacher shortage. And finally, it responds to concerns raised by downstate, actually Senator Vince Demuzio, who wanted to see more attention put into the Bill on downstate and rural areas. And I do seek your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur with Senate Amendments 1 and 2 to House Bill 2345?' 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... Bost. The Clerk shall take the record. On this question, there are 94 voting 'aye', 22 voting 'no'. And the House does concur in Senate Amendments 1 and 2 to House Bill 2345. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have

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House Bill 2352. Read the Bill, Mr. Clerk. I'm sorry. The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the final piece of No Child Left Behind legislation. Senate Amendment #1 simply drops the number of hours from 40 to 38 that a child will spend in testing through the State of Illinois in their career. It also adds a 'whereas clause' to the preamble, which encourages school districts to drop local testing or at least curtail local testing as state testing gets more validity and reliability. There also is an Amendment 2 that provides that 'all pupils in public schools or Department of Human Services schools' rather than being specific. That's all that it does. I urge an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 2352?' 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 the House does concur in Senate Amendments 1 and 2 to House Bill 2352. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2362. The Gentleman from Cook, Representative McKeon."

McKeon: "Thank you, Mr. Speaker. Senate Amendment 1 makes House Bill 2362 an agreed Bill. It extends the contract

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bar for public labor management contracts from three years to five years. I urge your support."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2362?' 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? Clerk shall take the record. On this question, there are 112 voting 'aye', 4 voting 'no', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 2362. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, Supplemental Calendar #5, we have House Bill 942. The Lady from Cook, Representative Currie. The Lady from Lake, Representative Ryg. For what reason do you rise?

Ryg: "Thank you, Mr. Speaker. On that last Bill, House Bill 2632, I meant to vote 'yes'."

Speaker Turner: "The record will so reflect your intentions. The La..."

Currie: "Thank you, Speaker and Members of the House. I move that the House concur in Senate Amendment 1 to House Bill 942. When we passed the Procurement Code we said that when the state has a lease on real property that after five years there has to be a new request for proposal before that lease could be extended or an alternate lease arrangement entered into. That five-year period is up right now and the new administration has asked for a year's grace so that they can reinstitute... release some of the

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properties that they just have not had a chance to get their hands around. So, I'd appreciate your support and so would they, if we were to concur in this Senate Amendment."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I'd like to... I'm not sure what I'd like to do. Oh, I know what I'd like to do with the Chair... with the... Mr. Speaker, I would like to withdraw my request to reconsider the vote by which I believe, is it House Bill or Senate Bill 1032, passed?"

Speaker Turner: "Your request is..."

Black: "It's just not timely, Mr. Speaker, it's just not worth the hassle, just getting myself worked up and if you didn't call it, I was gonna perhaps resign. So, I'm just gonna withdraw it, all right."

Speaker Turner: "What's that Bill number again?"

Black: "I don't know."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 942?' 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 1 voting 'no'. And the House does concur in Senate Amendment 1 to House Bill 942. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2391. Representative Howard.

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Representative Howard. Out of the record. On the Order of Concurrences, we have House Bill 2504. The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill... I Motion to Concur with Senate Amendment #1. House Bill 2504 amends the Adoption Act, specifically makes revisions to create parity to post-adoption services no matter how an adoption was finalized. Passed out of the Senate twice with 59 votes and is supported by virtually all adoptive parents' groups as well as the Chicago Bar Association and the State Bar. I would be glad to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2504?' 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 2504. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2550. The Gentleman from Cook, Representative Lyons."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #3 to House Bill 2550. When I first ran this Bill through this chamber it was to extend the sunset date on this, but as I said in committee, lo and behold, the Senate did find language

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agreed to by all parties concerned. And what it basically does is address the issue of filing the release of mortgage to clear a title. This has been a problem statewide for many, many years. This is truly a consumer advocate issue. It's in agreement with all the banks and lending institutions and title companies and the title industry. And for the purpose of legislative intent though, Speaker, I believe Sid Mathias is gonna ask me a couple of questions."

Speaker Turner: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. To the Sponsor. Is it the intention of the Sponsor of this legislation that mortgage certificates of a release, are required and are not permissive in instances when a title insurance company is involved in the transaction and the lender receives payment pursuant to its payoff statement?"

Lyons, J.: "Correct. Yes, it is."

Mathias: "It is also... is it also the intention of the Sponsors of this legislation that when title insurance companies or their duly appointed agents issue certificates of release lenders are relieved of their responsibilities under Sections 2 and 4 of the Mortgage Act to... of the Mortgage Act to prepare releases or satisfactions of those paid mortgages?"

Lyons, J.: "Yes, correct."

Mathias: "And finally, is it the intention of this legislation that title insurance companies or their duly appointed

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agents are responsible for the recording of the mortgage certificate of release when they pay off mortgages pursuant to the Mortgage Certificate of Release Act?"

Lyons, J.: "Correct again, yes, sid and thank you."

Mathias: "Thank you. I have no further questions."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment #3 to House Bill 2550?' 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'. The House does concur in Senate Amendment 3 to House Bill 2550. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2553. The Gentleman from Madison, Representative Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Senate Amendment 1 to House Bill 2553 amends the Nursing and Advanced Practice Nursing Act. The Amendment allows a nurse to practice, license pending, until such a time as he or she receives a nursing license after successfully... after successful completion of the examination or is notified by the Department of Professional Regulation that he or she is denied a nursing license. Would be happy to answer any questions on the Amendment and would appreciate an 'aye' vote."

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Speaker Turner: "Question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2553?' All those in favor should 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? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 2553. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2848. The Gentleman from Cook, Representative Fritchey. For what reason do you rise?"

Fritchey: "Inquiry of the Chair."

Speaker Turner: "State your inquiry."

Fritchey: "Having consulted with Representative Jefferson I noticed in the pool that I've got about 19 minutes until my time comes up and there's a growing amount of money in that pool. I'm just wondering should I kiss my dollar goodbye, or...?"

Speaker Turner: "Representative, it's four minutes 'til midnight and I'm not certain about any kind of pool because I'm not... I don't believe we can do that here in this chamber, but you still got time."

Fritchey: "Okay."

Speaker Turner: "In fact, it sounds like you're a loser. Oh, the swimming pool. Okay. Representative Coulson, the Lady from Cook."

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Coulson: "Thank you, Mr. Chairman... Speaker. I move to concur with Senate Amendment 1 which requires all early intervention service providers to undergo a criminal background check as a credentialing requirement. This is an initiative of the Department of Human Services. And I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2848?' The Lady from Cook, Representative Flowers. For what reason do you rise?"

Flowers: "I'm sorry. Representative, would you please explain again what this is to?"

Coulson: "This Amendment requires all early intervention service providers to undergo a criminal background check in order to be credentialed."

Flowers: "They don't do that already?"

Coulson: "No, they don't and that's why we wanna do this."

Flowers: "Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2848?' 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 the House does concur with House Bill 2848. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the

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Order of Concurrence, we have House Bill 2860. The Lady from Cook, Representative Bailey."

Bailey: "Thank you, Mr. Speaker. House Bill 2860, Senate Amendment 1 changes the drug treatment providers to notify the Office of the Clerk from 24 hours to 7 days. I ask for a concurrence and 'aye' vote."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2860?' 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 the House does concur in Senate Amendment 1 to House Bill 2860. And this Bill, having received the Constitutional Majority, is hereby declared passed. Guess what, on the Order of Concurrences, we have House Bill 2860... 2902. The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I move that the House concur with Senate Amendment #1 and this amends the Abused and Neglected Child Reporting Act. It provides that any person who knowing and willingly violates any provision of these sections is guilty of a Class A misdemeanor for the first violation and a Class IV felony for a second or subsequent violation."

Speaker Turner: "No questions? The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2902?' The Lady from Cook, Representative Flowers."

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Flowers: "Excuse me, Representative. Would you please explain that one again to me, please?"

Bellock: "This is a Bill..."

Flowers: "When you say transmitting a false report, what type of false report? Is it that initial... is it the initial telephone contact? Would that be applicable to that?"

Bellock: "It can come at any time. What it is, is when somebody that's a mandatory reporter that if the person acted as a part of a plan or a scheme with the intent to prevent the discovery of an abused or neglected child by lawful authority for the purpose of protecting or insulating any person. So, it would be if they really, deliberately tried to protect somebody that was a child abuser, then that would be a Class IV felony for the second time... no for the first offense, I'm sorry."

Flowers: "If they... I'm sorry, I was... it was so much noise in here."

Bellock: "If it would... it was somebody that was a mandatory reporter, such as teacher or a doctor, and if they tried to protect a person that was a child abuser then it would be a Class IV felony."

Flowers: "Okay. Thank you."

Speaker Turner: "The Lady from Cook, Representative Davis."

Davis, M.: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Davis, M.: "Representative, what's the penalty for a Class IV felony?"

Bellock: "One to three years."

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Davis, M.: "So, if a... if a person... say you live next door to somebody and you know that a child is being abused and you don't tell, you can go to jail for three or four years or three?"

Bellock: "A neighbor is not considered a mandatory reporter, that would be a teacher..."

Flowers: "So, this would be a school teacher,..."

Bellock: "Right."

Flowers: "...a clerk..."

Bellock: "Right."

Flowers: "...in the school?"

Bellock: "Yes, mandatory reporters, there's a list of about 30 of them."

Flowers: "Ya know, I really I support your idea, but I really think the penalty is too high, one to three years."

Bellock: "Well, this would be if they definitely were protecting somebody or involved in a scheme of knowing that somebody was an actual abuser of a child."

Flowers: "Do we have..."

Bellock: "On the first offense, if it wasn't a matter of, let me clarify that. I took this over because it was Representative Pihos' Bill. On the first offense, if it was just that they knew about somebody, then it was just a Class A misdemeanor."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2902?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 2 voting 'present'. And this... this Bill, having... No. The House does concur in Senate Amendment 1 to House Bill 2902. And this Bill, having received a Constitutional Majority... Supermajority, is hereby declared passed. The Gentleman from DuPage, Representative Froehlich."

Froehlich: "Yeah, Mr. Speaker, I'd like to be recorded as voting 'yes' on that last one."

Speaker Turner: "The record..."

Froehlich: "I didn't get to my button."

Speaker Turner: "The record will so reflect your wishes. On the Order of Concurrences, we have House Bill 3023. Read the Bill, Mr. Clerk. No, I'm sorry. Representative... the Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I Motion to Concur with Senate Amendment #1, which is actually a combination of three Bills that this House passed out. It adopts targeted improvements to TANF based on research and experience of the first five years. I'd be glad to answer any questions."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3023?' The Gentleman from Cook, Representative Parke. For what reason do you rise?"

Parke: "It shows on our... that 25 Senators voted against this legislation. Can you tell me what's controversial so that we get a sense of what we're voting for?"

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Feigenholtz: "Well, I think that there was some concern, Representative Parke, about changing or eliminating a requirement, a particular requirement about a TANF recipient who fails to go to a meeting or an activity because of a failure to have received a notice. So, what the Amendment does is it eliminates the requirement that the document, something about receiving notice and where the... where the burden lies. And I think the debate may have gotten a little testy, although I wasn't there so I can't answer that completely."

Parke: "Does it... did it remove the family cap?"

Feigenholtz: "This was... yes, this was a Bill that phased out the family cap."

Parke: "And when... what is the phase-out provision?"

Feigenholtz: "I'm sorry, ya know what, I can't hear you, Terry."

Parke: "I said, what is the phase-out period? You said it's gonna be phased out, over what period..."

Feigenholtz: "2... It's... approximately 2008 is the final phase-out."

Parke: "Well, it's our understanding that it does change the TANF rules to some degree."

Feigenholtz: "It does, yes. And I think in... when we passed 3023 out of here, Representative Parke, we had a discussion about when we first implemented welfare reform in 1995, we had constantly heard these two famous words, welfare lifestyle. And we have actually seen tremendous change in

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the fact that that really is kind of a misnomer and that people..."

Parke: "Well, then to the Bill. Ladies and Gentlemen, if this does phase out the family cap, it is something that we probably don't want. So, I will be voting 'no' on this legislation."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3023?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? This requires 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 84 voting 'aye', 29 voting 'no', 3 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 3023. And this Bill, having received the Constitutional Supermajority, is hereby declared passed. On the Order of Concurrences, we have House Bill 2983. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Amendment #1... Senate Amendment #1 to 2983 clears up some language the Governor... the Governor's Office felt was necessary to clear the contract of the Anna Veteran's Home from the private contractor. I do move to concur with the Senate Amendment."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 2983?' 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

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record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 2983. And this Bill, having received a Supermajority, is hereby declared passed... the required Constitutional Supermajority, is hereby declared passed. The Gentleman from Jackson, Representative Bost. For what reason do you rise?"

Bost: "Yes, Mr. Speaker. Back a few moments ago on House Bill 2221, in the hecticness of the evening, I voted 'yes', I would've preferred to be voted 'no' on that, Sir."

Speaker Turner: "The record will so reflect. On the Order of Concurrences, we have House Bill 3091. The Gentleman from DuPage, Representative Hultgren on..."

Hultgren: "Thank you, Mr. Speaker, Members of the House. Quickly, this is a... Senate Amendment 2, puts in two provisions that passed unanimously out of the House dealing with arson. One was arson of a place of worship. And also another one was a \$500 penalty that would go to reimburse fire departments in... And for patriotic reasons, I encourage you all to support this. Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 3091?' 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 rec... The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment

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1 and 2 to House Bill 3091. And this Bill, having received a Constitutional Supermajority, is hereby declared passed. On the Order of Concurrence, we have House Bill 3215. The Gentleman from Cook, I mean, the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, I would ask that the House concur in Senate Amendment #1. This would make reckless homicide in a construction zone equivalent with reckless homicide associated with drunken driving. The penalty would apply to the killing of a worker, another driver or a passenger. This is an initiative of Laborers of the Midwest Region, Illinois State Police, IDOT, Mothers Against Drunk Driving. And I ask for an 'aye' vote."

Speaker Turner: "Gentleman from Parke, Representative..."

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

Speaker Turner: "He indicates he will."

Parke: "This is gonna increase the penalties if somebody goes through a work zone in a reckless manner and kills a road worker. Is that what we're doing here?"

Hoffman: "Yes, what this would do is it would make reckless homicide in a construction zone the same as reckless... the same penalties as reckless homicide when it's associated with s drunken driver."

Parke: "And that's for one death and we're increasing it for two or more is it even a greater penalty?"

Hoffman: "I believe if the homicide results in one death then a sentence would impose a prison sentence that would between

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three and fourteen years, if it results in two or more it would be six to twenty-eight years."

Parke: "Okay. Well, I guess that we wanna make sure that our construction workers are protected, but I would hope that somewhere in the Rules of the Road or in something that people know that if they drunken... if they are drunk and driving through a construction area, that they will do hard time in prison if they accidentally kill somebody. So, thank you, it's probably a good Bill."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino. For what question do you rise?"

Mautino: "I simply... excuse me. I simply rise in support of the legislation. And unfortunately, last week a member of Local 911 out of Ottawa was killed by a drunk driver in the... in the work zone. He leaves a family and he's an excellent young man and so this is very timely. I do stand in support. As I said, he was killed in a work zone by a drunk driver. And I thank the Representative for bringing this forward."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3215?' 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? Have all voted who wish? The Clerk... The Clerk shall take the record. On this question... On this question, there are 115 voting 'aye', 1 voting 'no'. And this Bill having... And the House does concur in House Bill 3215. And this Bill, having received

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the Constitutional Supermajority, is hereby declared passed. On the Order of Concurrences, we have House Bill 3047. The Gentleman from Macoupin... Montgomery, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would move to concur in Senate Amendment #1. This Bill left the House as a shell Bill. Over in the Senate there was an agreement between the Illinois Academy of Physician Assistants, the Illinois Academy of Family Physicians, the Illinois Society for Advanced Practiced Nurses, and the Illinois State Medical Society. They made some changes in the Act concerning the Physicians Assistants Practice Act of 1987. I'd be happy to answer any questions. And I'd move for the... that we concur in Senate Amendment #1."

Speaker Turner: "The question is... the Gentleman from Will, Representative Meyer."

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

Speaker Turner: "He indicates he will."

Meyer: "Representative, you read a list of... a long list of those who agreed. Was there anybody opposed to it?"

Hannig: "No, there were no... there was no opposition and when we had the concurrence in committee it came out on an Attendance Roll Call, Representative."

Meyer: "Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3047?' 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

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wish? Have all voted who wish? The Clerk shall take the record. On this question, 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 3047. And this Bill, having received a Constitutional Supermajority, is hereby declared passed. On the Order of Concurrences, we have 3231. The Gentleman from Cook, Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 to House Bill 3231 maintains the language of the original Bill except for that it strikes the provision making the North Shore Sani Districts... Sanitary District subject to the Sanitary District Revenue Bond Act. I move we concur."

Speaker Turner: "The Gentleman from Cook, Representative Parke. For what reason do you rise?"

Parke: "Did you say this puts it back originally, Representative?"

Joyce: "No, this maintains the original language with the exception of the provision that makes the North Shore Sanitary District subject to the Sanitary District Revenue Bond Act."

Parke: "Subject to... subject to what?"

Joyce: "Subject to the Sanitary District Revenue Bond Act. It's kinda loud, sorry, Representative."

Parke: "Does it... does it still combine it with the northwest suburban? Does it still combine it with the northwest suburban sani..."

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Joyce: "You're on the wrong Bill, Representative. You're thinking of mosquitoes and this isn't it."

Parke: "Shows that 12 Senators were opposed to the legislation, I'm trying to find out what their opposition is."

Joyce: "Neither do I. I know of no opposition."

Parke: "I will let my esteemed colleague point out the problem. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Thank you. Representative, this is a Bill that I sponsored about five years ago. It's long over due. And the 12 Senators who voted 'no', just between you and me, they don't know the difference between come here and sic 'em. Let's pass this Bill."

Joyce: "Amen."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3231?' 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 Clerk shall take the record. On this question, there are 113 voting 'aye', 3 voting 'no'. And the House does concur in Senate Amendment 1 to House Bill 3231. And this Bill, having received the Constitutional Majority, is hereby

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declared passed. On the Order of Concurrences, we have House Bill 32... 3321."

Hamos: "Thank... thank you, Speaker. I move to concur with Senate Amendment #1. This is an agreed to Bill with the utility industry and CUB to look at issues that appear before the Illinois Commerce Commission, especially as they relate to intentional misrepresentation of facts by persons or corporations in proceedings before the commission. And I do wanna state for legislative intent that it was our intent that this would also apply to persons who appear on behalf of municipalities or units of state or local governments from the... or persons, especially representing those governmental entities who make intentional misrepresentations. Thank you. I seek your support."

Speaker Turner: "The question is, 'Does the House concur in Senate Amendment... Senate Amendments 1 to House Bill 3321?' 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 the House does concur in Senate Amendment 1 to House Bill 3321. And this Bill, having received the Constitutional Supermajority, is hereby declared passed. On the Order of Concurrences, we have House Bill 3398. Read the Bill, Mr... I'm sorry. The Gentleman from Will, Representative McGuire."

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McGuire: "Thank you, Mr. Speaker. House Bill 3398 has two Senate Amendments. We'd like to concur in Senate Amendment #1 and Senate Amendment #2. Senate Amendment #1 makes the changes that we promised on the House Floor with this Bill, it makes the Associated General Contractors of Illinois neutral on the Bill. Senate Amendment #2 deletes all the provisions found in Senate Bill 1212, which passed the House and Senate earlier. Those are the two Amendments we'd like to concur in. Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 3398?' 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... The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 and 2 to House Bill 3398. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 3405. The Gentleman from Cook, Representative Davis."

Davis, W.: "Thank you, Mr. Speaker. I move that the House concur with Senate Amendment 1 to House Bill 3405. Essentially, it makes a technical change to... for the Property Tax Extension Limitation Act to specifically exempt the Hazel Crest Finance Authority from the Act. This Amendment simply clarifies that the state loan that the district receive of four and half million dollars,

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which is to be paid back via a tax levy, is not subject to the Property Tax Extension Limitation Act."

Speaker Turner: "The Gentleman from Cook, Representative Parke."

Parke: "But does this... does this pierce the property tax... property tax cap?"

Davis, W.: "Excuse me, Sir."

Parke: "Does this pierce the property tax cap? Has this gone around the... it says here it goes around the PTELL."

Davis, W.: "I guess that... that would be it or it exempts the district from that Act so that the... when the appropriate levy is levied they can collect enough money to try to repay the loan, Sir."

Parke: "Thank you."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3405?' 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 86 voting 'aye', 29 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 3405. And this Bill, having received a Supermajority, is hereby declared passed. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. A point of personal privilege, if I might."

Speaker Turner: "State your point."

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Black: "Yes, I'm looking for a ride home to Danville later tonight. I was just thanking Representative May, I parked my car at the apartment last night back in the very back lot and as you know it rained last night. They towed my car because they said I parked it in a wetland. So, I... I'd like to get a ride home tonight with somebody if anybody's headed east. I'd really appreciate it."

Speaker Turner: "I do believe there's a barge that's headed that way if you're looking to be relocated. On the Order of Concurrences, we have House Bill 3486."

Bailey: "Thank you, Mr. Speaker. I wish... I move to concur on Senate Amendments 2, 3, and 4 on the Domestic Violence Leave Bill. Thank you."

Speaker Turner: "The question is, 'Does the House concur in Senate Amendments 2, 3, and 4 to House Bill 3486?' 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 Bill, having received the Constitution... The House does concur in Senate Amendments 2, 3, and 4 to House Bill 3486. And this Bill, having received the Constitutional Supermajority, is hereby declared passed. On the Order of Concurrences, we have House Bill 3411."

Hoffman: "Thank you, Mr. Speaker. I would ask that the House concur in Senate Bill or House Bill 3411 Senate Amendment #2. All this does is change from the original Bill is it

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provides that Monroe County, when Monroe County imposes a tax for the Bi-State Local Mass Transit District they will then get an appointment on the Bi-State board and the appointment will be made by the chairman of Monroe County."

Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Black: "Representative, when this Bill left the House it said that the... the commissioners of the bi-development... the Bi-State Development Agency will be appointed by either the chairman of Madison County or the St. Clair County chairman instead of the Governor. Senate Amendment #2 switched the appointments. Are the appointments still being made by the county board chair rather than the Governor?"

Hoffman: "Yes, the only change... the only change in the Bill is that Monroe County is part of the... I apologize. Yes, Monroe County is part of the Bi-State Development Board, currently. They do not currently impose a local tax for mass transit. So it indicates as soon... if they decide to do that, if they were going to do that, they would then also become part of the board and be able to name a person to the board."

Black: "Representative, this takes away an appointment authority that had been given to the Governor. Is this the... should I read anything into this? Is this the signs of a rift or..."

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Hoffman: "I'm so... I'm sorry. I'm sorry. Go ahead."

Black: "Are you ready to get serious now?"

Hoffman: "Yes, I am."

Black: "Representative, at first the appointment authority was going to be given to the Governor and now the appointment authority has been taken away from the Governor and you're the Sponsor. Are we supposed to read anything into that at this late hour?"

Hoffman: "Well, I certainly haven't... I haven't consulted with the Governor on this one. I consulted with him on a lot of things, but not this one."

Black: "Is this the... is this the first sign of a rift that we... that the Republicans perhaps could exploit to our gain?"

Hoffman: "Oh, there's... yeah, there's been a few rifts."

Black: "Oh."

Hoffman: "This is not the first one."

Black: "All right. But this is a... this is a good idea?"

Hoffman: "Yes, it's a good idea."

Black: "One that you personally favor even though the Governor doesn't? For the record."

Hoffman: "Well, yes, I hope the Governor will sign the Bill."

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

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 2 to House Bill 3411?' 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... Howard. Take the record. On this question, there are 115

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voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendments 2 to House Bill 3411. And this Bill, having received a Supermaj... Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 3556. The Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. I move that the House do concur in Senate Amendments 1 and 2 to House Bill 3556."

Speaker Turner: "Seeing no question, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 3556?' 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 Bill, having... The House does concur in Senate Amendment 1 and 2 to House Bill 3556. And this Bill, having received the Constitutional Supermajority, is hereby declared passed. On the Order of Concurrences, we have House Bill 3640."

Stephens: "Thank you, Mr. Speaker. This Bill simply reestablishes the Illinois Military Flag Commission. I'd be glad to re... answer any questions."

Speaker Turner: "The question is, 'Shall the House concur in House Bill 3640?' 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

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question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 3640. This Bill, having received the Constitutional Supermajority, is hereby declared passed. Ladies and Gentlemen, we're about to go to the Order of Resolutions. Some will require a vote and some will require... some will not. As you hear your Resolution, be prepared. We're on page 31 of the Calendar. The first Resolution is HJR 4. Read the Resolution, Mr. Clerk. Representative Poe, the Gentleman from Sangamon."

Poe: "Yes, Mr. Speaker. I'd like for you to, Ladies and Gentlemen, consider the Resolution 'Patriots Day'. And simply the first shot was fired April the 19 and we wanna acknowledge April 19 in the State of Illinois as 'Patriots Day'."

Speaker Turner: "The question is, 'Shall the House pass House Joint Resolution 4?' 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 4 passes. I have House Joint Resolution 32, Mr. Poe. Representative Poe. House Joint Resolution 32. Out of the record. We have House Resolution 19, Representative Hoffman. Hoffman. On House Resolution 19. Out of the record. House Resolution 28, Representative Granberg. Out of the record. House Resolution 33, Representative Mulligan. Representative Mulligan, the Lady from Cook."

Mulligan: "I urge for its adoption."

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Speaker Turner: "The Lady move for the adoption of House Resolution 33. 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received a Constitutional... or this Resolution, having received the Constitutional Majority, is hereby declared passed. We have House Resolution... House 4... HR 44. Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 44 recognizes February 3 as National Black Nurses Day. And I move that the Resolution be adopted."

Speaker Turner: "Question is, 'Shall House Resolution 44 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The questions is, 'Shall the House adopt House Resolution 44?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 64. Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 64 recognizes the value and importance of TRIO programs, which are for low-income Americans. And commends participating Illinois colleges,

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university, and community agencies for support of TRIO programs. I simply ask for your 'yes' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Resolution 64 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 64 is adopted. House Resolution 85. Representative Soto. The question is, 'Shall the House adopt Resolution 85?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Resolution 85 passes. House Resolution 91. Representative Aguilar."

Aguilar: "Thank you, Mr. Speaker. This is to get federal money for infrastructure from the Federal Government. And I ask for the adoption. Thank you."

Speaker Turner: "The question is, 'Shall House Resolution 91 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 112 is adopted. House Resolution 112, Representative Brauer."

Brauer: "Thank you, Mr. Chairman. This honors the Girl Scouts of the United States. And I'd appreciate an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Resolution 112 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. House Resolution 112 is adopted. House Resolution 114, Representative Mulligan."

Mulligan: "I ask for its passage."

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Speaker Turner: "The question is, 'Shall House Resolution 114 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, House Resolution... the 'ayes' have it. And House Resolution 114 is adopted. House Resolution 121, Representative Black."

Black: "..."

Speaker Turner: "Representative Black."

Black: "Thank you very... Thank you very much, Mr. Speaker. I recommend an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Resolution 121 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 121 passes. House Resolution 122, Representative Millner."

Millner: "Everyday Heroes Week. Second week of September. Urge for its adoption."

Speaker Turner: "The question is, 'Shall House Resolution 122 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 122 is adopted. House Resolution 128, Representative Watson."

Watson: "Thank you, Mr. Speaker. I urge for the adoption of the Amendment(sic-Resolution)."

Speaker Turner: "The question is, 'Shall the House Resolution 128 pass?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And House Resolution 128 is adopted. House Resolution 162, Representative Sommer. The question is, 'Shall House

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Resolution 162 pass?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And 162 is adopted. House Resolution 169, Representative Brauer. The question is, 'Shall House Resolution 169 pass?' All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair, the 'ayes' have it. And House Resolution 169 is adopted. House Resolution 175, Representative McKeon. The question is, 'Shall House Resolution 175 pass?' All those in favor say 'yes'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And House Resolution 175 is adopted. House Resolution 192, Representative Hoffman. The question is, 'Shall House Resolution 192 pass?' All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And House Resolution 192 is adopted. House Resolution 236, Representative Feigenholtz. House Reso... Representative Feigenholtz moves that... The question is, 'Shall House Resolution 236 pass?' All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And House Resolution 236 is adopted. House Resolution 241, Mendoza."

Mendoza: "Ya vamanos(Let's go, ready)."

Speaker Turner: "The question is, 'Shall House Resolution pass?' The question... the... All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And 241 is adopted. House Resolution 304, Representative Saviano. The question is... Saviano moves that the... House Resolution 304 be adopted. All those in

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favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And 304 is adopted. House Resolution 307, Representative Feigenholtz. Representative Feigenholtz moves that House Resolution 307 be adopted. All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And 307 is adopted. House Resolution 355, Representative Lyons. Representative Lyons moves that House Resolution 355 be adopted. All those opposed... all those in favor say 'aye'; all those opposed say 'no'. And House Resolution 355 is adopted. House Reso... Senate Joint Resolution 33, Representative Giles."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 33 is the waiver request from the School Code which mandates that the State Board of Education report to the General Assembly. There's six waiver requests to be disapproved: St. Anne Community High School District 302, Madison Community Unit Dis... School District 12, Midlothian School District 143..."

Speaker Turner: "The Gentleman from Park..."

Giles: "...Waukegan Community Unit School District 60, Sandridge School District 172, and Norridge School District 80. These are all of the waiver requests that the State Board of Education asked for us to deny."

Speaker Turner: "Could we ask all staff to retire to the rear of chamber. Staff, please retire to the rear of the chamber. Representative Parke. Representative Novak, for

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what reason do you rise? Staff to the rear of the chamber.
Representative Novak."

Novak: "Yes, Mr. Speaker, I just wanna speak to the
Resolution."

Speaker Turner: "Speak to the Resolution."

Novak: "I real... I realize this Resolution's gonna pass, I just
wanna bring it... bring the Body's attention to a... to a
school district that's itemized in the Resolution. They've
requested a waiver from the school... from the State Board of
Education about the early economic warning list and they
were denied. And that's why the waiver is here on the
floor. And as I indicated, I know this is gonna pass, but
St. Anne High School is a very poor impoverished school
district. Most of the kids are African-American children
from one of the most economically deprived townships in the
United States. And to me, I think it's very, very unfair
for what the State Board of Education did and I hope that
even though after this Resolution is gonna pass when once
they're put on his warning list that the State Board of
Education could live up to its full responsibilities and
help some of these disadvantaged school districts realize
their full potential. Thank you."

Speaker Turner: "The Lady from Will, Representative Kosel. For
what reason do you rise?"

Kosel: "To address the Resolution, Mr. Speaker."

Speaker Turner: "To the Resolution."

Kosel: "This is really an unusual time to bring this up for a
vote when everybody has just about had it at 12:40 at

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night. This is a very serious matter. These are school districts that are being denied waivers and they really should have the attention of this Body. I wish you would take the time to take a look at what's happening and listen to what Mr. Novak said and the other school districts that will be denied waivers with the passage of this Resolution."

Speaker Turner: "The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. First of all, you folks that are still here, remember that a 'yes' vote denies the waiver. So, if you vote 'yes', you're voting 'no'. If you vote 'no', you're allowing the waivers to go ahead and be granted. So, if you vote 'no', you're voting 'yes'. So, just remember that. A 'present' vote's also a 'no' vote. And... and Mr. Novak, we did look very closely at St. Anne, they will have some opportunities to rectify that, it's just in the early stages, but once the new No Child Left Behind is in place there will be seamless appeal process that they can use."

Speaker Turner: "The Gentleman from..."

Mitchell, J.: "I urge a 'yes' vote. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. If there's anybody in the chamber that can figure out what we're on or how we vote, please let me know, will ya?"

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Speaker Turner: "You're looking at him. The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker. Once again, this is something that we have to do to keep in... to keep in line with the No Child Left Behind. Once again, when we vote 'yes' on these waivers we will... we will deny the waiver for request and according to what the State Board of Education has laid out before us. I urge all my colleagues on this Senate Joint Resolution to give me a 'yes' vote..."

Speaker Turner: "The question is..."

Giles: "...for this measure."

Speaker Turner: "The questions is, 'Shall Senate Joint Resolution 33 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? Have all voted who wish? Have all voted who wish? The Clerk... the Clerk shall take the record. On this question, there are 68 voting 'aye', 33 voting 'no', 13 voting 'present'. And this Resolution, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill... House Resolution 275."

Clerk Bolin: "WHEREAS, Mr. Edwin F. Goebig, III, a gifted attorney whose contribution to the Illinois legislative process will be greatly missed by the members of this body, has retired as Deputy Director of the Legislative Reference Bureau; and

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WHEREAS, Mr. Goebig joined the Legislative Reference Bureau as a staff attorney in 1980, and he soon developed an expertise in drafting pension legislation that remains unparalleled; and

WHEREAS, Appointed Deputy Director of the Legislative Reference Bureau in 1991, Mr. Goebig has shouldered innumerable administrative duties and has mentored many new drafters in the intricacies of interpreting and crafting legislative documents; and

WHEREAS, As the author of the General Assembly's annual revisory bills, he has been the guiding force in maintaining the integrity of the State's database of statutes despite quantitative and technological challenges; and

WHEREAS, A graduate of the Punahou School in Honolulu, the University of Pennsylvania, and the Washington University School of Law in St. Louis, Mr. Goebig possesses a keen and broad intellect that has proven invaluable in addressing a vast array of legislative topics; and

WHEREAS, His advocacy of public service resulted in his co-founding of the Government Bar Association, an organization he served tirelessly in a myriad of roles; and

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WHEREAS, Mr. Goebig's warm and generous nature has endowed him with the gift of friendship, for his joy in classical music, opera, sumo wrestling, and wine is expressed with such sociability and infectious delight; and

WHEREAS, Mr. Goebig's retirement deprives the General Assembly and his professional colleagues and associates of a wealth of knowledge and a dedication to superior legislative drafting that cannot be replaced; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Mr. Edwin F. Goebig, III, upon his retirement as Deputy Director of the Legislative Reference Bureau, noting with sincere appreciation his commitment to excellence in legislative drafting; that we commend him to the citizens of this State as the personification of public service; and that we wish him success and happiness in every future endeavor; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Mr. Edwin F. Goebig, III."

Speaker Turner: "The Gentleman... The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Thank you, Ladies and Gentlemen of the House for your attention to Mr. Edwin Goebig. None of us know him by his real name, it's Fritz.

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But Fritz is indicative of the people who make us look good, whether it's our secretaries, our staff, LRB, the other units. They work tirelessly at night. We've called Fritz in at before to the state 'til 1 or 2 in the morning drafting Bills, all his... all the people. And they don't get the credit they deserve. And Fritz and his people... all the people in LRB back here, all of our staff, all of those people who work to make sure that we look good. And they're the best and I thank... And as all of you know, that's a big job trying to make us look good. So, and Fritz has always been the best and we appreciate everything that he's done for us in tireless efforts, with no appreciation, and he's certainly not paid enough. So Fritz, thank you on behalf of all of us and I hope that we would have permission to ask all Members to be cosponsors of the Resolution."

Speaker Turner: "Leave is granted. Mr. Clerk, Senate Bill 44. What's the status of the Bill?"

Clerk Bolin: "Senate Bill 44 is on the Order of Senate Bills-Third Reading."

Speaker Turner: "Bring the Bill back to second. Representative Currie, the Lady from Cook. For what reason do you rise?"

Currie: "Thank you, Speaker. I wish to withdraw my Motion to reconsider the vote by which House Bill 2750 passed."

Speaker Turner: "You have leave. The Body accepts your Motion. The Motion will be approved. On the Order of Resolutions, we have House Resolution 400, Representative Kelly. House Resolution 400."

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Kelly: "House Resolution 400 is the congratulations to the U.S. Open which will occur in Olympia Fields June 9 through June 15. And Tiger will be there."

Speaker Turner: "The Lady moves for the adoption of House Resolution 400. All those in favor say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And the Resolution is adopted. Representative Morrow on Sen... SJR 36."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 36 creates the 17-member commission on opportunity and state public construction. It directs the commission to determine whether ratio and gender discrimination occur in hiring or contracting on state public construction projects. The extent of the discrimination if any and if there are any race or gender-neutral barriers to participation. I'd be glad to answer any questions."

Speaker Turner: "The question is, 'Shall Senate 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 116 voting 'aye', 0 'noes', 0 'presents'. And this Resolution, having received the Constitutional Supermajority, is hereby declared passed. The Gentleman from Lee, Representative Mitchell. For what reason do you rise?"

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Mitchell, J.: "Thank you, Mr. Speaker. I've had several people ask. The waiver was a revolution... Resolution, revolution's what it should've been. It did pass which means they were denied. So, if you had school districts, don't go home and tell 'em that they... that we granted their waiver, we did not. Okay? Thank you."

Speaker Turner: "Mr. Clerk. Representative Novak on House Joint Resolution 21."

Novak: "Thank you, Mr. Speaker. I concur in Senate Amendment #1 to House Joint Resolution 12. It just adds another group of individuals that are interested in this task force dealing with indoor mold. I ask for the Concurrence Motion to be approved."

Speaker Turner: "The question is, 'Does the House concur in Senate Amendment 1 to House... HJ Reso... HJR 12?' 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 113 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Joint Resolution 12. And this Resolution, having received a Constitutional Supermajority, is hereby declared passed. The Gentleman... the Lady from Cook, Representative Davis. For what reason do you rise?"

Davis, M.: "My speaker... my light... I'm sorry, my 'green' button wouldn't go on, but I was voting 'yes'. So, I'd like to be recorded as 'yes' on this Resolution. Thank you."

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Speaker Turner: "This Resolution, I mean, the Journal will reflect your wishes. Mr. Clerk, House Resolution 392. Read the Resolution."

Clerk Rossi: "House Resolution 392, offered by Speaker Madigan.

WHEREAS, It has come to the attention of the legislative members and employees of the Illinois House of Representatives that Penny A. Kink will retire from her position as Chief Journal Clerk for the Illinois House of Representatives at the end of the 2003 spring legislative Session; and

WHEREAS, Penny A. Kink began her State of Illinois career with the Department of Transportation as a data input operator on January 22, 1968, and then transferred to the Legislative Information System and worked there from November 1, 1974, through September 15, 1980; and

WHEREAS, On September 16, 1980, then Clerk of the House, Jack O'Brien, transferred Penny A. Kink to the House Democratic Research/Appropriations staff; and

WHEREAS, On that very day, the support staff supervisor had absolutely "no idea" who Penny A. Kink was and what her duties were to be, and quizzingly inquired "Can you type?"; and

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WHEREAS, From that day forward, as a member of the Democratic staff, Penny A. Kink proved herself to be an invaluable employee by:

-- always giving 150% to every task encountered -- amazingly without ever once yawning, slumping, snapping, grumping, slowing, fraying, or showing any other signs of strain;

-- arriving one hour early so as never to be late;

WHEREAS, Penny A. Kink, as Chief Journal Clerk, has quietly weaseled our Chief of Staff, Clerk of the House, directors, and employees out of legislative scrapes, posting mistakes, and computer disasters by utilizing her eagle eye and expert knowledge to catch and correct bloopers, blunders, typos, and agreed... and "agreed-list" boo-boos; and

WHEREAS, Penny has been known to cut short any conversation with those four tiny words: "Gotta go, it's Tim"; and

WHEREAS, Penny A. Kink's decades of service on behalf of the State of Illinois have made her one of the most knowledgeable and informed employees in the entire General Assembly, an inexhaustible source of counsel; and

WHEREAS, Penny Kink and Frank Kink have purchased a retirement home in Colorado Springs, Colorado, and invite

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everyone they know -- and everyone they don't know -- to visit at all times and ungodly hours; and therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we sincerely thank Penny A. Kink for her extraordinary dedication and loyalty, for a job more than well-done, and for her unparalleled skill; and be it further

RESOLVED, That we, as friends and colleagues, wish Penny Kink and her husband Frank Kink the very best in their retirement and new life in Colorado; and be it further

RESOLVED, That we will surely miss Penny Kink's friendships, smiles, and laughter; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Penny A. Kink as an expression of our profound respect and friendship over the many, many years."

Speaker Turner: "The question is, 'Shall the House adopt House Resolution 392?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. Penny has been just the absolute rock, solid person in this institution. She's the only one who never loses her cool, who's always calm, who's always willing to help us put back

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together again the mistakes, the messes we've made. She knows where every Bill is, every minute of the day. And every time you call her, which you do, four or five times a day, she's totally unflappable. I'm told she's on her way to Arizona. Is it Arizona? Colorado. And I know all of you will join me in wishing her and Frank the very best. I don't think we can get along without you and I'm told that you can come back for 75 days each year, each calendar year if you are a retired state employee. And we expect to see you both next spring. Many, many thanks."

Speaker Turner: "Speaker Madigan in the Chair."

Speaker Madigan: "Listen, we all wanna thank Penny and I'm not certain of the propriety of what I'm gonna say, but Penny was here when I got here, so she deserves to retire, right. So, thank you very, very much."

Penny Kink: "I just wanna tell each and every one of you that it's been a pleasure and a privilege to be able to work with you all these years and thanks for the memories."

Speaker Madigan: "Ladies and Gentlemen, on behalf of my wife, Shirley, and my son, Andrew, who are behind me, we wish to thank all of you for the outstanding work that you have done during this Session of the General Assembly. I've told many people during the last several weeks that this Session was different than others because there are a lot of new people working on this particular Session of the General Assembly. There's a new Governor, three of the Legislative Leaders are new in their positions. There are numerous new Members of the House and the Senate on both

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sides of the aisle and consequently, this was different than others. It probably took a little longer to work our way through a lot of things because of the newness of everybody involved, but everybody should be very proud of what they did during this Session, proud of their individual work on Bills, Resolutions and Issues, and then proud of the work product of this General Assembly. We started this Session looking at an unbelievable budgetary shortfall. We have passed to the Governor his recommendations, basically along the lines that he was... that he recommended it to the General Assembly and we have complied almost completely with all of the Governor's requests in terms of his budget. So, congratulations to all of you and thank you very, very much for your outstanding work. And let me recognize Representative Cross."

Cross: "Mr. Speaker, thank you. And I wanna publicly thank you for you cooperation with us and the work that we were able to accomplish together. Your staff has been tremendously helpful to our staff and I wanna thank you. I, like you, think we've had a successful Session and I think just a couple of worthwhile topics, such as ethics reform and death penalty, we're all to be commended for passing both of those, what I think are significant pieces of legislation. I wanna thank all of our Members for bearing with us. This was a new year for us and we made some mistakes, but I think we had an overall very good Session on the House Republican side. I wanna thank just some

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people on our side if you can bear with me for a couple seconds. Our Chief of Staff this year worked 12, 14, 16 hours a day. He brought a perspective to our side that we needed of honesty, integrity, and intelligence and we couldn't have gotten through this Session without Bill O'Connor's help. And I really wanna thank Bill O'Connor. Bill, thank you. Always kept us on the right track and kept us focused and we needed that. And just a few other people. I... it amazes me the amount of time that the staff puts in. You call here on weekends, you call here late at night. Scott Reimers, our policy person. He just doesn't stop. Scott, thank you, thank you. Kent Gaffney, I've learned more about numbers in the budget than I ever thought I would. Thank you for all you do. Where's Ken Gaffney. And thanks to Mark Beaubien. Mark, thanks for all your help on very, very tough budget year. Many would say that my voting record has improved substantially since I wasn't on the floor and Lisa hit my voting switch. So, Lisa, thanks for the superb voting record. I appreciate that. So, Mr. Speaker, again thanks. Thanks to our Leadership team. Thanks to all our new Members. Thanks to all the old Members. We had a good year and I hope everybody has a great summer. Thank you very much."

Speaker Madigan: "Ladies and Gentlemen, just bear with us, we're gonna adopt the Adjournment Resolution and then in conclusion we're gonna hear from Representative John Millner. So, please stay in the chamber. Mr. Clerk, the Adjournment Resolution."

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Clerk Rossi: "Senate Joint Resolution #38, offered by Representative Currie.

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Saturday, May 31, 2003, the Senate stands adjourned until Thursday, October 23, 2003 at 12:00 noon, in Perfunctory Session; and when it adjourns on that day, its stands adjourned until Tuesday, November 4, 2003 at 12:00 noon; and the House of Representatives stands adjourned until Thursday, October 23, 2003, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Tuesday, November 4, 2003 at 1:00 p.m."

Speaker Madigan: "Representative Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. I know this has been announced already, but let me say it again. The Governor is hosting a party at the mansion, immediately. And on that note we will now hear from Representative John Millner."

Millner: "Yes, everybody, together. Day o, day o, daylight come and me wanna go home. Hey, Mr. Speaker, this is our opinion, May 31 and we wanna go home. Day o, day o, May 31 and we wanna go home. Hey, Mr. Speaker, this is our opinion finish... No more per diem. Day o, day o. No more per diem and we wanna go home. Thank you, Mr. Speaker."

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Speaker Madigan: "Representative Currie moves that the House stand adjourned. Those in favor say 'aye'; those opposed... the House does stand adjourned."