

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

75th Legislative Day

11/19/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members to turn off their laptop computers, cell phones and pagers. We ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend Jimmy Waddell of the Greater Northside Missionary Church in Decatur, Illinois. Reverend Waddell is the guest of Representative Flider."

Reverend Waddell: "Let us bow our heads. Almighty God, Thou who has granted unto us the democratic ideal by which our destiny may be fashioned. We thank Thee, Oh God, that Thou hast blessed our land while preserving among us enlightened and concerned citizens who cherish their heritage and have proposed in their hearts to extend it. We thank Thee, Oh God, for the like-minded leaders whom Thou has raised up to guide our state. We pray that Thou wouldst grant those who we have entrusted with the authority of government to be responsible and wise, courageous and strong. And guide us, Thy people, to expect of them and support them in all wise legislation and faithful administration that way... we may all prosper under equal law. May they defend our liberties as Thou grant them the sense of responsibility to achieve unity of purpose among us and grant us victory of faith in the ideals in which we are committed. Strengthen us with honor and grant us Thy peace. Provide us, Oh God, with the strength and the spiritual sustenance to perform with might the task that is yet before us. This is our prayer, for Christ's sake, Amen."

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

Giles - 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. Mr. Bost."

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

Speaker Madigan: "The Chair recognizes Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker. I'd like to let everyone in the chamber know that today we have the eighth grade class in St. John of the Cross School in Western Springs and they all have completed their Constitution test and are now down to see government in action. And I would ask that you please welcome them. And will they rise in the gallery. Thank you."

Speaker Madigan: "Mr. Black. Mr. Black, before you begin, we have not taken the Attendance Roll Call because I was advised... I was advised that the committees are still meeting. Now, if you want to speak to us, as always, we're very interested in..."

Black: "Yes."

Speaker Madigan: "...your pearls of wisdom, Mr. Black."

Black: "Yes. Well, you've answered the question that was certainly on my mind and I appreciate that. But I... I haven't had an opportunity to read the morning papers. Mr.

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Speaker, I... I'm here late at night, as you are, and on my way to my apartment late last night I drove by the Mansion and there was a light on. Do you know whether there was a break-in or do we have a report? I was rather concerned."

Speaker Madigan: "Well, you... your... we're happy that you were concerned."

Black: "Well, I... I was going to get out and investigate, but I found out that the security definitely is still there, but I... I was concerned about that light. I... as you know, there are priceless antiques there and I... I just was... I haven't... you haven't heard anything about a possible break-in, have you?"

Speaker Madigan: "No, I haven't."

Black: "Well, I... I'm much relieved. Thank you."

Speaker Madigan: "Mr. Parke, you understand we're not in Session yet? Mr. Parke."

Parke: "Thank you, Mr. Speaker. I was just curious if any kind of a resolution has been to where we're... to... when we'll be off to go to the wake or the funeral. Have we come to a conclusion on that? Thank you."

Speaker Madigan: "Ladies and... Ladies and Gentlemen, please give me your attention. As... as you know Representative Wirsing died over the weekend and the funeral and burial will be on Friday. And there are several of our Members who plan to travel to the service and the burial and in light of that, Session will begin on Friday at 3 p.m. So, Friday's Session will begin at 3 p.m. Thank you."

Speaker Novak: "Representative Currie on any excused absences."

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

Speaker Novak: "Thank you. Representative Novak in the Chair. Representative Brady. Representative Brady on any excused absences on the Republican side of the aisle. Mr. Bost on any Republican absences."

Bost: "Yes. Earlier we said that there were... there are no excused absences on the Republican side of the aisle or not at this time."

Speaker Novak: "Thank you. 115 Members answering the Quorum Call and the quorum... and the House comes to order."

Speaker Madigan: "Ladies and Gentlemen, if I could have your attention and if we could have staff retire to the rear of the chamber. We have a special guest today who will offer some brief remarks and if the Members could take their chairs. I spent some time practicing this pronunciation, so wish me luck. Our guest is Mr. Jinzhong Xu. He was born in China and graduated from the Beijing Foreign Studies University, served as a staff member at the Chinese Embassy in Afghanistan, staff member at the Beijing Diplomatic Personnel Service Bureau, served as consul at the Chinese Consulate General in San Francisco, served successfully as First Secretary and Deputy Division Director at the Department of Personnel, Chinese Foreign Ministry, also, Deputy Consul General, Chinese Consulate General in Toronto, currently, the Consul General in Chicago. He's come here today to bring greetings from his country to ours and to offer us some remarks relative to

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the trade and cultural relationships between his country, the United States and the State of Illinois."

Consul General Xu: "In honorable, House Speaker, Madigan. Honorable House of Representatives. It is my great honor and pleasure to address the Illinois House of Representatives today. First of all, I would like to thank you, Mr. Speaker, for your kind invitation here and introduction. Over the years, many Representatives, present today, have visited China and made their own contributions to the promotion of mutual understanding, friendship and cooperation between China and the State of Illinois. So, I want to take this opportunity to express my deep.. my deep appreciation and sincere thanks to all of you. And this morning, I've just visited President Lincoln's residence here which left me a deep impression. Admired and remembered not only by the Illinois people, but people all over the world. President Lincoln has left us a great heritage of wisdom, courage and integrity. Now, more and more Chinese people have become familiar with the State of Illinois, the Land of Lincoln and a prominent state famous for its advanced culture, agriculture, machinery and modern technological industries. The Chinese government has always attached great importance to the development of friendly and cooperative relationship with the State of Illinois. The Chinese former president, Mr. Jiang Zemin, made Chicago the first stop of his state visit to the United States last year. Officials and Legislators of the two sides have contacted frequent exchanges of visits. I'm

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glad to point out that the mutually beneficial cooperation between China and the State of Illinois in fields of trade, culture, education, science and technology has never been closer today. In the year 2002, the total export of Illinois to China reached 1.22 billion U.S. dollars. Mainland China, the seventh largest trading partner of Illinois. Agricultural and eelec... electronic products attribute to 306 and 302 million U.S. dollars, respectively. And many Illinois-based companies such as Motorola, Boeing and the Caterpillar have witnessed remarkable progress in their business in China. Meanwhile, more and more Chinese companies have set up enterprises in this state creating hundreds of jobs for the local people. And currently, there are about 4 thousand Chinese students studying in the universities and colleges in Illinois. And more than 100 thousand Chinese Americans make Illinois their home. They have made substantial contributions to the local communities and it become a bridge linking China and the State of Illinois. All political ties constitute an important part of the overall U.S.-China relations. More than 30 years have gone by since our two countries reopened doors of contacts and work together for constructive and cooperative relationship. It is encouraging to see that the foundation for Chinese-U.S. cooperation is getting stronger and the scope wider. China is the fourth largest trading partner of the United States and is likely to become the third by the end of this year. Our two-way trade topped 97 billion U.S. dollars last year and the

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first half of this year saw the figure rising 34.4 percent in which American exports to China went up by 36.1 percent. And recently, several Chinese procurement missions visited this country and signed huge contracts worth about 6 billion U.S. dollars covering the purchase: planes, aircraft engines, all cars and auto parts from the American companies here. And each year 1 million people visited each other... each other's country. China and the United States have maintained a close consultation and cognition on contact heroism Iraq, North Korea nuclear issue and other issues of common concern. As our two countries are quite different in historical tradition, social system and cultural background, it is only natural that we have certain divergent views, but our common interests far outweigh our differences. Seeing is believing. After some Representatives took trips to China and here sincerely invite more friends from the Illinois General Assembly, the House of Representatives, to visit China in order to experience, personally, the great changes in this ancient, oriental country which has attracted worldwide attention. Last year, China's GDP reached 1.23 trillion U.S. dollars, leaping to the sixth place in the world. Its total trade volume exceeding 620 billion U.S. dollars and moving up to the world's number sixth place. China has become one of the world's largest markets. In the coming three years, China's total import will possibly exceed 1 trillion U.S. dollars and after that China's import volume will reach 1 trillion U.S. dollars every two years which offers great

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potentials for the State of Illinois to increase its share in the Chinese market. In order to achieve the goal of establishing well-off society in China, China will continue its reform in opening up policy and strengthen its ties with other countries. A developed China would not pose threat to any other countries. China has all along pursued an independent foreign policy of peace. China will never seek... even if it grows stronger in the future. And recently, I've had the pleasure to review President Lincoln's well-known Gettysburg Address in 1863 and have learned by chance that it was delivered on November 19, that is today. I hope these little coincidences could expand our common ground in terms of national reunification. The Taiwan issue bears China's sovereignty, territory integrity and national unity. The 'one China policy' has been recognized by overwhelming majority of the world, including the United States. Reunification is the common aspiration of all the Chinese people, including our Taiwan compatriots. The Chinese government has always adhered to the basic principles of peaceful reunification and one country, two systems and it will try its best with the utmost of sincerity to realize a peaceful reunification of China. We firmly opposed all forms of Taiwan intervention of territories which oppose the biggest threat to peace and stability of the Taiwan Straits as well as China-U.S. common interests and we hope the U.S. side will play a constructive role in China's great course of national reunification. So, Mr. Speaker, China and the

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United States are two great nations with important responsibilities from mankind. So, let us work together to further bonds the existing friendly and mutually beneficial cooperation between our two countries, especially between China and the State of Illinois which are in the best interests of our great... of our two great peoples and the whole world at large. So, thank you very much for providing me with this opportunity to speak. Thank you very much."

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

Speaker Novak: "The Chair would like to announce that the Calendar for the Spring Session in the year 2004 will be momentarily distributed. Mr. Sacia, for what reason do you rise, Sir?"

Sacia: "Point of personal privilege, Mr. Speaker."

Speaker Novak: "State your point."

Sacia: "Mr. Speaker, yesterday, as you can imagine, many Representatives stopped by the desk of Representative Wirsing to comment on the beautiful floral arrangement, to a person, to a person, Mr. Speaker, they commented that it was very beautiful, but sadly there was the missing basket of orange slices. Thanks to our exceptional Page, Wayne and Mr. Wirsing's many-year secretary, Bridget, they were able to acquire his stash of orange slices and make them available and the House Republicans have decided that henceforth the 11-year tradition established by Mr. Wirsing will continue at that desk with there always being orange slices there. Further, Mr. Speaker, last evening Members

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of this House from both sides of the aisle, both Democrats and Republicans, as you well know, Sir, all of us held this man in the highest esteem, retired to his apartment and consumed the remainder of his beer in his refrigerator. We felt it was what he would have wanted us to do and we toasted him heartily throughout the evening. Thank you, Mr. Speaker."

Speaker Novak: "Well said. Thank you. Mr. Smith, for what reason do you rise, Sir?"

Smith: "Thank you, Mr. Speaker, for a point of personal privilege."

Speaker Novak: "State your point."

Smith: "I'd like to have the Body join me in welcoming back a former Member, Representative Bill Edley who is down with Representative Capparelli."

Speaker Novak: "Welcome, Mr. Edley. Mr. Joyce, for what reason do you rise? Mr. Joyce."

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

Speaker Novak: "State your point."

Joyce: "Like to welcome Representative Miller's wife, Donna and the latest member of the Miller family, Daniel David."

Speaker Novak: "Congratulations. Thank you. Mr. Cross."

Cross: "Thank you, Mr. Speaker. Regarding the funeral on Friday of Representative Wirsing. We are... there will be a bus leaving the Capitol Friday morning and if we can get details... If anybody has an interest in riding up to DeKalb Friday morning and coming right back, we hope to be back by

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3 or soon after, please let Kris Schnapp know in our office, it's 782-1331, Kris Schnapp. Thank you, Mr. Speaker."

Speaker Novak: "Thank you. Mr. Molaro."

Molaro: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. About two weeks ago, three weeks ago, we filed a Bill that was a slaughter horse Bill that has obviously positions on both sides. When I filed the Bill, one of the people I talked to was Dave Wirsing. He couldn't be more of a Gentleman even though he vehemently disagreed with the Bill. We had a bunch of people come down here yesterday both for and against, so unfortunately since they don't understand the process we went ahead with the committee meeting. However, from the moment I learned he died, there was no way with looking at that chair and seeing the beautiful flowers and now the orange slices as well as the black bunting that this Bill could in any way, shape or be... form be called this week while the family and... most of us in this chamber grieve his loss. So, I just wanted the Body to know as well as anybody who was here to testify or lobby, that we would stop this Bill... this Bill out of respect will not be called this Veto Session. I do wanna form that some time in the future we will look at it, but this Bill will not be called because of what happened with Mr. Wirsing. Thank you."

Speaker Novak: "Thank you, Mr. Molaro. Mr. Bradley, for what reason do you rise?"

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Bradley: "Point of personal... point of personal privilege, Mr. Speaker."

Speaker Novak: "State your point, Sir."

Bradley: "I'm pleased to welcome and announce the Hamilton County... Would you all stand up, please. Hamilton County junior and senior government classes and their teacher, Mr. Elsworth. Glad to have you here today."

Speaker Novak: "Welcome to the House of Representatives. On page 4 of the Calendar, the Lady from Iroquois, Representative O'Brien on a Concurrence Motion on House Bill 576. Mr. Clerk, read the Bill. Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendments 1 and 2 to House Bill 576 represent the negotiation between the advocates for death penalty reform, all parties including the State Police and the chiefs of police, the Illinois Sheriffs' Association and all law enforcement. What this Bill addresses is the process by which police officers accused of perjuring themselves in murder cases are dealt with regarding losing their certification as police officers. It's a two-fold procedure. The first is if the defendant has been found not guilty or is acquitted. In that instance, that complaint would be directed to the director of the Illinois Law Enforcement Training Standards Board. And at that point if the complaint is found to be frivolous, it's dismissed. If not, it goes through the process and there is a hearing where the Department of Professional Regulation serves as

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the prosecutor and the as... and then there is a ALJ that hears the complaint. In the instance of a defendant who is found guilty, convicted of the crime, at that case would go before the Illinois labor... the State Labor Relations Board. It would have the same type of hearing as in an instance where a defendant was found not guilty. Again, the Department of Professional Regulation would be the prosecutor. This... That is all encompassed in Amendment #1. Amendment #2 deals solely with the effective dates of this legislation. This has been a long road and a long way to compromise and I certainly would be happy to answer any questions and urge my colleagues to vote 'yes' so that we can get this landmark legislation of death penalty reform on the books and our... our sad history behind us."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 576?' All those in fa... all those in favor vote by signifying 'aye'... by voting '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 this Bill out of the record, please. On page 21 of the Calendar, under Amendatory Veto Motions, there is Senate Bill 472. Mr. Cross on the Motion."

Cross: "Thank you, Mr. Speaker. Senate Bill 472 is up on our Motion... my Motion to Override. I think the previous speaker talked about the trailer Bill that... that had been worked on. As you know, the Ho... Senate Bill 472 dealt with death

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penalty reform, a long time coming, a Bill that contained at least 17 of the recommendations put together or suggested by former Governor Ryan's death penalty commission. And among those recommendations and inclusions in that Bill was the prohibition of the execution of those that are mentally retarded. Also would allow post-conviction appeals at any time subsequent to a conviction if new evidence was available. Also reduced the eligibility factors for the death penalty, new procedures for state's attorneys in deciding on death penalty cases, mandatory videotaping of interrogations, and funding to expand DNA technology. A host of things were in there that needed to be in there and that's something we needed to do. We sent it to the Governor and as you know he vetoed it because of the issue of decertification of police officers. The trailer Bill that was previously discussed in House Bill 576 has taken care of the decertification issue. We need to override the Governor on Senate Bill 472 so all of the death penalty reforms that we've talked about, that I think all of us agree need to be in here, that all need to be enacted to make our criminal justice system one that's fair and just and are... are there largely as the result of Governor Ryan's death penalty commission, need to be enacted into law. The only way they can be enacted into law is if we override on Senate Bill 472. And I would ask for a 'yes' vote."

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

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

Speaker Novak: "The Sponsor will yield."

Flowers: "Representative Cross, because of the noise level in this room I really didn't hear exactly. What does this Bill do again, please?"

Cross: "This... Representative, this is the death penalty reform Bill. This is the Bill that contained Governor Ryan's commission's recommendations to improve the... the Criminal Code dealing with death penalty cases to make the system a bit more... significantly more fair and just. It contained at least 17 of his recommendations or the recommendations of that commission. The reason we are overriding the Governor is because he dealt with, with his override, the issue of decertification. That is being handled in another Bill. In order for us to pass death penalty reform in this state we need to vote 'yes' on the Motion to Override."

Flowers: "Okay. But this is the previous Governor's recommendation from his commission?"

Cross: "Yes, Representative."

Flowers: "Thank you very much. I appreciate that."

Speaker Novak: "Thank you. Any further discussion? Mr. Cross to close."

Cross: "I... Thank you, Mr. Speaker. I think people are very familiar with this Bill. I think the issue's been debated significantly over the last few months and years. It's something that needed to be done. I think the people of the Illinois... the State of Illinois approve of this. It's

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something the General Assembly needed to do. It took some time, but it takes time to... sometimes to change the Criminal Code and I think it was done in a deliberate manner and we have a good product. And I applaud all of those that worked on this on both sides of the aisle, in both chambers and those not involved in the process but involved in the Criminal Code... the criminal justice system and I wanna thank them. So I'd appreciate an 'aye' vote, Mr. Speaker."

Speaker Novak: "Thank you. The question is, 'Shall House Bill 472 pass, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71 votes. This is final action. All those in favor vote by... signify by voting 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ms. Ryg. Kathy... Kathy Ryg. Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion, having received the required Three-fifths Majority, the Motion to Override prevails and Senate Bill 472 is declared passed, notwithstanding the Governor's recommendations for change. The Lady from Iroquois, Representative Mary K. O'Brien on a Concurrence Motion on House Bill 576."

O'Brien: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. As I explained earlier, this is the final component of the death penalty reform package, which represents the compromise agreement with the police

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organizations for decertification of a police officer who has found... who has been found to perjure himself in an instance where there has been a not guilty or whether there has been a conviction. And, as explained, I would urge an 'aye' vote."

Speaker Novak: "Thank you. And on that question, Mr. Black."

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

Speaker Novak: "Sponsor will yield."

Black: "Representative, can you explain briefly the difference in the Amendment and the provisions that the Governor amendatorily vetoed in the original Bill? Aren't... as amended, are there... I would... I would assume and I would hope that there is more of a due process to be followed in the case of decertification. Would that be a fair assessment?"

O'Brien: "There is. And there's also a process where... where we've changed with the amendatory language is to put it into a system that's already established. If you have been... if the defendant has been found not guilty or acquitted then the complaint goes before the Police Training Standards Board and... the Law Enforcement Training Standards Board and goes through an ALJ process, a hearing process, that they already have established. If the defendant has been convicted or has pled guilty, or what have you, then it goes to the Illinois State Labor Relations Board through their already established process where they have due process, where they have hearing

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officers. And that is what is different than what was first originally set up where we would have to reinvent the wheel and start that whole process over, hire investigators, hire prosecutors, and things of that nature."

Black: "I... I appreciate that. I think it makes it a much more reasonable Bill. My other question would deal with the debate that we had last spring. If... if... if the defendant who is convicted immediately says, 'I believe the officer lied under oath', is that officer then, upon that accusation, suspended or pending the results of the hearing before the Labor Relations Board?"

O'Brien: "It pends that... that result. The first thing that they do is look... they investigate the complaint to determine whether or not it has any merit. And if it's frivolous it's just dismissed. Because we know that, you know, these would be something that, procedurally then, would be an automatic."

Black: "And would the officer be entitled representation or would the officer have to hire his or her own attorney?"

O'Brien: "They would be entitled... my understanding is that they would have a right to probably their own FOP representation or to hire their own."

Black: "Staff... staff indicated to me that it appears that this language would indemnify the officer. That... that basically the officer's employer would stand the legal cost in the case of that accusation."

O'Brien: "Right."

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Black: "Right? All right. I thank you for your work on this, Representative. I think this is a much more fair method. While accomplishing, I thin... while reaching the same goal, I think it sets up a much more fair... a fairer standard of getting to that goal and offers considerable more protection to an officer. We put them in a very difficult job today, a job that I don't know, quite frankly, why anybody would want to do. And my fear last spring was that what... what's to be lost by a defendant accusing the officer of perjury, it would be almost automatic. And I think this certainly gives a measure of due process. You can still get to the goal that I think everybody wanted to reach. But I just think as amended, this makes it a much more fair process for all concerned. And I thank you for the work on it."

O'Brien: "Thank you, Representative."

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

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

Speaker Novak: "The Sponsor'll yield."

Delgado: "Yes, Representative, I want to commend you on the work that you've done on these Amendments and for legislative intent. I understand that everybody is on board and this was some of the language that FOP is also comfortable with, is that correct?"

O'Brien: "Yes."

Delgado: "I'm sorry, I didn't hear you."

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O'Brien: "Yes, Representative. This has been negotiated beginning almost immediately upon our adjournment this spring with all of the interested parties, including the Illinois FOP, the sheriffs, the chiefs, the State Police. So everyone has had an opportunity to be heard on this issue."

Delgado: "So all our friends in law enforcement are now comfortable with the work, obviously, of the work you've done, in addition to the language in those Amendments. Is that correct?"

O'Brien: "Yes."

Delgado: "Thank you, Mr. Speaker."

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

O'Brien: "So we've heard the argument in debate and I would just urge an 'aye' vote."

Speaker Novak: "Thank you. And the question is, 'Shall Senate Amendments #1 and 2 to House Bill 576 be adopted... pass... be concurred in?' All those in favor vote by signifying... signify by voting 'aye'; all those opposed say 'no'... 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 has concurred in Senate Amendments #1 and 2 to House Bill 576, and hereby declared passed. Mr. Clerk, what is the status of House Bill 3851?"

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Clerk Bolin: "House Bill 3851, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. Oh, Mr. Black."

Black: "Just... Mr. Speaker, thank you very much. Nothing would give me greater joy than to move this Bill, but some... some issues were raised in committee yesterday that perhaps an Amendment should be added and that Floor Amendment is drafted and I believed filed, but I don't think it's been to Rules or been looked at yet."

Speaker Novak: "Keep this Bill on Second Reading."

Black: "Thank you."

Speaker Novak: "Mr. Black, again, once again."

Black: "Yes. Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Black: "You handled that last complex Bill so efficiently from the Chair and the Sponsor of the Senate Bill as amended, the honorable Representative O'Brien, handled her part of it so efficiently, could we suspend the posting requirements and get to my Resolution that because of your efficiency and that of your colleague, Representative O'Brien, that both of you stay through the 2004 Session?"

Speaker Novak: "Nice try, Mr. Black. Thank you."

Black: "I take it, that's no?"

Speaker Novak: "Right. Thank you. Committee Reports, Mr. Clerk."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s

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was/were referred, action taken November 19, 2003, reported the same back with the following recommendation/s: 'direct floor consideration' for House Bill 940; referred to the Order of Concurrence and Motions to Concur in Senate Amendments 1 and 2 to House Bill 940; referred to the Order of Resolutions is House Resolution 479 and House Resolution 550; referred to Second Reading Short Debate are Senate Bill 37, Senate Bill 1498; recommended for adoption Floor Amendment #2 to Senate Bill 1559; 'approved for consideration' referred to Second Reading Short Debate Senate Bill 1592; referred to Consideration Postponed Senate Bill 1883 and referred to Second Reading Senate Bill 1946. Representative Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 1704. Representative Joseph Lyons, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 771. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted'

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Motion to accept Amendatory Veto #1 to Senate Bill 150. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' as amended House Resolution 454. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 867, Floor Amendment #1 to Senate Bill 1656; Motion to accept Amendatory Veto to Senate Bill 1523."

Speaker Novak: "Thank you. Mr. Molaro, the Gentleman from Cook, on Senate Bill 1704. Mr. Clerk, please read the Bill, please. Excuse me. Mr. Capparelli on Senate Bill 1704. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1704, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been approved for consideration."

Speaker Novak: "Mr. Capparelli on Floor Amendment #1."

Capparelli: "Thank you, Mr. Speaker. Senate Bill 1704, as amended, is an extensive pension Amendment that makes changes in the Chicago laborers, police, firemen, and park district articles of Pension Code. The Amendment does not affect any pension system not in the City of Chicago. The Bill represents an agreement between the City of Chicago

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and the many Chicago Pension funds and groups that represent these funds. The proposed Amendment enacts the following changes: an early retirement ERA plan for any employee belonging to the Chicago, municipal and labor funds. Numerous benefits and improvements and often pension changes affecting Chicago firefighters. Among the changes is the implementation of a grants provision providing the manager or employees of the Chicago Fire Department who are exempt from civil service requirements shall receive pensions based on their full salaries. Betterments to improve Chicago police officers including a higher retirement formula for officers with than 20 years service as well as certain police officers who are forced to retire between 10 and 20 years. The elimination of the future years of supplement deposits the City of Chicago currently makes on behalf of Chicago police and fire funds. Similar... several administrative changes for the Chicago municipal laborers article, all which have no cost or a very low cost and the ER applicable to employees of the Chicago Park District. I'd like to now turn over the microphone to my cosponsor, Bob Molaro, for more extensive research."

Speaker Novak: "Mr. Molaro."

Molaro: "Yes, thank you. Well, Representative Capparelli definitely hit the highlights, but I just wanna make some statements so everybody in this Body is clear on this. Back, probably, in some cases 80 or a hundred years ago, when they decided to have the City of Chicago Laborers'

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Fund, City of Chicago Municipal Fund, City of Chicago Police Fund and City of Chicago Firemen's Fund, they decided that the Illinois General Assembly would create these particular funds. Now, I don't know what the wisdom was in those days because in reality the employer is the City of Chicago, the employees are the employees of the City of Chicago and the pension board sits in this triumvirate and they collect the money and they give out the benefits. There are no state dollar involved, no county dollars involved. The only money involved are the employees and the City of Chicago's. Now, once the money goes into the pension funds, they're really no longer public money. They're the money of the employees and the retirees of those pension funds. Well, those three groups: the retirement boards, the employees and the employer sat down and negotiated this. We can see it in parts of the firemen's brass Bill for the last three, four, five, in some instances six years. These Bills are the culmination of those negotiations. There is full agreement amongst the employer, the employee and the pension board. The Laborers Pension Fund is over a hundred and fifteen percent funded because of tax levies and contributions these are well founded funds, they're well-grounded, they're fiscally sound and what they will also do is save the City of Chicago from laying off over 2 thousand employees. This allows the City of Chicago to meet their budget without tax increases and without layoffs. It is a work of art that was put in hard work by the city, hard work by the

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employees and hard work by the pension fund. And if there are any questions, we'll answer 'em, but I think there should be wholehearted support from this Body. Thank you."

Speaker Novak: "Any further discussion? Gentleman from Sangamon, Mr. Poe."

Poe: "Yeah, Mr. Speaker, will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Poe: "Yeah. I would like to ask the Sponsor, even though they've explained well that there's not a liability to the state, what is the total liability that's gonna be to the pension systems?"

Molaro: "Well, the... I don't know who's gonna answer that, but each... each one of those four pension funds have different liabilities. So, in other words, the Municipal Fund, which maybe is about 87 percent funded, would now go to 84.7 percent. The Laborers Fund, which is about 114 percent funded, which is, as just by the number indicates, over funded, would go to a hundred and eleven percent. Both the Firemen's Fund and the... and the Police Fund would also go down by about a point and a half after this legislation is passed."

Poe: "According to our resources, we're looking probably at about a \$700 million liability. Would that be true?"

Molaro: "That's about correct."

Poe: "I guess... I guess the question I have now that we just passed this out of committee and we've only known about it about 24 hours and we had a lot of serious discussion about maybe a Floor Amendment on Senate Bill 193 and House Bill

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3876 and I think with that much liability, there probably wouldn't have been no problem for the Body to actually study some of these issues. But as we look at this Bill, it benefits the State of Illi... the northern part of Illinois. I think what we gotta realize that we got other retirement issues downstate. One of the issues is to extend the early retirement for the teachers and that's something that we've sponsored and it's been in the... it's been in place since last March. It's something that every one of us have schoolteachers in our districts and it's something that we need to put that sunset of 2005 and move that to 2010. I think if we could let this go, even pull it out of the record and act on it tomorrow or even Friday, we've already been announced that we're gonna be in Session until... we won't go in 'til Friday at 3 and it's an opportunity that we could do something for the State of Illinois, not just the regional area."

Molaro: "Well, I... First of all, everything except maybe your conclusion, Representative, I think most of us on this side of the aisle would agree to. I mean, I think the state employees should... we should be looking at an early retirement for them. There are a couple TRS issues that absolutely should be looked at. There's a Chicago Teachers' Retirement System Bill about retirees health insurance that should be looked at. However, the only thing I might add that talks about coupling them is the fact that they're both different funding mechanisms. The two or three systems that I just mentioned and you

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mentioned, cost state dollars. There is a cost to the State of Illinois and as we speak today, even though we might be in agreement that the state can afford it, I'm told that I can't speak for the Governor, but the Governor who is really the employer doesn't wanna look at this now. He doesn't see the money being there. Unlike the city Bills, the employer, which in this case is Mayor Daley or the Chicago Park District, has agreed that the city can afford this and of course, as you well know, two funds that I just recited are 9-year or 87 percent and a hundred and ten percent funded and our funds, according to our employer, are not. I share with you that I think the state can afford it, but I don't know if the employer has. But I see no reason why coming back on Friday that we can't bring up those issues. So, I, for one, and I won't speak for Representative Capparelli, but he did speak at the... at the committee. Both myself and Representative Capparelli will be pushing for these Bills and I think on one or two of them I might even be a cosponsor. So, before these Bills... but because they're different funding mechanisms, I think the Bills should be separate."

Poe: "Is the Chicago firefighters... are they part of this Bill?"

Molaro: "Yes, they are."

Poe: "Is their funds... or what is their percentage compared to the State Teachers' Retirement?"

Molaro: "Their funding level is about... about 45 percent funded. Now, the teachers'... the teachers' is higher, but let me... let me explain this, okay. When we... when we do anything

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for the Teachers' Retirement System, now, I wanna make it clear that I'm not arguing against the Teacher Retirement System. So, if there's teachers out there, you know, we happen to be with you. But the difference is that whatever we do with the Teachers' Retirement System, because of our 45- or 40-year, whatever it is, ramp up, whatever we do as far as a benefit increase, then it's mandated that the next year the budget must appropriate an amount to cover those type of increases. It's not so with the firemen's fund. They have a tax levy which doesn't matter whether they're 30 percent funded, 40 percent funded or 80 percent funded, the number will always be the same 'cause it's a multiplier times contributions. Where with us, it's kinda what the way we... the convoluted way in which we fund pension funds which we should probably have a Constitutional Convention and redes... redesign that. Unfortunately, the way we do it there is a absolute funding problem with the state."

Poe: "Okay. Well, I just wanted to point out that the teachers' fund is funded probably a little bit more than the..."

Molaro: "That's true."

Poe: "...but neither one of them's probably... well, nothing we wanna brag about. I think, another issue I'd like to bring up is we've had an early retirement Bill and when we talk about the argument for passin' this today that there's gonna be 11 hundred layoffs in the City of Chicago, and I sympathize with that. I also represent the City of Springfield where we have numerous state employees in this

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area and I also know by talking to them as we look at maybe more budget shortfalls a year from now that there might be some layoffs in our area. That was one reason we would like to consider doing an early retirement Bill. Someone says, well, that might be extra liability to the state. That is true, but if 3 thousand people, for example, would take this early retirement, that's about a hundred and fifty million dollars savings to the state which approximately would add about \$50 million worth of liability. Still the state nets out of about a hundred million dollars. So, I think that we could say that we can pass those Bills also and be active and it'll be good for the State of Illinois."

Molaro: "Well, the only thing I can say in response, Representative, is that right now the City of Chicago, with the way their budgetary process is, they need this passed. That's why January 31 is the cutoff date that staved the layoffs. I'm assuming and again, I can't speak for the Governor. I have no idea how we are gonna go... here next spring and do a budget without considering the early retirement incentive. I would hope that exactly what you're talking about is gonna be part of the budget negotiations next year. I think that maybe the Governor is saying at this particular point in time to talk about it now and get it done now, maybe the timing's off. Again, I'm not speaking for him, but I don't see any reason why most Democrats and I won't speak for my colleagues, they can certainly turn on their microphone, would be in favor

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of exactly what you're talking about. It's just the timing problem that we have with the city's funding versus the state's."

Poe: "Mr. Speaker, to the Bill. Mr... To the Bill."

Speaker Novak: "This is an Amendment."

Poe: "Okay."

Speaker Novak: "To the Amendment, Mr. Poe."

Poe: "Okay. To the Amendment. I'd just like to address the Body and I wanna say that we have an opportunity now not only to pass something for a reasonable part of the State of Illinois, but we have two other options here that also could help state employees, it could help every one of your districts downstate and we could help those teachers on their early retirement. So, I think, as we think about voting for a Bill that we need to move forward with working on issues that satisfy the whole state and not just the northern region. So, I think, as we look at this, we oughta take care when we vote and it may be an opportunity that we can go ahead and pass somethin' for downstate. Thank you."

Speaker Novak: "You're welcome. Ladies and Gentlemen, we are joined today by our Illinois Attorney General, Lisa Madigan. The Gentleman from Cook, Mr. Osterman."

Osterman: "Mr. Speaker. Ladies and Gentlemen, to the Amendment. What the City of Chicago is seeking to do with this Bill is basically help manage their budget. The previous speaker, a year and a half ago, carried a Bill dealing with the State of Illinois when the state, when all of us were here, trying to address the fiscal concerns that

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we had as a state. We had an early retirement buyout so that we could have that offered to state employees. The City of Chicago is looking to do something very similar which is to manage their budget with no financial impact on the State of Illinois. As a Legislator from the City of Chicago, I'm sympathetic to those concerns about downstate teachers and would work with my colleagues to try to move something at the appropriate time. The only thing is that the City of Chicago as Senator or Representative Molaro had mentioned is under a fiscal time straint... constraints and there are a thousand people that will get laid off if we are not able to do that. That's not talk, that's not posturing, that is a reality. So, to all my colleagues from around the State of Illinois, I would simply ask for your support. Allow the City of Chicago to help manage their budget and avert layoffs for those employees."

Speaker Novak: "Any further discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted to Senate Bill 1704?' All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Third Reading."

Clerk Bolin: "No further Amendments. A pension impact note has been requested on the Bill as amended and has not been filed."

Speaker Novak: "Hold this Bill on Second Reading. Mr. Clerk, on Order of the Bills on Second Reading there is Senate Bill 771."

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Clerk Bolin: "Senate Bill 771, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Joseph Lyons..."

Speaker Novak: "The Gentleman from Cook..."

Clerk Bolin: "...has been approved for consideration."

Speaker Novak: "...Mr. Lyons."

Lyons, J.: "Well, thank you, Speaker, Ladies and Gentlemen of the House. I have Floor Amendment #1 to Senate Bill 771. What this does is it clarifies language that addresses state bank issues with purchase of the shares from the Federal Home Loan Bank of Chicago. Currently, thrifts and federal banks can purchase all the shares they want for the purpose of making mortgage loans to single-family residences. And a letter was put out about a year ago and interpreted from the Office of Banks and Mortgages and they basically real... Office of Banks and Real Estate and they basically had cloudy language on how many shares a state chartered bank can own. What this language does is basically allows the state banks to have the same privilege that thrifts already have, that federal banks already have, to purchase as many shares as they feel they need for the purpose of making loans primarily for single-family type homes. So, I'd ask for your favorable consideration and 'yes' to this Amendment."

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

Mautino: "Thank you... thank you, Speaker, Ladies and Gentlemen of the House. Over the noise in the chamber, I didn't hear

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the Bill and there's actually no analysis, currently. I may have to update the computer screens here. Does this... could you just go through what it is that you're trying to do? I'd had some contact from individual bankers who were involved in the Federal Home Loan Program. Is this... is this that Bill? If it is, then I have some questions."

Lyons, J.: "Ah, Speak... oh, there I am, back on. Frank, yes. This is one of the initiation of the banks, state-chartered banks, who are involved in this. This is their... this is their Bill."

Mautino: "Okay. Now, does this... I guess, who's in support of this and who's in opposition?"

Lyons, J.: "There was nobody in opposition on this, Frank. And it was brought to me with... community banks and the IBA brought this to us while agreed language with the Office of Banks and Real Estate."

Mautino: "So, there was a concern early on, for example, if a... if a community bank or a state bank currently had invested in this program, had dollars invested, does this change the structure in any way or does it place any cap on how much they can invest there? It's had a pretty decent return rate on it about, 6, 6¼ percent. That's been pretty standard and there was a concern that this legislation would remove their ability or to... to invest in that... within that program, which they're currently doing now."

Lyons, J.: "Frank, if I understand what you're asking me, what this does is it clarifies... there was a letter put out about a year ago from Office of Banks and Real Estate that wasn't

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exactly cl... clarify what was the upper limit that they could invest in, in the bank. This clarifies it and there is no limit, that they can do what they want, whatever they... within prudent rules of the Office of Banks and Real Estate who monitors this whole thing anyways. But they had the same privilege basically that the other banks whether it be federal or thrifts or others who participate in this. It clarifies what they can do which, to my knowledge, there is no limit, takes the limit off."

Mautino: "Thank you very much."

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

Flider: "Thank you, Mr. Speaker. Representative Lyons, I al... I also was contacted by a bank in my district about this and my understanding is what we're tryin' resolve here is an unintended consequence that... that had occurred and that we're just... that had occurred because maybe of the... of the frequency of home mortgage loans that were given out due to the recent... recent series of refinancings and so on and as a result some of these banks are now losing a source of... of financing that they once had, but it's sort of an unintended consequence that resulted and we're trying to resolve that?"

Lyons, J.: "What... what... It's a hard time hearing you, Rob. If I understand you correctly, Representative, there was the limit placed on these banks that when they exceeded it, it became an issue 'cause it wasn't clear through the letter that previously, again, from back last year, June of 2002,

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this just clarifies that that limit is off and that they can take out whatever they need fit to make mortgages."

Flider: "And my understanding was that that... that limit had changed because of the frequency of certain kinds of loans and in the amount of dollars that were in loans that banks had and as a result it was an intended consequence here. We're trying to fix that today."

Lyons, J.: "Correct."

Flider: "Thank you."

Speaker Novak: "Is there any further discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted to Senate Bill 771?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 771, a Bill for an Act in relation to banking. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Lyons."

Lyons, J.: "Thank you, Ladies and Gentlemen. We had the discussion on the Amendment. I'd be happy to answer any other questions if there are any further questions otherwise I'd ask for an 'aye' vote."

Speaker Novak: "The question is, 'Shall Senate Bill 771 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? Mr. Davis. Mr. Flider. Mr... Have all

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voted who wish? Mr. Flider, how do you wish to be recorded? Mr... Mr. Flider wishes to be quoted 'aye'. Who's left? Mr. Biggins. Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 0 voting 'no', 3 voting 'present'. Having received the required Constitutional Majority, Senate Bill 771 is hereby declared passed. On page 3 of the Calendar there is Senate Bill 865, the Gentleman from Cook, Mr. Burke. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 865, the Bill's been read a second time, previously. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Novak: "Mr. Burke on Floor Amendment #1."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This matter in its current form has been heard several times actually having to do with the placement of AEDs, automatic external defibrillators in public and private places. The language of the Governor's Amendatory Veto was found to be noncompliant by the Rules Committee of this House and this version of the legislation under Senate Bill 865 would contain the Governor's Amendatory language and also the inclusion of golf courses in the command to have the AED on the premises of golf courses. So, I'd be happy to answer any questions."

Speaker Novak: "Is there any discussion? Representative Osmond."

Osmond: "Mr. Speaker, would the Sponsor yield?"

Speaker Novak: "The Sponsor will yield."

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Osmond: "Representative Burke, what is the difference between this and the one that we cosponsored before? Is there any major differences outside of the golf course?"

Burke: "No, Representative. As I suggested, the Governor's Amendatory Veto language is included in this having to do with limiting the population. We're saying that any facility with a population under 100 would not be included. So, basically, that was about the major change. All of the other facilities that we had talked about previous in other versions of this legislation, it's identical in this language with the exception of bringing golf courses back into the legislation. That had been removed in a Senate version back in the early Session."

Osmond: "To the Bill. Ladies and Gent..."

Speaker Novak: "To the Amendment."

Osmond: "Ladies and Gentlemen, this is our defibrillator Bill which we have passed before in this House. I would like to ask your support once again. This is a very important piece of legislation and we need to get out there and help people that have heart disease. This is the answer. Recently, in the last 10 to 14 days there was an article in the New York... I can't remember the newspaper, now. The New York Times, thank you, they were saying that defibrillators are the way of tomorrow. We need to get defibrillators into the areas that they can be most used. I, please, stand in support of this Bill and ask you all to join me in this Bill. Thank you."

Speaker Novak: "Is there any further discussion? Mr. Eddy."

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Eddy: "Thank you very much. Will the Sponsor yield?"

Speaker Novak: "Sponsor'll yield."

Eddy: "This... Just wanna clarify that this Bill has school districts included in it."

Burke: "Yes, it does, Sir."

Eddy: "So, school districts in Illinois will need to provide at facilities where physical activities are taking place, defibrillator or AED with a trained personnel?"

Burke: "That is... that is correct."

Eddy: "So, this is no different than the Bill that we passed last spring that included that. What is then the major difference between this and that Bill?"

Burke: "In the Governor's Amendatory Veto, it discussed the size of the population that would have to require... would have to place the device. In working with the Governor's staff, we crafted some language that said any venue with a population of under 100 would not be required to have the AED. We did hear from some small church organizations around the state that were concerned that they could not afford the device and given the small population that they would be attending to we believe that we could remove that size venue from the command of the legislation."

Eddy: "So, this version does take into account that concern for those under a hundred and they have been exempted?"

Burke: "That... that is correct."

Eddy: "If a school district has in a building less than 100 students is that also exempted?"

Burke: "Yes, they would be exempted."

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Eddy: "Okay. Thank you."

Speaker Novak: "Is there any further discussion? Seeing none, the question is, 'Shall Floor Amendment #1 to Senate Bill 865 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chairs, 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 865, a Bill for an Act in relation to sports facilities. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Burke."

Burke: "Thank you, again, Mr. Speaker and Ladies and Gentlemen of the House. As I suggested in the passage of the Amendment, this is a matter that we have had much discussion on. There have been many, many different versions of this im... very, very important legislation that could literally save lives in our society. Again, this is the AED Bill, the automatic external defibrillator legislation that, in fact, would be the only opportunity to save a life with the use of electronic stimulus that this device would provide. Again, there has been much discussion about it. This House passed unanimously the identical language that will be contained in Senate Bill 865. I'd be delighted to answer any questions on the matter."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question... Mr. Black."

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

Speaker Novak: "Sponsor'll yield."

Black: "Representative, last year we discussed... foundation may not be the right word, but I believe there is an entity that will help a small facility be able to acquire an AED at a very reasonable price. Is that still your understanding?"

Burke: "Yes, Representative. I'm very glad that you brought that up. There is an organization that's called LifeSignsAmerica that indeed would provide the AED free of charge to any entity that would consent to place advertising in the... the facility, a lobby. It's called... it's an advertising kiosk and additional to providing the device free of charge, they will also offer a stipend to that school or that entity that would place the advertising kiosk. And I would recommend to all the Members of the House, that there is a website, livesignsamerica.com, where one can inquire about the availability of the services that that organization would provide."

Black: "Representative, thank you very much. I think that makes it much more palatable to those from rural areas and I appreciate the work you've done on this. Mr. Speaker, to the Bill."

Speaker Novak: "To the Bill."

Black: "I... I don't like mandates more than anybody... on anyone else and I've often voted against these kinds of mandates. I stand here and tell you I have been converted by

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Representative Burke. When he brought this up some years ago, when we put AEDs in airports like O'Hare and Midway and other places, I'm not of the technological generation and my fear was that the use of an AED by those not fully trained and cognizant of medical technology may very well do more harm than good. I have been proven wrong. I have learned that is not the case. And... and there are people in my community alive today because of access to an automatic external defibrillator. Yesterday, in my district, the Vermilion County Red Cross chapter had a full day training session on the use of AEDs. It is, I think, as Representative Osmond said on the Amendment, this is technology that has become available that is literally... nothing is foolproof, but it literally walks you through it. And for those who don't like unfunded mandates and I empathize with that, I'm from a rural area. All I would say to you is that if you collapse and there is no AED, I don't think the last thing that will cross your mind is by golly, I'm glad I didn't vote for that mandate otherwise we'd have to have an AED here, on the... on the... quite the opposite. I think your last thought might be, why the heck don't we have an AED in our rural high school. This is a good Bill. Technology has made it possible and feasible and workable for the nonmedical technician and if it saves one life in your district over the next ten years, that's far, far above the cost whatever it might be to a fitness facility, a club or a school. The saving of one life is certainly as valuable if not more so than any cost that will be extended

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to put an AED and people who tr... who are trained to use it where it is often necessary to do so. I commend the Sponsor for his efforts on this Bill and for his efforts at educating those of us older than he in the advantages of technology. And Representative, as I've told you before, if I could take that one 'no' vote back, a few years ago, I would because it did... there was a person, as I've shared with you, in my district who had a heart attack at O'Hare and was saved only because of the immediate access of an AED. It's a good Bill. Technology renders it time. We need to make it possible. Vote 'aye'."

Speaker Novak: "Thank you. Any further discussion? Mr. Burke to close."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen. I think Representative Black has put it all together. If we, in fact, through the use of this technology can, indeed, save one life, it is certainly worth it. One that has been following this issue in our state and the several different versions might recall that there was several misstatements advertised with respect to this issue. There has been a misunderstanding of the cost of the purchase of the device, figures as high as \$6 thousand were tossed out there. That is not the case, Ladies and Gentlemen. This device on average runs around \$12 hundred per unit. It's about three and a half pounds in weight. And literally, in our society, there have been individuals as young as eighth graders, 8-, 9-, 10-year-olds, that have been able to operate the device and that was without formal training in

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the use of the AED. This is the opportunity for us to be able to provide technology that can, indeed, save a life in our society. We believe this legislation has been properly crafted. It offers opportunities to venues where people gather in all different context and indeed, we know from all of the studies that this device works. It is lifesaving. It is important to provide this safety feature to our constituents throughout the State of Illinois. And I would, again, invite each and every one of you to reinitiate your concern and commitment to this issue and vote 'aye' as you did previously when we had the unanimous vote just last Session. Thank you."

Speaker Novak: "Representative Lyons, do you wish to... Mr. Burke, you have closed. The question is, 'Shall Senate Bill 865 pass?' All those in favor signify by voting '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. Saviano. Mr. Cultra. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 1 voting 'present'. Having reached the required Constitutional Majority, Senate Bill 865 is hereby declared passed. Representative Lyons, for what reason do you rise?"

Lyons, E.: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Novak: "State your point, please."

Lyons, E.: "I'd like to introduce you to another class from St. John of the Cross School in Western Springs. I would ask

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'em all to rise in the gallery and have you all welcome them to Springfield."

Speaker Novak: "Welcome to Springfield. Representative Holbrook on Senate Bill 216 on a Veto Motion Override. Mr. Holbrook."

Holbrook: "Thank you, Speaker. We voted this Bill the other day, yesterday. It's a quick-take Bill for the extension of our light rail. This is something that there was a little confusion. I'm bringing it back with hopes of picking up the 71 votes. The only thing in this Bill is the light rail extension. It's gonna go on about five or six miles out to the airport. You... you may have problems with quick-take. If you do, you may not like this Bill, but I can tell you that there's absolutely nothing but the extension of the rail line here that we're dealing with and the facilities around it that we're trying to put in. It's a vital piece of legislation for our area and I would appreciate an 'aye' vote. I'd be glad to take any questions."

Speaker Novak: "And on that question, Mr. Stephens, the Gentleman from Fayette."

Stephens: "Thank you, Mr. Speaker. I would just ask my colleagues if they would consider, in spite of your position about quick-take in general, this particular Bill is extremely limited only to the MetroLink system rail extension and what sense would it be to build a rail system and then be tied up in court for years because we can't get that last piece of extension which by the way would involve

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one of our major employers, the #3 employer in the St. Louis region is Scott Air Force Base. What... what a... what a shame it would be if we couldn't make the entire connection because we couldn't get this quick-take legislation passed. So, I implore you and I hope that my friends on this side will just understand that this is a simple, very limited Bill. Representative Holbrook has worked very hard to make sure that there's not any leeway so that this is going to be used for anything other than just the laying of track for this MetroLink system. I... I rep... I applaud Representative Holbrook for his work on this Bill and I implore you to please help us pa... pass Senate Bill 216. Thank you."

Speaker Novak: "Any further discussion? Mr. Lang, the Gentleman from Cook."

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

Speaker Novak: "Sponsor'll yield."

Lang: "Representative, I'm just trying to determine if there's anything else in this Bill aside from the issue involving your community."

Holbrook: "Absolutely nothing. This applies only to St. Clair County and to about five miles of rail extension. Absolutely no other areas involved that we've already done, the 26 miles of track already out to the largest employer south of Springfield, Scott Air Force Base. This'll do the last extension to the airport on the end of it."

Lang: "Thank you, Representative, I'll support your Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I voted against this Bill yesterday as I normally do on quick-take procedures, but as the Sponsor said and my good friend and colleague said just a minute ago, if you'll read this Bill, this is not quick-take for some backroom deal to take someone's house or to take someone's business or to take someone's property for... to pad a developer's portfolio. This is to continue the development of a light rail system that when the NCSL Convention was in St. Louis three or four years ago... It... it's a fascinating device or system to get on and be able to get around St. Louis, go across the river, park somewhere, get out to the airport. Once it was explained to me what this is for and that is to help eliminate traffic congestion in... in the urban area, the Metro East area, to finish mass transit that this country so desperately needs and is so far behind other countries of the world, I will stand here and publicly say, I intend to change my vote. I still don't like the process of quick-take in many cases, but this one, I think, is clear and above board and very specific and the purpose, I think, is one that any of us could defend in any public forum. I think, in all due respect to the Sponsor and those of us who voted against him yesterday, once you really read this and see how narrowly it's drafted and knowing the Sponsor as I do and his integrity, this deserves an 'aye' vote so

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that they, the Metro East area, can get on with the process of finishing their light rail rapid transit system. That is, quite frankly, really something. I... I... I rode it several times to St. Louis Cardinals' games and what have you. I intend to vote 'aye' for the Gentleman's Bill."

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

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

Speaker Novak: "Sponsor'll yield."

Mitchell, J.: "Representative Holbrook, is there any opposition to this Bill?"

Holbrook: "I'm sure there's some folks that disagree with the principle of quick-take, but this is really narrowly defined."

Mitchell, J.: "But..."

Holbrook: "Other than that I don't know of any."

Mitchell, J.: "But there's no organized opposition that we know of?"

Holbrook: "Not that I'm aware of other than those that oppose quick-take on its surface."

Mitchell, J.: "If you look at this Bill, in some ways wouldn't this enhance tourism and the economy in your area?"

Holbrook: "Absolutely. This go... is gonna go to the largest employer south of Springfield. We've got it to the base, this'll take it over to the airport now."

Mitchell, J.: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, at a time when the economy of this state is

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really dragging, I think that we can make an exception even... even to us that usually don't care for quick-take. We have got to do what we can to generate a faster economy, more money to come into the state coffers and this certainly is one that would do that, especially in the area of tourism which is one of the largest growing industries in our state. We have a lot of good things to offer in this state and if we can do some small things for different areas of the state to help the economy and to help the state budget, I think it behooves us all to get onboard. I intend to vote 'aye'. Thank you, Mr. Speaker."

Speaker Novak: "Is there any further discussion? Seeing none, the question is, 'Shall Senate Bill 216 pass, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71 votes. This is final action. All those in favor signify by voting '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 77 voting 'yes', 38 voting 0... voting 'no', 0 voting 'present'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and Senate Bill 216 is declared passed, notwithstanding the Governor's recommendations for change. Representative Currie on a Motion. Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. I move to suspend the posting requirements so that Senate Bill 25

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can be heard in the Committee on Public Utilities and that House Bill 2833 can be heard in the Committee on the Executive. I believe the Motion has been cleared with my counterparts on the Republican side of the aisle. And I'd appreciate your support for the Motion."

Speaker Novak: "Mr. Black. There being no objection, the leave being granted. And the suspension... the posting notice is suspended. Mr. Clerk, what is the status of Senate Bill 1704?"

Clerk Bolin: "Senate Bill 1704 was held on the Order of Second Reading pending the filing of a pension impact note. That note has been filed."

Speaker Novak: "Mr. Molaro on Senate Bill 1704. Excuse me..."

Molaro: "Well..."

Speaker Novak: "Third Reading."

Molaro: "Thank you."

Speaker Novak: "Mr. Clerk..."

Molaro: "Yeah."

Speaker Novak: "...read the Bill."

Clerk Bolin: "Senate Bill 1704, a Bill for an Act in relation to public employee benefits. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Molaro."

Molaro: "Well, Representative Capparelli, who is the Sponsor of the Amendment, spoke to it. We did speak earlier in debate. The pension note, I think, comes out to about 500 million. We were thinkin' about 600 to 700 million. But again, just quickly and briefly, this is agreement worked

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out by the employer, employee and the pension fund and there is absolutely zero, none, no cost to the State of Illinois. The City of Chicago can easily pick this up and this is to balance their budget meaning that they don't have to lay off 15 hundred workers. They can keep everybody workin'. There's assurances now not all those positions will be filled, anywhere from 30 to 40 percent of them will be left out, that's not in the Bill, but those are the assurances we have. And this is a... this is what the early retirement incentive both in private industry and in the public sector is for and this is the perfect time to do it. With that, we'll answer any questions if there are any."

Speaker Novak: "Is there any discussion? The Gentleman from Lee, Mr. Mitchell."

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

Speaker Novak: "State your inquiry, Sir."

Mitchell, J.: "Does this Bill, in fact, have an immediate effective date?"

Speaker Novak: "We will get... we will have that answered very shortly. While we are retrieving that information, the Chair recognizes Mr. Black."

Black: "I'm sorry, Mr. Speaker. Have you made a determination on the effective date?"

Speaker Novak: "No. The information is... is forthcoming and we're gonna go down the list..."

Black: "All right."

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Speaker Novak: "...of people wishing to speak on the Bill. So, Mr. Black."

Black: "Thank you very much, Mr. Speaker. I have great respect for the Sponsor of the Bill and the Gentleman who presented it, but if I might... Let me just speak to the Bill. This Bill involves benefits for the Chicago Fire Department, the municipal workers, the Chicago Police Department, Chicago laborers and park district employees. The bottom line is very simple. It includes over \$700 million in new benefits for various employees of the City of Chicago. There is nothing in this Bill that extends an ERI initiative for downstate teachers, downstate police or fire. I have had a Bill in the House that's still in Rules Committee, House Bill 45, that attempts to ameliorate some of the penalties from the early retirement initiative of the IMRF that... that many people, across both sides of the aisle all over the state, would like to have some reasonable changes made in the penalty provision of the IMRF early retirement option, but none of these things can be accommodated and none of the other Bills moved. I'm not saying that the Bill's a bad idea, I'm not saying that it's a cost to my district or the state as a whole, I'm simply saying, I cannot go back to my downstate district and answer a question in a public forum, why does the City of Chicago get a \$700 million benefit package when we can't even get an extension of an ERI? I don't have an answer for that and until I have a reasonable answer, I have to vote 'no'."

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Speaker Novak: "Ladies and Gentlemen, Representative Mitchell asked the question whether this Bill has an immediate effective date. I am... the Chair has been advised that it does have an immediate effective date and consequently, 71 votes will be required for the passage of this legislation. Representative Molaro. Excuse me, Representative Poe. The Gentleman from Sangamon, Mr. Poe."

Poe: "Mr. Speaker, to the Bill. I spent quite a bit of time during the discussion on the Amendment and I won't elaborate a lot of those things. I just think that, as Representative Black just explained, there's very few opportunities for us as we represent our districts all over the State of Illinois to make something happen and I think we have that opportunity right now. And I know we all have school teachers in every district. All we wanna do is extend that early retirement option for those teachers. I think we have an option here. We could also extend a early retirement and give those people a chance to go ahead and retire without facing possible layoffs. So, I think, at this time... I made a commitment in committee and I voted for it and that commitment was that the two Sponsors said that they would work with us and... on maybe some of the issues we had. I think that opportunity's here now and... instead of later and I, at this point, I think that everybody that has schoolteachers that they're representing oughta vote 'no' until we can get this in this Bill. So, at this time, I think everybody, especially downstaters, oughta be voting 'no'. Thank you."

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Speaker Novak: "Thank you. Further discussion? The Gentleman from Lee, Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill. Again, I have great sympathy for the problems in the City of Chicago and I understand their plight. However, one of the things that the former Representative said was that it's an urgent problem for the City of Chicago, but not as urgent a problem for the downstate teachers. But I beg to differ with that simply because the ERO for teachers is about to sunset. Teachers are going to have to make that decision this spring on whether or not they retire. And believe you me, they're going to be retiring in masses. I don't have the numbers. I've asked for the numbers from the IEA that know how many people are eligible now that if they don't take it now they're going to miss the opportunity. We're not only going to see a tremendous hit on the teachers retirement system, we're going to see a loss of professionalism like we've never seen in this state before. I agree with Representative Black, with Representative Poe, that at this point, at this point, we have plenty of time left to put this together to benefit the City of Chicago, to the teachers that teach our children and at this point a 'no' or 'present' vote would certainly send this back to the drawing board, put it together and come back with one pension Bill. I've been here... around here long enough to know that sometimes you only get one shot when it comes to pension Bills. If this is it, we better make sure that everybody that needs some help in this area gets help. I

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urge a 'no' or 'present' vote at this time. Thank you very much."

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

Mathias: "Thank you, Mr. Speaker. I think my computer's e-mails are filled with letters from... from teachers in my district and even outside of my district and I'm sure many of my fellow colleagues also have the same situation when it comes to the issue of the early retirement. To go even further than what Representative Mitchell just stated, I've... I've had teachers tell me that they've already had to give their notice because of requirements in their school district and that they could not take the chance that this Bill would not pass. Now, most school districts only require a one-year notice, but in this case her school district required a two-year notice and she just could not take the chance. Today, when we are looking for teachers, when we need teachers in our system, especially good teachers, this is not a time to let those teachers go because we can't solve the issue and if we pass it... a retirement extension for them, they will teach an additional number of years and help solve some of the problems with lack of teachers. Now, I know that's not in this Bill, but yet this is the opportunity to bring all of these factions together and... and in an attempt to support all of the needs of the State of Illinois and I appreciate the needs of the City of Chicago and I would support this Bill in a minute if it also contained language that would

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support the rest of the state. So, until that happens, I urge a 'no' vote."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge my colleagues on both sides of the aisle, even the downstate colleagues, to please support this measure. If you look at the legislation, this is gonna help widows of firemen and policemen. Many of them live up in my district and have a hard time making ends meet from month to month. Please don't hold them hostage for some other pension legislation which I would be happy to sponsor and support. They've... I've had widows call my office. We've seen soaring property taxes go up in Cook County and in my district and these people need these increased benefits. Also, the police and firemen do a great job in the City of Chicago and this is long overdue. And we also, as you can see on your analysis, the City of Chicago's planning on laying off people. Many of those people would be in my district and also other parts of the City of Chicago. So, I urge you, please, to please vote for this, if you can. Please remember it's the policemen and the firemen's widows that are also affected by this. And I urge your 'aye' vote. Thank you."

Speaker Novak: "Further discussion? Mr. Osterman, the Gentleman from Cook."

Osterman: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, as I stated earlier, this is an urgent matter.

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I don't disagree with my previous colleagues that talked about the urgency of the downstate teacher pension fund. We can possibly look at some of those issues in the early part of next year. This matter, the City of Chicago's budget ends at the end of the calendar year which means if we do not act while we are here, this matter, they are gonna lay off a thousand people. They're gonna have layoffs during Christmas time. Those are people that work hard every day, like teachers and city service and city government that have families, those people would be helped if we have an early retirement and people leave the City of Chicago. This has no fiscal impact on the State of Illinois. I am willing to work with my colleagues from around the state to look at some of those pressing issues. And we will be here in January and February and March and April and May, but we need the help of all the people from around the state to try to act on this measure right now. I would not be saying this if it wasn't as urgent as it is, but I ask all of you to think about that, think about those people that will get laid off and spend a Christmas, you know, looking for work. So, please support this measure."

Speaker Novak: "Mr. Molaro to close."

Molaro: "Well, I... Thank you, Mr. Speaker. You know, we... we... I guess we're havin' a political debate. I guess, because when people get up there and say we have no problem with this Bill. There's no state money. It helps policemen and firemen and widows and we think it's terrific, but I can't vote for it because there's other Bills I like that I can't

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get called. Well, I can understand why some people not in Chicago would say what do I tell my constituents who want an early retirement incentive, want certain extensions, that we gave the City of Chicago theirs, but we didn't get ours. Well, the corollary is also true. How do we go back to Chicago and say our colleagues thought it was a great idea, but because they couldn't get what they wanted on the time frame they wanted it, they couldn't vote for ours. Representative Osterman said something which I wish everybody could just pay attention to for one minute. The State of Illinois ran an early retirement incentive a year and a half ago. When we brought it up at the end of Session, the City of Chicago was not in position to have an early retirement incentive 'cause they're not on the same fiscal year. We passed the early retirement for the state and we had no early retirement for the city. The city hasn't had one in six or seven years, maybe even longer. After the state passed theirs, this is the first opportunity and by the way, we all know people who retired last June or last July, this is the opportunity for the city. So, to come up and say, well, we want an additional ERI before we give the city's theirs, I just don't understand that especially when there's no state money. We also understand, maybe your constituents don't and I really understand your political problem because they don't understand it, but it also is a fact that when we go into negotiations next year and the ERO, by the way, expires in June of 2004, we have to extend the ERO for the teachers.

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There will be a lot of discussions with an early retirement because early retirement incentives for the state and budget negotiations must go hand in hand. That's the way we've always done it. You can't do an early retirement incentive for the state in Veto without the... requisite budgetary comments and do the... We know that. Now, I understand that it's been a practice for probably a hundred years and Representative McAuliffe, you used the word 'hostage', that's a great way... way to look at this. Nobody wants to hurt the people of the City of Chicago, the laborers, the policemen and firemen, certainly, nobody on that side of the aisle wants to stop this. They just feel, let's hold it hostage 'til we see what we can come up with that's better. The problem is whether you hold it 'til today, 'til Thursday and now I hear we're gonna be here possibly Friday and Saturday, that doesn't change the fact that we're not doing the budget negotiations now. It doesn't change the fact that every early retirement incentive has to do with the state budget. The early retirement for the city has nothing to do with the city budget or the state budget, it's a tax levy two years in advance. We all know that. So, not to pass this makes absolutely no sense when you have the commitment of almost everybody on this side of the aisle that we're gonna do this. Many of those people on that side of the aisle sat with me on the Pension Laws Commission. We, of course, are for an early retirement for state employees. Of course, we're for the teachers retirement system and the extension

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of the ERO and their early retirement. Chicago teachers retirement system has to have theirs, that's all gonna come next years, but unfortunately we have to have the City of Chicago's done right now. And I'd urge an 'aye' vote. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Adams, Mr. Tenhouse."

Tenhouse: "Yes, Mr. Speaker. I would ask if I could yield my time to Representative Jerry Mitchell."

Speaker Novak: "Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I've... I've just received the information that I'd requested earlier. The thing that the Body doesn't understand is that teachers that are eligible for the ERO, that's going to sunset this coming year, have to make their decision prior to any budget negotiations, prior to anything that we do, if we don't do something this Session. Nineteen thousand teachers across the state are eligible for the ERO and their choice is gonna be either, I go now before it sunsets or I wait several years and I can guarantee you what it's going to be. We are going to have a teacher shortage like you won't believe unless we do something for them to keep them in the ranks for more years. That's the reason why we have to tie the pension systems together. It doesn't have anything to nego... do with budget negotiations, it has to do with the crisis we're facing and we're facing a crisis right now. Mr. Speaker, if this receives the requisite number of votes, I'd request a verification."

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Speaker Novak: "Your request for a verification is granted."

Mitchell, J.: "Thank you."

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

Davis, M.: "Thank you, Mr. Speaker. I rise in support of this Amendment based upon the fact that Chicago is attempting not to have a major layoff. With this Bill, it will allow some of those who are eligible to retire early. If they're replaced by workers, they'll be workers who earn less than those at the top of the salary scale. I think it's an economic move that supports Chicago that does not affect the state budget at all, but it does allow the city to in some way make up for the deficit that they too are facing. I think all of us in the Legislature who come from different areas find ourselves in special places frequently seeking something that will perhaps set standards or set something right. In this case, we're asking for the opportunity to offer early retirement to those who meet these standards, there's a cutoff date, I believe, of December 2003, and I believe after that umbrella we will go back to regular terms. I think it's a fair and equitable way to make certain, Mr. Speaker, that hundreds of workers in the City of Chicago are not laid off. I feel very privileged, Mr. Speaker, to urge an 'aye' vote on this legislation. Thank you."

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

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Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ya know, we've had a lot of issues come through here and I know that the last Bill that was just called people refer to and talked about quick-take being a bad thing, but this was a regional thing and it wasn't that bad so a lot of people voted for it and isn't that funny how this is the next Bill that comes after it. So, I think everyone in this chamber's for the teachers in the State of Illinois, but this Bill is not about the teachers in the State of Illinois. That would be great if the next Bill that came up would be the ERO for the teachers. I think you'd get 115 votes for it. But this is about the widows of Chicago police officers and Chicago firefighters. This is about the women and men who put their lives on the line every day, take their chances to protect us. Now, this is bringing parity to downstate firefighters pension benefits, downstate police officers pension benefits and bringing parity to widows pension benefits. Now, if you look at anyone who's over the age of 6... 66, who may be a widow of a Chicago police officer, they're getting \$800 a month. You tell me, a housing market in the City of Chicago that is... can afford a widow a chance to live the proper life that she deserves after living every day with the threat that she's gonna lose her husband on the job. Tell her where she can afford to live the kind of life that they deserve within the City of Chicago. So, we're gonna give 'em a hundred dollars from the pension fund for next year and a hundred dollars the next year from the pension fund,

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nothin' from the state. So, tell me, is that too much to ask for when it costs the state nothing. Let's deal with the teachers' issue, we'll deal with it. Let's deal with this issue and vote on thisue... issue and talk about this issue. Don't talk about other issues when we're votin' on the people that have served their... their entire lives to protect us and our kids. I urge an 'aye' vote. Thank you, Mr. Speaker."

Speaker Novak: "Further discussion? The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House and especially my downstate colleagues. For some of you who are new, you... you may not understand the difference of what the Ladies and Gentlemen are talking about. I've done negotiations for the downstate fire. I've done negotiations for the downstate police. And we negotiate that for all the unions to the Illinois Municipal League and we've successfully reached a conclusion to those negotiations in the past. That's what we do, we reach consensus. Chicago did that in this instance. This has no affect on our downstate fire or downstate police because those negotiations take place every three or four years based on an agreement the separate parties have. They don't wanna reopen those negotiations until that time period has ended. We go through these negotiations every four or five years for each group. This is what they have done in the city. They have reached that successful conclusion. We ought to honor them to do that. We ought

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to honor their agreement, like the people from northern Illinois vote for our agreements for the downstate fire and downstate police. When we increase our benefits for the widows and the other participants, they have voted with us because we negotiated that agreement and likewise, downstate should vote with them today because they've reached an agreement themselves that has no state money, none. If anything, we ought to let them do it because they're using their own property tax base much like we do with our downstate fire and downstate police when we're asked to negotiate those agreements. So, this should not be a regional argument, this is about what's good... what's good for everybody. They've negotiated, reached an agreement, we've done the same thing. It's the same thing. So, I would just simply ask you to give them a vote on this. It's the right thing to do because we're gonna ask them for their votes on our downstate fire and our downstate police in the future. Thank you."

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

Dunkin: "Mr. Speaker, you know, all of us... all of us here in this chamber has someone who is a member of a police department, a fire department who have experienced some type of discernment with one of their colleagues, parents or excuse me, wives, becoming widowed or killed as a result of them serving like we're serving. We serve in a public capacity as every single one of these particular individuals do to serve the public. And this is... And I'm

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actually surprised that we're having such an extended debate with this, right here, given that it's for the City of Chicago specifically and it's really not gonna hurt anyone else outside of the City of Chicago and from the merits of the argument, it's a pretty fair Bill and it's the right thing to do. I urge an 'aye' vote."

Speaker Novak: "The question is, 'Shall Senate Bill 1704 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. This action takes 71 votes. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There has... Ladies and Gentlemen, would you take your cha... take your seats. There has been a request for a verification. Mr. Clerk, poll those voting in the affirmative."

Clerk Bolin: "A poll of those voting in the affirmative. Acevedo; Aguilar; Bailey; Berrios; Boland; Bradley, R.; Brosnahan; Burke; Capparelli; Chapa LaVia; Churchill; Colvin; Cross; Currie; Daniels; Davis, M.; Davis, S.; Davis, W.; Delgado; Dunkin; Feigenholtz; Flowers; Franks; Fritchey; Froehlich; Giles; Graham; Granberg; Hamos; Hannig; Hoffman; Holbrook; Howard; Jefferson; Jones; Joyce; Kelly; Kosel; Lang; Leitch; Lindner; Lyons, E.; Lyons, J.; McAuliffe; McCarthy; McGuire; McKeon; Mendoza; Miller; Millner; Molaro; Morrow; Mulligan; Novak; Osmond; Osterman; Parke; Rita; Sacia; Saviano; Schmitz; Scully; Slone; Smith; Soto; Turner; Washington; Winters; Yarbrough; Younge, and Mr. Speaker."

Speaker Novak: "Mr. Mitchell. Mr. Mitchell."

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Mitchell, J.: "Representative Lindner."

Speaker Novak: "Who did you... Representative Lindner is in the rear of the chamber."

Mitchell, J.: "She's in the back of the chamber. Representative Schmitz."

Speaker Novak: "Representative Schmitz. Representative Tim Schmitz. Is Mr. Schmitz in the chamber? Please remove Mr. Schmitz. Any further requests?"

Mitchell, J.: "I'm lookin'. Thank you, Mr. Speaker, that's enough."

Speaker Novak: "You're welcome. The question is... Mr. Clerk, take the record. On this question... Mr. Molaro."

Molaro: "Let... I just wanna see what... Can we put this on Postponed Consideration?"

Speaker Novak: "Yes. Please, Mr. Clerk, please put this on Postponed Consideration. On page 3 of the Calendar, on Senate Bills-Second Reading, there is Senate Bill 867. Representative Currie. Mr. Clerk, read the Bill, please."

Clerk Bolin: "Senate Bill 867, 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 Floor Amendment #1."

Currie: "Thank you, Speaker and Members of the House. The Amendment is very similar to a Bill we adopted, I believe, unanimously in the spring, Senate Bill 1757 that gives some... puts some meat on the bones of our Rainy Day Fund the effort to make sure that we save resources when resources

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are available so we're not left holding the bag when times get tough. This measure incorporates the provisions of that Bill, Senate Bill 1757, and several proposals that the Governor made in an Amendatory Veto. Those provisions would increase the size of the Rainy Day Fund from 4 percent as in the original Bill to 5 percent of the total General Revenue Fund and that the extra be used to pay down deferred liabilities, create some definitional issues. One item that was in the Governor's Amendatory Veto is not in this Amendment and that was what we believed would be a requirement that we buy his revenue projections. We think that derogates the legislative authority, so we did not include that provision in this redraft. I... This... that's what the Amendment does. It's a measure you voted on before with a few improving items from the Governor. I'd be happy to answer your questions and I'd appreciate your support for the Amendment and the Bill."

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

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

Speaker Novak: "Please state your inquiry, Sir."

Black: "I think the Amendment is in transit. Is it on the system? I can't get it to come up on the computer and staff just... just now brought me a paper copy."

Speaker Novak: "We'll verify it for ya."

Black: "All right. Thank you."

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Speaker Novak: "Very shortly. Mr. Black. Mr. Black, I have been advised that it is now on the system, Sir. Is there any discussion? Seeing none... Mr. Black."

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

Speaker Novak: "Sponsor'll yield."

Black: "Representative, see if I can summarize this Amendment. This puts more money into a fund that has no money and since we have no more money, we're not putting any money in the fund that currently has no money. Is that kind of where we are?"

Currie: "At the moment, that's a definitely fine description."

Black: "Everyone..."

Currie: "But it is hoped..."

Black: "You know..."

Currie: "...that some day times will be different..."

Black: "I..."

Currie: "...and when that happens, then we mightn't find ourselves in quite such a mess as we do this very day."

Black: "Well, as a good friend of mine once said, even a blind squirrel can find an acorn every once in a while. But I... I don't... I... I still... I do not stand in opposition to the Rainy Day Fund. And it seems to me that there are... correct me if I'm wrong. There are safeguards that do not transfer money into this fund unless we had the adequate funds to do so."

Currie: "That's exactly right. Unless the revenues are 4 percent above last year's revenue, nothing goes into the

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fund and in the event that they are 4 percent or more above last year's revenues, in the first year one half of one percent would go into the fund and in the second year, 1 percent of the... of the... of the excess. Remember always, that we... we have ultimate appropriations authority and nothing in this proposal takes that away from us."

Black: "How... how would an increase... I'm not making any assumptions or generalizations, but it appears to me and staff, always very helpful in these cases, that if we were to pass a fee or tax increase and that money were to come in in fiscal 2004, the new revenues would not count towards the amount to be set aside. Is that correct?"

Currie: "That is accurate, yes. The idea is that when we have natural growth one thing we might want to do with a portion, just a small portion of that natural growth, is to set it aside to help us over tough times. If we were to adopt a fee or a tax increase, that obviously is a different kind of growth, presumably we would have done so because we saw problems that needed fiscal solutions. So..."

Black: "All right."

Currie: "...that would be exempt from the calculation."

Black: "Do you think it might be helpful if we just amend, further amend, the Bill to say that all revenues will be kept by the comptroller's office and then disbursed as he or she would see fit? That'd be a really good Rainy Day Fund. Well, I don't think we wanna go there?"

Currie: "I don't think so."

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Black: "Okay. All right. I... again, thank you for your explanation. I... This really is an Amendment that, if you read it carefully, it's a... it can bring a smile to your eyes because we're... we're putting money into a fund that has no money and we're putting money into that fund becau... but we don't have any of that money, but if we do, and I join the esteemed Majority Leader in that case and I'm confident that the economy will certainly rebound and let us do that. I think, I would hope that we, in this Body and across the rotunda, have learned that we need to establish a Rainy Day Fund and to use it wisely. If we haven't learned that lesson, then those who follow us, God help them. I stand in support of the Lady's Amendment."

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

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

Speaker Novak: "Sponsor yields."

Parke: "I'm just flabbergasted at the dialogue that was just held. Can you give us an example of why this is necessary? Why don't we just wait until those happy days come and then put this in rather than putting something nebulous that gives us more rights to appropriate something? Perhaps, you can share with the Body how this would be used."

Currie: "Well, in fact, this is the way most Rainy Day Funds are organized in our sister states. We could, as a Body, we could decide to put some revenues into the Rainy Day Fund with or without this legislation, but what this legislation does is enable us to meet our continuing

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responsibilities. However, when times are good, it gives us a mechanism to build a fund that will help us over bad times, will help us deal with a short-term cash flow problem, will make clear when we have deferred liabilities. This, generally speaking, Representative, is called good government. Now, you don't have to be for it, if you don't like it, but that's the point. It's to make sure that we are treating our taxpayers with respect and yet not tying our hands when it comes to responding to our responsibilities to people who depend upon the state for support whether those are school children, children in care, people who are mentally ill or the developmentally disabled."

Parke: "Representative, I thought we had a Rainy Day Fund?"

Currie: "We do. Unfortunately, first of all, there's not much in it and secondly, there is no mechanism that would in good times try to build up that fund so that it has more value when times are tough. I think the amount in that fund is something like 226 million. I think it's empty at the moment. But will have to be repaid by the end of the current fiscal year."

Parke: "To the Bill."

Currie: "But this mechanism would mean that during the high times of the '90s, we didn't put some money aside for the rainy days to come, we should have and with this mechanism in place, the next time things are good we'll be able to reserve and when the times are bad, we'll... we'll have a cushion to help us over the bumps."

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Parke: "To the Bill. Ladies and Gentlemen, I rise in opposition to this Amendment. If we have extra money, it oughta go into our pension system. I'm sick and tired of us continuing to give up our ability to appropriate money where it's needed best. That's our responsibility. And as far as I'm concerned, this legislation further ties the hands of the General Assembly. We have a tremendous deficit in our pensions systems. When those happy days come again, then that money oughta be going into the pensions to make sure that the futures of the citizens that are involved in our State Government are protected. I rise in opposition to this... to the Lady's Amendment."

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

Currie: "Thank you, Speaker, Members of the House. Remember, this fund is appropriated. We retain complete control over the dollars that go into the Rainy Day Fund and one of the items for which the Rainy Day excess can be used is deferred liabilities. What are those? They're the old Medicaid bills, they're pension payments. So, if the goal is to see to it that that we're doing the job, this is the mechanism that will do it for us. Let me just mention a few of the organizations and individuals who support this Bill. I've already, of course, mentioned the comptroller, also State Treasurer Judy Barr Topinka, AARP, the Illinois Federation of Teachers, the Taxpayers Federation, the Illinois state chamber, the Illinois Association of Rehab Facilities. This has strong support from watchdog

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organizations. Strong support from other constitutional offices. You voted for it in the spring. I recommend you vote for it now."

Speaker Novak: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, 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 867, a Bill for an Act in relation to the state comptroller. Third Reading of this Senate Bill."

Speaker Novak: "Representative Currie."

Currie: "Thank you, Speaker. I think we all understand what this Bill is. It's good government. It is respectful of the taxpayers' dollars. It helps us over bad times. It does not take one wit of our appropriations authority away from us. I recommend a solid 'aye' vote."

Speaker Novak: "The question is, 'Shall Senate Bill 867 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? Representative Munson. Representative Lindner. Mr. Winters and Mr. Schmitz. Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 1 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, Senate Bill 867 is hereby declared passed. On page 3 of the Calendar, under Senate

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Bills-Second Reading, there is Senate Bill 932. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 932, a Bill for an Act in relation to the regulation of professions. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Novak: "Third Reading. Representative Currie on Senate Bill 932. The Chair... It wasn't read a second time, so it'll remain on... it'll remain on Third Reading. On page 3 of the Calendar there is Senate Bill 978. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 978, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Novak: "The Gentleman from Bureau, Mr. Mautino on the Amendment."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 to 978 is a... an issue which was brought to me by a local school district and Department of Transportation. This would allow for a speed to be reduced in front of a school which is contiguous to a state highway. I found also, and I believe, you should have up on the board Representative Moffitt and Wait who had similar situations. The language is agreed. Be happy to answer any questions."

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

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

Speaker Novak: "Sponsor yields."

Black: "Representative, are you telling me this means that all traffic will follow a uniform speed in front of a school, cars and trucks? Will that... if they... if they decide it's a 40 mile an hour zone, then cars and trucks have to go the same speed?"

Mautino: "Yes, within..."

Black: "Isn't that inherently dangerous?"

Mautino: "You know, I was actually the Sponsor of the Bill that you're talking about..."

Black: "All right."

Mautino: "...and I was delighted to actually vote for it."

Black: "That's why I brought it up. Seriously, the only question that I have, this comes up repeatedly in my district along Illinois Route 1, so named because, believe it or not, it was the first state highway in Illinois. I don't know how my district got that distinction, but we did. I have a school that is contiguous to Illinois Route 1. It is, after some improvements, now a four-lane improved highway that runs right in front of Westville High School and the speed limit, I believe, there is 45. And we have tried for years to get IDOT to adopt a school speed zone and they, of course, have always refused. Now, I like this Bill because at least it takes it down to 40, but why..."

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and I... and ya know, Congresswoman Biggert had a similar problem years ago in her district when she served in the House and we had to get IDOT's attention on that and you're gonna have to get their attention on this. I guess my question, Representative, if the people in the school and the people in the community want traffic on a four-lane state highway to slow down to less than 40 miles an hour in front of their school, why can't we get that done?"

Mautino: "Actually, this... this language does not drop it to 40. It gives them that discretion..."

Black: "Yeah."

Mautino: "...to go to the appropriate speed limit as determined by IDOT. Before, the reason we couldn't get this done is because in the warrant process we did not have enough... enough numbers to justify it, but this is a high school that's basically built in a cornfield on the edge of town. So, when IDOT looked at it now they said, we will make you a 40 mile an hour sign and put up a zone, but the reality is the first person who contests that ticket will win because there was no way to enforce it. This language gives them the latitude to do that below that 45 mile an hour buffer which is your problem and is Representative Wait's and Moffitt's as well."

Black: "Would there be a way, under this Bill that the... the board... the school... the elected school board of Westville High School could petition IDOT to, in fact, make the speed limit in front of their school say 30?"

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Mautino: "Yes. If you look at the language, it says directly that the department 'may' at the school district's request set a reduced speed limit for student safety purposes in a portion of the highway that faces the school property and which is our situation, they can go actually a quarter of a mile in either direction. For ours, the south... the southern district of the Mendota High School is in town, so the city can, by ordinance, set that at 25 if they wanted to. They can go to that... they can go to that level. But the northern section, which has a rise in it about an eighth of a mile out where people are coming up fast and we had the unfortunate incident of about five accidents in four months including two deaths of a... of a young couple from Rockford. So this... this gives 'em that flexibility within that line of sight and the department agreed it should be done."

Black: "Well, I... I appreciate that because if... and my memory isn't what it used to be. But as I recall, in some meeting with IDOT three or four years ago, even though this school and Illinois State Route 1 was within the corporate boundaries of the City of Westville, they have always told us that the City of Westville cannot overturn the established speed limit on the state highway. So, if this Bill fixes that, more power to you and I would be... I would be honored to be a cosponsor because I think after many years of trying this may address some concerns that have been expressed over the years by the Westville Community Unit School District and perhaps can finally, after years

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of being unsuccessful, maybe reach an accommodation with IDOT. I loved to be a cosponsor and appreciate you bringing this forward."

Mautino: "I'd... I'd be honored to have you and I'll..."

Black: "Thank you."

Mautino: "...I'd ask for the Clerk to put that up on the board, as well. I'll sign the paperwork."

Speaker Novak: "Further discussion? The Gentleman from Boone, Mr. Wait. Sponsor'll yield. Mr. Clerk, Mr. Wait's microphone is not on. Recognize Mr. Biggins' microphone."

Wait: "Mr. Speaker and Ladies and Gentlemen of the House, I guess my speaker isn't workin' today. Anyway, I just wanna stand in solid support of this Bill. I have a similar situation in Genoa. It is built on a new... built on a new highway on Route 72 and we also have been trying to lower the speed limit, but because of the current law we are not able to do this. This just is a commonsense approach to solvin' a particular problem that we have and I'm sure you might have in your district. So, I would just suggest that we all vote 'yes' on this Bill. Thank you very much."

Speaker Novak: "Further discussion? The Lady from Will, Representative Kosel."

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

Speaker Novak: "The Sponsor will yield when he gets back to his chair."

Kosel: "Is it your intention that this would cover both public and parochial schools?"

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Mautino: "I think the language, as drafted, would it... would be broad enough that it would cover it. They could most likely petition IDOT. I can get you a confirmation on that."

Kosel: "We need..."

Mautino: "But it says a school property."

Kosel: "Yeah. My problem is and I have this exact same situation, but it involves a parochial high school. And so I would be very, very interested in having... having that include parochial schools. My concern is that in the legislation where you say the school district would petition, parochial schools may not necessarily have a district. Although those... although those are small letters and could refer to an archdiocese or something else. I would think that this would be very beneficial for parochial schools, as well."

Mautino: "I'll... I'll find that out on 'unit' with the word 'district' in there, it may apply only to public schools and I'd be willing to work with ya on a follow-up for these if that's the case."

Kosel: "Thank you."

Speaker Novak: "Any further discussion? Seeing none, the question is, 'Shall Floor Amendment #1 to Senate Bill 978 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair, the Amendment is adopted. Any further Amendments, Mr. Clerk."

Clerk Bolin: "No further Amendments."

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

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Clerk Bolin: "Senate Bill 978, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. This... this Bill has been, I believe, fully debated. We have no opposition, solves a long-standing problem for many school districts that are out there. And would provide for increased safety for the students and those who are using the distance learning center located in these... these high schools and grade schools that would now qualify. Ask for an 'aye' vote."

Speaker Novak: "The question is, 'Shall Senate Bill 978 pass?' All those in favor signify by voting '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. The question is... On this question, there are 111 voting 'yes', 0 voting 'no', 0 voting 'present'. Having reached the required Constitutional Majority, Senate Bill 978 is hereby declared passed. On page 3 of the Calendar, under Senate Bills-Second Reading, there is Senate Bill 1412. Mr. Clerk, read the... what is the status of the Bill, please? Senate Bill 1412."

Clerk Bolin: "Senate Bill 1412, a Bill for an Act concerning anatomical gifts. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Mr. Sacia on Senate Bill 1412. Excuse me, thir... Third Reading. Hold the Bill on Third Reading. On

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page 3 of the Calendar, under Senate Bills-Second Reading, is Senate Bill 1510. Mr. Clerk, what is the status of the Bill, please?"

Clerk Bolin: "Senate Bill 1510, a Bill for an Act concerning the freedom of information. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. On page 4 of the Calendar, under Senate Bills-Second Reading, there is Senate Bill 1559. Mr. Clerk, what is the status of the Bill, please?"

Clerk Bolin: "Senate Bill 1559, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Novak: "Mr. Mautino on Floor Amendment #1."

Mautino: "The question of the Clerk, is Floor Amendment 2 also ready to be called?"

Speaker Novak: "Mr. Clerk, how many Amendments have been filed?"

Clerk Bolin: "Floor Amendments 1 and 2 have been approved for consideration."

Mautino: "Okay. Amendment..."

Speaker Novak: "Does that answer your question?"

Mautino: "Amendment 2 becomes the Bill on there, so I believe we'd need to withdraw Amendment 1?"

Speaker Novak: "Okay. Mr. Clerk, withdraw Amendment #1. Amendment #... Floor Amendment #2 is offered by Representative Mautino. Mr. Mautino."

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Mautino: "Thank you, Mr. Speaker. This Bill is a work in progress and it... it affects the Farm Development Authority, one of the agencies which was consolidated within the... under, I believe, it was 1901. The Amendment itself will incorporate language from Senator Larry Walsh and increases the availability of farm loans through the development authority to small farmers and larger... large farmers, as well. The proposed loan program improvements will serve more farmers without cost to the taxpayers, the operating expenses of the Farm Development Authority will be paid by the farmers and lenders, there's no GRF, there's no bonding within this program itself. The... and the rural farm representation would also be intact. This Bill does take the Farm Development Authority out of the new consolidated agencies. We are working basically to put in place a structure that will serve more farmers, will increase the amount of the loans available from 500 thousand up to a million and will also allow some of the... so that some of our larger farms can enter these very successful programs. We would like to keep that intact. This does, in fact, take it out of the consolidation, but that's a point that we're negotiating. We hope to come up with a... a stronger Farm Development Authority program. I would ask the Body's permission or acceptance to bring this legislation forward and to continue working on it in the Senate."

Speaker Novak: "Any further discussion? Hearing none, the question is, 'Shall Floor Amendment #2 be adopted to Senate Bill 1559?' All those in favor signify by saying 'aye';

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opposed say 'no'. In the opinion of the Chair, the Amendment is adopted. Any further Amendments, Mr. Clerk."

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 1559, a Bill for an Act in relation to agriculture. Third Reading of this Senate Bill."

Speaker Novak: "Mr. Mautino."

Mautino: "Thank you. Amendment 2 now became the Bill. This will increase the availability of loans to young farmers. It doesn't change the debt caps, costs the State of Illinois no additional money, but will bring more people into the program and will assist agriculture. I stand ready to answer any questions. And I'm looking forward to working with the Governor's Office and many of our farm groups. This was actually brought to me by a local constituent, Kurt Anderson, who was one of the members of the... excuse me, Kurt Favor, who had been a member of the farm board and thought these improvements could greatly help all the farmers in the State of Illinois. I agree and would like the opportunity to continue working."

Speaker Novak: "The question is, 'Shall Senate Bill 1559 pass?' All those in favor signify by voting '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 111 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, Senate

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Bill 1559 is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 875?"

Clerk Bolin: "Senate Bill 875, a Bill for an Act concerning higher education student assistance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Hold the Bill on Second Reading. On page 4 of the Calendar, under Senate Bills-Second Reading, there is Senate Bill 1656. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1656, 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: "On the Amendment, Majority Leader Currie on Senate Bill 1656. Mr. Clerk, take the Bill out of the record. Representative Currie on Senate Bill 1656 Floor Amendment #1."

Currie: "Thank you, Speaker and Members of the House. This Amendment represents an agreement among the Leaders to do some reorganizing and reforming of the way the legislative support agencies operate. It would reduce from 11 to 8 the number of such agencies and it would create the Office of Architect of the Capitol, a professional who can help us with the rehab and re... redo projects that would serve us well. The ultimate savings from this reform could amount to or in the neighborhood of \$400 thousand a year. I'd be

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happy to answer your questions and I'd appreciate your support."

Speaker Novak: "Is there any discussion? The Gentleman from McLean, Mr. Brady. Seeing no discussion, the question is, 'Shall Floor Amendment #1 to Senate Bill 1656 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, 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 1656, a Bill for an Act concerning space needs. Third Reading of this Senate Bill."

Speaker Novak: "Representative Currie."

Currie: "Thank you, Speaker. I think I explained it. The Amendment becomes the Bill. I'd appreciate your support for this important reform in Illinois State Government practices."

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

Lyons, J.: "Thank you, Mr. Speaker. Not a question, but to the Bill. As the cochairman of the Space Needs Commission and realizing what is being proposed here, I certainly don't stand in the way of what we're trying to do, but I do stand in support of some wonderful people that have worked my years. My experience having been on the commission for at least six or seven years and cochairman for the last three, I just wanna let you know there are some outstanding people who've done an outstanding job on that commission that I'm

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very concerned with and I would hope would certainly be incorporated into whatever redevelopment we have here, Leader. And if you care to address it, that would be wonderful."

Speaker Novak: "Any further discussion? The Lady... excuse me. Representative Currie, I'm sorry."

Currie: "I think that was a question and my understanding is that, yes, the technical expertise of the existing staff at the Space Needs Commission will be very much involved in this enterprise."

Lyons, J.: "That's great. Thank you very much, Leader. Appreciate it."

Speaker Novak: "Further discussion? Representative Slone."

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

Speaker Novak: "Lady'll yield."

Slone: "Representative Currie, can you tell me whether this legisla... this legislation would require us to keep the Stratton Building in place and be remodeled as opposed to considering the possibility of destruction..."

Currie: "It did not require the retention of the Stratton Building."

Slone: "Thank you."

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

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

Speaker Novak: "Sponsor'll yield."

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Mulligan: "Representative, I hate to admit that I don't think I heard your entire explanation of the Amendment. Does the Amendment become the Bill?"

Currie: "Yes."

Mulligan: "All right. So, this Bill no longer eliminates the Pension Laws Commission, the..."

Currie: "Yes, it does. It restores to the Economic and Fiscal Commission the responsibilities of today's Pension Laws Commission and folds the responsibilities of the Intergovernmental Cooperation Commission into the Legislative Research Unit. It also creates the Architect of the Capitol position to be filled by a professional to make sure that we do not do damage to the historic resource that this State Capitol building is."

Mulligan: "So, it eliminates the Commission on Intergovernmental... Intergovernmental Cooperation, the Space Needs Commission, the Pension Laws Commission and all seven Citizen Councils of Citizens Assembly which we haven't had for a number of years anyway."

Currie: "That's true. That's... it's defunct, so we don't actually get any savings from abolishing that."

Mulligan: "So, what picks up the place of the Pension Laws Commission, did you say?"

Currie: "About ten years ago, those responsibilities were handled by the Economic and Fiscal Commission and the Economic and Fiscal Commission would pick up those responsibilities when the Pension Laws Commission is gone."

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Mulligan: "By eliminating the Space Needs Commission, is that going to have an impact on the sale of such things as the Thompson Center and give less oversight for that?"

Currie: "No. And in fact, the staff at the Space Needs Commission would continue operative under the direction of the Architect of the Capitol. So, we're not retaining the commission with Legislative Members, but this does not mean we are firing the staff."

Mulligan: "And the Commission on Intergovernmental Cooperation, how will that im... be taken up..."

Currie: "Those responsibilities will be transferred to the Legislative Research Unit."

Mulligan: "Don't they do more than what the Legislative Research Unit currently does?"

Currie: "I said those responsibilities and the staff will go to the Legislative Research Unit."

Mulligan: "All right. And..."

Currie: "They do some things somewhat different, but it's not entirely in conflict."

Mulligan: "And then would they also report to the General Assembly on issues that impacted that we got the letters and the information..."

Currie: "The Legislative Research Unit is one of our support agencies as was the Commission on..."

Mulligan: "Right. I'm on the board there..."

Currie: "...Intergovernmental Cooperation."

Mulligan: "...but I just didn't envision this."

Currie: "And they do report to us and they will."

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Mulligan: "All right. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Sangamon, Mr. Poe."

Poe: "Will the... will she yield? The Representative yield?"

Speaker Novak: "The Sponsor will yield."

Poe: "Okay. All right. Little bit... Could you tell me what... who mo... what motivated this change?"

Currie: "This was... actually the brain child of the chiefs of staff of the four Legislative Leaders, so our hats should be off to... to the people who work with these commissions, work with issues of the building day in and day out and they took a few days off this summer to think it through and they concluded that this will be a better way of operating these legislative support activities in our interest."

Poe: "Was this motivated by a money savings or if it was could..."

Currie: "No. As I said, there will be... there are projected savings, about \$400 thousand ultimately is the ballpark figure I've been given. But it's also important, as other states have done, especially with historic capitol buildings to make sure that the rehabs, the renovations that are done, are being done under the direction of somebody who is well-versed in those practices."

Poe: "Could you..."

Currie: "So, the idea of an Architect of the Capitol is certainly not new, not the first time it's come around here in the State of Illinois. It happens in other states and

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those of us who've noticed, ya know, so that the occasional shard of ceiling falling on your side of the aisle or the problems that have been discovered in Room 400, let's make sure we have a very professional operation when we are making changes to our physical plant."

Poe: "Could you briefly go over some of the big items that's gonna be into \$400 thousand savings?"

Currie: "Because we are... we are abolishing three current legislative support agencies and turning some of their functions over to other agencies, that's the estimate of the savings."

Poe: "So, it's a cut in... cut in employees?"

Currie: "I don't know that... Right now, several positions are vacant. Some of those positions may not be refeeled... refilled."

Poe: "How many Legislators will be in this new mix?"

Currie: "Well, there are Legislators who serve on the boards on each of our current support agencies, so the only two that are... if the three that would be affected are the intergov... Intergovernmental Cooperation Commission, the Pension Laws Commission, which includes some Legislators, and the third would be the Space Needs Commission. As I say, the staff of the Space Needs Commission would continue and so would the staffing from those other agencies."

Poe: "So..."

Currie: "And lawmakers who... who have been Members of those commissions are welcome to ask their Leaders to appoint them to one of the other support agencies whether the LRU

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or the LRB, the Economic and Fiscal Commission. We have a fair number remaining."

Poe: "Would you... You mentioned the Pension Laws Commission. Is this doing away with the Pension Laws Commission also?"

Currie: "Doing away with what?"

Poe: "The Pension Laws Commission."

Currie: "The commission itself would cease to exist, but the responsibilities would return to the Economic and Fiscal Commission which handled those responsibilities until about a decade ago."

Poe: "Ya know, I think we just had an example of a Bill that went through here today that was acted on rather quickly and in the past that Bill would have went through the Pension Laws Commission and we probably wouldn't had near as much discussion on it going through and being put on Postponed Consideration. As far as the Space Needs... Do you feel that... that when we have more than one oversight that that's not good? You think a single oversight board is better than multiple oversight boards?"

Currie: "I don't know that we need to have duplicative oversight and I would say that the staff of the Space Needs Commission will continue to work in these operations. I think the advisory board that is created by this Bill, which includes not just the General Assembly, but the courts, every constitutional officer and the mayor of the City of Springfield so where we are doing planning and development, we are working cooperatively, not at cross purposes. I think that provides excellent oversight of the

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sort that is most helpful to a city and the State Government plan that may be aesthetically pleasing as well as functionally sound. As I say, this proposal came from your chief of staff and mine and from the chiefs in the other chamber and I think that it makes good sense."

Poe: "Will this affect the new Abraham Lincoln Library and Museum?"

Currie: "No."

Poe: "Okay. I'd... I guess, you know, on two of those commissions you're eliminating, I represent this caucus and I didn't feel that we wasted our time, especially in the Space Needs as it was an oversight committee. We were very active. We questioned a lot of the add-ons that come after each contract and I'm not real sure I'm ready to support this Bill yet. I think that there was a lot of good that happened in the Space Needs Commission and it was a lot of accountability and that's what I'm questioning at this time. So, at this time, I'm... can't say whether I'm a supporter or not, but it does concern me that we're doing away with that oversight board."

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

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

Speaker Novak: "Sponsor'll yield."

Lyons, E.: "Representative Currie, could you just clarify for me and we spoke about this Bill earlier. If the members of the Intergovernmental Cooperation Commission will no longer be viable..."

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Currie: "Right."

Lyons, E.: "...and they... the... that commission will be consolidated with LRU, correct?"

Currie: "That's right and there will be continuing a... an LRU board that will include Legislators."

Lyons, E.: "And my question is, how many... how many legislative Members are on the LRU board?"

Currie: "We think it's 12, but we're double checking."

Lyons, E.: "And that board will not be expanded. It could possibly be reduced, correct?"

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

Lyons, E.: "Yes. The LRU board that we're referring to, will that board be expanded or reduced or stay the same?"

Currie: "No, it would stay the same."

Lyons, E.: "So, those Members that are on the LRU board will take on the responsibilities..."

Currie: "Yes."

Lyons, E.: "...of the commission?"

Currie: "And individuals who would like to continue the work of the commission would be invited to speak to their Leaders about the possibility of appointment to the LRU. Similarly, people who are concerned with the pension issues might redouble their efforts to find a seat on the Economic and Fiscal Commission."

Lyons, E.: "And that's my question. How could they do that..."

Currie: "The Leaders appoint..."

Lyons, E.: "...if the banded... if the..."

Currie: "...the Leaders..."

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Lyons, E.: "...the board is not gonna be expanded and there are Legislators there already, how could..."

Currie: "Well, maybe... maybe a little trading with the Legislator who's not real interested in the LRU, but is serving on that... in that capacity. Maybe that's one way to go. There are changes every Session in the General Assembly and in another year, will be a new Assembly. So, I think that one can work with one's own Leader and one's colleagues to see that one has landed in a place where one feels effective and has resources to offer."

Lyons, E.: "Thank you. And I would also like an assurance that the pamphlets and information that the Intergovernmental Commission publishes will continue with LRU board."

Currie: "That is one of the responsibilities that is transferred."

Lyons, E.: "And so, you don't see a reduction in any of... in any of that material?"

Currie: "No, I do not."

Lyons, E.: "And then my other question is, does this Bill have anything to do with the funding for the organization for NCSL or the other..."

Currie: "No."

Lyons, E.: "This Bill has nothing to do with that?"

Currie: "No, no."

Lyons, E.: "Okay. Thank you."

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

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

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Speaker Novak: "Sponsor yields."

Parke: "Representative, the Pension Laws Committee was a pretty responsible committee, wouldn't you agree?"

Currie: "Whether I would or wouldn't isn't the issue. Should there be some analysis of pension Bills that come before the Assembly, I would say 'yes', but the Economic and Fiscal Commission used to do a good job and I think they can do a good job in the future. My..."

Parke: "Well, my point is, is that there's an awful lot of pension legislation that's going on and have you made any provisions with any of the accepting boards to provide additional staff or additional appropriation that if you're gonna take the responsibilities of one group and give it to another group, there ought to be some corresponding budget consideration or staff considerations with payment and benefits to that staff."

Currie: "Yes. There will be a transfer of some staff and appropriations to the Economic and Fiscal Commission, for example, to pick up the new responsibilities with respect to pensions."

Parke: "Do you know what that is?"

Currie: "You mean the amount?"

Parke: "Yes."

Currie: "I believe all of it will be transferred whatever is in the... in that line in... with the unobligated amount during the remainder of the fiscal year."

Parke: "And that personnel, will the directors of those agencies have any say in it?"

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Currie: "Now, some of the... some of these agencies are missing directors just at the moment, but there are other staff and I believe it is the intent in... to transfer that staff."

Parke: "Okay. When they transfer the staff, will the directors have the responsibility of overseeing and giving raises and... and also terminating their contracts under not doing their jobs as... I mean, every one of 'em then will be accountable to the new director for performance, right?"

Currie: "Yeah, but the... but the director of the Economic and Fiscal Commission will then be the person in charge of the employees who work on the pension material."

Parke: "And also, on the Space Needs Commission going to this new nebulous... What do we call 'em? Office of the Architect. Now, does this Office of the Architect, is it your intention, under this legislation, to hire a certified architect?"

Currie: "Absolutely. And, you know what, it's about time."

Parke: "Well, I don't have a problem with it. I just wanna make sure you're doing it. Now, where's the money gonna come to pay for a certified architect?"

Speaker Novak: "Mr. Brauer."

Currie: "Yeah. We will have money from the... from the appropriations of the Space Needs Commission."

Parke: "Representative, we're... we're still talking."

Speaker Novak: "Sorry."

Parke: "Thank you."

Speaker Novak: "Pardon me."

Parke: "It is gonna be come from where?"

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Currie: "From the Space Needs Commission appropriation."

Parke: "Is there enough money in there to do that?"

Currie: "We believe so."

Parke: "If you are going to... to do that, will this person be full-time or will they... person be part-time and have other clients?"

Currie: "I... You know, I... my guess would be full-time."

Parke: "How come you don't know?"

Currie: "It's intended to be full-time. It's intended to be comparable to a director of one of the support agencies. It is not so stated but I don't think that their job descriptions say full-time either. It is somebody who's got to have a... So, it's essentially the executive director with architectural background."

Parke: "All right. And so, it'll be your intent, for legislative intent anyway, that this is a full-time employee of the state."

Currie: "I believe so."

Parke: "And what'll we do with the people that were on the Space Needs Committee (sic-Commission)?"

Currie: "Well, as I say, the people who are working there will continue. They will work under the Office of the Architect of the Capitol. The Legislators will not be there. I know at least one who's told me for some time that he didn't think this was the most useful way of spending his time much as he admired the work of the staff."

Parke: "Well, wouldn't it be helpful to those men and women in the Legislature who are on those committees with that

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background and knowledge of... of maybe some of 'em being on for four, eight, ten years to have an opportunity to serve on this other commission and bring their expertise to the new commission who's not had the responsibility before?"

Currie: "Well, I... I think we've got a advisory board to the Office of the Architect that I think will do the job. We have the constitutional officers who have a stake in the way space is allocated, used and rehabilitated in the Capitol complex and the mayor of the City of Springfield as well as legislative appointments."

Parke: "The Citizens Council of the Citizens Assembly in essence has not been functioning for..."

Currie: "For many years, so..."

Parke: "...a long time."

Currie: "...that's just a technical cleanup."

Parke: "So, it's sort of perfunctory, huh?"

Currie: "Yeah."

Parke: "Okay. Is there... In the hearings that you had on this legislation, when you presented it in committee, did anybody bring up any arguments that you would consider adding into the legislation maybe in the Spring Session?"

Currie: "Actually, no one did. And as I say, this is something that has been discussed among our staffs for a significant period of time."

Parke: "Okay. Thank you, Representative."

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

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

Speaker Novak: "Sponsor yields."

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Brauer: "I guess I have some real concerns over this. We talk about creating a new position called Architect of the Capitol. I assume this is gonna be a... a professional that's gonna be level to a director's position?"

Currie: "Sorry. Could you repeat the last part of the question?"

Brauer: "This is going to be an architect that's gonna be elevated to the level of a director of an agency?"

Currie: "Yes, because we need that kind of expertise when we're doing our redos. You know, we just did this wonderful rehab of our ceiling and you'll notice that some of it has fallen on the desks of the Members on your side of the aisle. We hope to avoid a repeat."

Brauer: "Would..."

Currie: "We... It doesn't mean we want it to fall on the Members on our side of the aisle."

Brauer: "So, I... I guess my concern is here, ya know, we have legislative oversight. You're saying that we're going to go... go away from legislative oversight?"

Currie: "There will be a lot of oversight. The constitutional officers, the mayor of Springfield, the Legislative Leaders and the court will all have oversight. A ten-member advisory board will be working with the Architect of the Capitol, plenty of oversight."

Brauer: "So, the Governor has stated to you that he wants to come down to Springfield more often and have oversight on this particular..."

Currie: "We'll find out."

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Brauer: "...committee?"

Currie: "We'll see."

Brauer: "Well, how about the attorney general? Do you think she's really interested in giving oversight to this committee?"

Currie: "I think she's interested in how her space is allocated and if there are rehab projects. I'm sure she's interested to make sure they've come out right."

Brauer: "How about the treasurer? Do you think she wants to come down and spend time and give oversight to this committee?"

Currie: "Absolutely."

Brauer: "And so does the comptroller?"

Currie: "And who's... and who?"

Brauer: "The comptroller?"

Currie: "The constitutional officers are pleased to have this oversight role themselves."

Brauer: "So, basically, what you're tellin' me is that the... the Space Needs Committee (sic-Commission) has been negligent, that they haven't done their job. Is that correct?"

Currie: "No. I think that what we're saying is we need an architect. The people who are affected by the decisions about space allocation and renewal and rehabilitation of the Capitol facilities ought to have a say. We think that oversight is perhaps especially useful and they seem to agree. And that's why our Leaders are proposing this legislation to us."

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Brauer: "What... what other commissions will be abolished with this new Bill?"

Currie: "The Pension Laws Commission goes to Economic and Fiscal. Space Needs goes to the Office of the Architect of the Capitol. The Intergovernmental Cooperation Commission goes to the Legislative Research Unit and the reference to a defunct Citizens Council is deleted."

Brauer: "So, how many Legislators will not perform duties in these commissions then?"

Currie "I'm not sure how many were on the Pension Laws Commission. I believe on the Intergovernmental Cooperation Commission and the Space Needs Commission there should have been 12 apiece."

Brauer: "Twelve apiece?"

Currie: "But I suspect we can find plenty of work for those lawmakers to do in other venues."

Brauer: "Well, being in the Minority, I get bored easily and so that's what I'm concerned about is that..."

Currie: "I'm going to find something personally for you to do during the Spring Session, Representative."

Brauer: "Well, and I think it's important that we maintain this legislative oversight. I think it's important when you look at this Capitol complex. When you look at the people that's been involved in this for years, I think it's important that we keep these people and keep 'em involved. I know Representative Poe has a wealth of knowledge as what's happened here and I guess I'm concerned that we're lookin' for a cure for no known disease."

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Currie: "I'm sorry. Was that a question?"

Brauer: "Yes."

Currie: "I'm sorry. Could you repeat it? It's really loud."

Brauer: "Let me rephrase the question. You're... you're saying that we're... we're gonna hire a architect, we're gonna do this thing right. And so that would suggest that we've had some projects in this Capitol complex in the past that haven't been done right. Would you care to just to name a few?"

Currie "Well, my understanding is, that Room 400, which was renewed, I don't know, five, eight years ago, apparently that... now there are mold problems in the light fixtures. They've had to go down to brass tacks in that room and as I mentioned, we've had some problems with the redone ceiling on the House Floor. Other states with historic buildings, like our own, have gone in this direction and we believe it would behoove us to do the same."

Brauer: "Well, I wouldn't have a problem with an Architect of the Capitol. What I have a problem with is getting rid of legislative oversight. So, I'd encourage other Members to vote 'no'. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Peoria, Representative Leitch."

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

Speaker Novak: "Sponsor yields."

Leitch: "Thank you. I'm very concerned about the functions of the Pension Laws Commission. Can you describe how the

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functions of the Pension Laws Commission would be carried out under the Economic and Fiscal Commission?"

Currie: "I believe it'll be the same responsibilities."

Leitch: "Well, for..."

Currie: "Currently..."

Leitch: "...for example, will the... will they recommend whether a pension Bill shou... should be eligible for consideration by the legislative committee?"

Currie: "I believe it will be identical to what they are doing today and I would remind you that there will be legislative oversight since there are 12 Legislators serving on the Economic and Fiscal Commission."

Leitch: "Well, I'm very concerned that in the last Session the Pension Laws Commission has not functioned at all. And I think it's... every Member in this chamber ought to pay a lot of attention to this issue because I think it is, especially at this time given all the concerns about the pensions, there's a paramount importance to the Members to make sure that those functions are being provided. And one of the most important functions was to evaluate all these proposals as they related to consistency and benefits across the system. They were able to catalogue the benefits. They were able to do very important work as far as being able to identify the fiscal impact on the systems. There is extremely good work done on the financial health of this systems. There was... there were a whole litany of issues that I thought were of critical importance to trying

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to reign in, make comparable and have a responsible pension system. How will that function under this board?"

Currie: "I don't disagree with you in any way, shape or form. It is my view that when the Economic and Fiscal Commission did those analyses for us, precisely the ones you're talking about, cost to the system, benefit to the recipient, uniformity, I think we got a very good work product. And I am sure that the Legislative Members of the Economic and Fiscal Commission will make sure that we get a strong work product of the kind you want, I want and we need when those functions are within that commission."

Leitch: "Do you envision the Economic and Fiscal Commission, for example, voting on a series of proposals to decide whether they are eligible, in effect, for a consideration by the actual pension committees in the House?"

Currie: "You know, I... I... I'm not sure that they'll be voting up and down. If it's... The Pension Laws Commission mostly voted up, as I recall. I don't remember many downs, but..."

Leitch: "Now, I was on that thing for... and it was a very challenging commission to be on..."

Currie: "It is very challenging. So..."

Leitch: "...because we had to spend a tremendous amount of time trying to organize the framework and a consistency and a means of evaluating all these systems is a very, very complicated..."

Currie: "Yes."

Leitch: "...very sophisticated, very expensive series of issues that come before the Pension Laws Commission."

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Currie: "Well, all I can tell..."

Leitch: "I think it is a huge mistake not to have that commission function. What will happen to the present employees who are, in my opinion, extremely well-versed and I hope they're not gonna be replaced?"

Currie: "The plan is that they will move to the Economic and Fiscal Commission. The present employees will move, the responsibilities move with them. Lawmakers serve as members of the Economic and Fiscal Commission. That oversight, that commitment that you described from your service will continue through the lawmakers who serve as members of this alternate group. And that's the way it used to be, Representative."

Leitch: "Well, I... now..."

Currie: "Economic and Fisc used to take that responsibility..."

Leitch: "...and... and to..."

Currie: "...and I believe did it well."

Leitch: "And to the Bill and to that point. Yeah, Economic and Fisc Commission did provide that after a previous Pension Laws Commission was abandoned perhaps 15 or 20 years ago, then we had the Economic and Fiscal Commission providing that kind of information. However, there were important reasons why the Pension Laws Commission was reformulated and re... returned back to serve the Members of the House and that was... that impetus occurred in the waning hours of the Session in 1996, as I believe, when the Members in this House, on the last night of the Session, had to pull the plug... pull the plug on a \$63 billion pension Christmas

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tree. And everyone said, at that point, enough's enough, we have got to get a system into place in order to be able to understand what we're doing with these pensions, to make these pensions consistent, the benefits consistent, to have strong oversight on what it is from a fiscal impact of these various... various proposals and so it was of paramount importance and a most challenging job. I know former... the late Doug Hoeft spent hours at this. We worked very closely with now retired Senator Maitland to try and come up with a very responsible process to help the Members on this most important and most expensive part of our responsibilities here. So, I would strongly urge that this measure either be amended to retain a Pension Laws Commission and that it be reactivated or that this Bill be defeated because while it's loud in here and a lot of Members are not paying attention, I will tell you from my own institutional memory that this is not a subject that we want to go off again and have wander off into another organization for its responsibility because the pension issues are a very serious problem in our state. They're issues that need to be consistent. Benefits need to be worked more consistently and the Members need to understand what pension issues they are voting on and what the impact financially and otherwise those are. So, I would encourage a 'no' vote. I'd like to see this amended out and hope that this measure's defeated. How many votes will this take, Mr. Speaker?"

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Speaker Novak: "I've been advised this legislation will require 71 votes for passage."

Leitch: "Thank you."

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

Black: "Thank you very much, Mr. Speaker, the Gentleman from Kankakee, nearing your swan song. You're going to be missed here for an hour or two. Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Black: "Representative, I wanna focus in on... on the Capitol architect. You've answered most of the questions I have. I believe you told Representative Parke that this will be a full-time position and a licensed, registered architect in the State of Illinois."

Currie: "Yes, with five years of experience..."

Black: "All right."

Currie: "...in rehab and other kinds of things."

Black: "That would preclude then... I'm assuming that would preclude that architect from practicing his or her profession on a part-time basis out in the State of Illinois."

Currie: "I believe so. Let me just tell you, the legislation doesn't say full-time..."

Black: "Right."

Currie: "...it's says executive director. It describes somebody with significant qualifications and it gives this individual significant responsibilities. I can only assume it is intended as a full-time post."

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Black: "I happen to believe that might be a step... The United States Capitol has had this position for a number of years."

Currie: "Yes."

Black: "Sometimes it has, unfortunately, evolved into a political bickering, but those of us who have been fortunate enough to go through the U.S. Capitol and see..."

Currie: "Right."

Black: "...the restoration work and the maintenance they do and this beautiful facility. As upset as I get sometimes with this job, it's still kind of a neat place to come in early in the morning, look up at that dome, and realize that people send you here to work on their behalf. And this... this room in and of itself is a beautiful building... a beautiful room, well over a hundred years old. But I think it's unconscionable that we appropriate large sums of public money to redo this building and twice, in the last 14 months, a significant chunk of the renovated ceiling has fallen..."

Currie: "Ah, huh."

Black: "...because somebody didn't think to... well, gee wiz, maybe we'd better fix the condensate leak, that leaks on the plaster, that then causes it to lose its cohesion and it falls. I mean, that... that kind of... that's a waste of money. We had problems with the chandeliers just two or three weeks ago, that costs money. We definitely need somebody to be responsible for the maintenance of this historic building that is absolutely irreplaceable."

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Currie: "And I think that's the idea behind this Bill."

Black: "And I... While... while my colleagues have raised some very cogent arguments, particularly Representative Leitch, on the Pension Laws Commission that I know many of us have high hopes for. I'm not sure it's ever reached its potential of analyzing pension legislation and telling us what the real cost would be because we tend to say, 'well, we'll worry about that next year or the year after or the decade after' and that eventually is going to cause us some concern. But when all is said and done and all of the very legitimate concerns I've heard, one of the fundamental precepts that my father taught me many, many years ago, as a businessman and as a Republican who ran for office while running his business, gee, what a novel idea, and held office. He thought ya had to give back to your community and that because you were in business, you had to be involved in the political process. And he always told me, 'William, if you get an opportunity to do so, don't ever turn your back on an idea that reduces the size, cost and complexity of government.' I think when all is said and done, this Bill does that and I intend to vote 'aye'."

Speaker Novak: "Further discussion? The Gentleman from St. Clair, Mr. Holbrook."

Holbrook: "Thank you, Mr. Speaker. Representative Currie, I... I plan to vote 'yes' on this. Having served on the Legislative Space Needs, I just don't know what went wrong so many times when we, as a group, would meet and make a determination on a master plan and then we'd be completely

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appalled when we'd open the newspaper and find that the Governor or some group would wanna spend 10-, 20-, 30 million dollars on something that didn't fit into our plan whether it was removing the parking from above ground or renovating these buildings or even looking at the issues over the restoration of this fine building here in the Capitol. If hiring an architect and having that sheepskin gives it the credibility and gets the people involved that can make these decisions to get somethin' done, obviously, we, on that board, when we would go to our Leaders, did not get it done. Ya know, I'm willin' to say that I... I would bet that the comptroller and the treasurer have absolutely no background in historic restoration as much as the people that served on that commission, the Legislators, but if this will give it the credibility to get something done and get our... get the mall project we're looking at, the restoration of these buildings and get everyone involved. We have a fine staff up there, Legislative Space Needs, as Representative Lyons said, but obviously when we... we made the phone calls, we didn't get the job done as we should've. And it was not due to lack in effort on our part, as a member of that commission and I'd love to serve on this commission, however it... if it's not gonna exist anymore, for God's sake, let's save our Capitol and our historic buildings and if this gets it done, let's do it. Thank you."

Speaker Novak: "Further discussion? The Gentleman from McHenry, Mr. Franks."

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Franks: "Thank you, Mr. Speaker. To the Bill. I've heard some of the debate from my honorable colleagues on the other side of the aisle and I was in a unique position to understand this Bill earlier today because it came through our committee. When I first heard it, I was skeptical as well, but I wanna point out the fact that I think people need to know to encourage them to vote 'yes'. What this Bill will do is reduce the number of legislative support agencies from 11 to 8. It will save the state approximately \$400 thousand and the architect, that we'd be putting on full-time, would only deal with the historical impact to the complex which we reside in. It's a very limited role and it'll save us money and it will streamline government. I'd encourage an 'aye' vote."

Speaker Novak: "Further discussion? The Gentleman from Adams, Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I served on the Space Needs Commission at one point, served on the commission on Intergovernmental Cooperation. I think we made the tour as many of us have... gray-haired folks have done over the years. But, and I have the utmost respect for Leader Currie, but I guess I have real concerns about where we're heading with this in terms of our really relinquishing some of the role as a legislative function and turning it over to another bureaucrat. And I just feel like this is an issue I would... I don't think it's necessary that we're acting on this right now during Veto Session. I think this is one of

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those issues that we talked about letting the sunshine in and letting the light kinda shine on this issue is not gonna hurt us to have it... to wait until January to follow through on this. As a result, I... I would encourage a 'no' or 'present' vote on this issue at the present time and would ask that if this does receive the requisite number of votes, that we have a verification of the Roll Call."

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

Currie: "Thank you, Speaker. It's time to try something new in the responsibility to maintain and to rehab appropriately this excellent resource, the Illinois State Capitol. It's time to streamline our operations. Representative Holbrook said it well. Let's give it a try. What we've done has not been working. I urge you to join me in saving the taxpayers \$400 thousand a year and doing a better job along the way. I'd appreciate your 'aye' votes."

Speaker Novak: "Thank you. The question is, 'Shall Senate Bill 1656 pass?' All those... all those in favor signify by voting 'aye'; all those opposed vote 'no'. The voting is open. This action requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Wait. Mr. Saviano. Mr. Schmitz. Mr. Clerk, take the record. On this question, there are 91 voting 'yes', 23 voting 'no', 0 voting 'present'. There's been a request for a verification. Mr. Tenhouse withdraws his request. Having reached the required Three-fifths Majority, Senate

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Bill 1656 is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 1883?"

Clerk Bolin: "Senate Bill 1883 is on the... on the Order of Consideration Postponed."

Speaker Novak: "Please return that Bill to the Order of Second Reading. Mr. Brady, for what reason do you rise?"

Brady: "Mr. Speaker, I just wanted to commend you on the pace, the style and the way you're handling things here this afternoon. You're doin' a great job. I saw you kind of wiping your brow with some sweat there and I was... I just wanted to make sure you're okay."

Speaker Novak: "Oh... I'm okay."

Brady: "Good. Thank you."

Speaker Novak: "Thanks. Mr. Clerk, what is the status of Senate Bill 1704?"

Clerk Bolin: "Senate Bill 1704 is on the Order of Postponed Consideration."

Speaker Novak: "Mr. Capparelli on Senate Bill 1704."

Capparelli: "Thank you, Mr. Speaker. This Bill's been debated and redebated today. This Bill, as we know, is the pension Bill and we've talked about it. I think it's the third time today. And over the years that I've been... I can understand the frustrations of the downstaters, but over the years that I've down here, I've always voted for every Bill that the downstaters have for teachers, police and firemen even if the Chicago area never got anything out of it. And I would just say I would like to have a favorable

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vote and let's put a lot of 'green' lights up there so we can pass this Bill. Thank you."

Speaker Novak: "Is there any discussion? The Gentleman from... from Lee, Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I appreciate the... the support of everyone, the first Roll Call. I think we made our point. Discussions are continuing with... with the downstate teachers. I appreciate the... the speak... the... the attention of the Body and at this point, I have no more opposition to this Bill. I appreciate Representative Molaro allowing me to speak on this issue. And thank you, Mr. Speaker."

Speaker Novak: "And the question is, 'Shall Senate Bill 1704 pass?' All those in favor signify by voting 'aye'; all those opposed vote 'no'. The voting is open. This action requires 71 votes. Have all voted who wish? Have all voted who wish? Have all... Soto. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'yes', 17, excuse me, 18 voting none... voting 'no', 0 voting 'present'. And having reached the required Three-fifths Constitutional Majority, Senate Bill 1704 is hereby declared passed. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Having voted on the prevailing side of Senate Bill 1704, it is my intention to file in writing a Motion to reconsider the vote by which it passed."

Speaker Novak: "Thank you, Sir. The Chair accepts the Motion. And the Motion is... the question... the question is, 'Shall

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the vote by which that Bill passed be reconsidered?' This is a Roll Call vote. All those in favor signify by voting '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 31 voting 'yes', 81 voting 'no', 0 voting 'present'. And having failed to reach the required Constitutional Majority, this Motion fails. Mr. Black."

Black: "Yeah, Mr. Speaker, I would have... an inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Black: "I would have appreciated the opportunity to have spoken on my Motion to reconsider the vote and I was denied that opportunity. Let me just say in summation, I don't mind gettin' run over, all right, that happens all the time. But at my age, I at least like to be asked if I'd like to get out of the road or get run over. And what just transpired is a travesty of how this place works. You go in the backroom, you cut a deal, and you just tell us, those of us who have problems, get the hell out of the road. I'll remember that and I hope some of my colleagues remember it too. If you're gonna smack me up along the head, at least give me a warning, will ya? Or at least have the courtesy to ask me. That was a bunch of crap and you know it."

Speaker Novak: "Mr. Clerk, what is the status of Senate Bill 1676? Take that out of the record. Mr. Clerk, please... please read the committee announcements."

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Clerk Bolin: "The following committees will meet immediately upon adjournment: the Elementary & Secondary Education Committee will meet in Room C-1 Stratton, the Executive Committee will meet in Room 118 and the Public Utilities Committee will meet in Room 114."

Speaker Novak: "The Chair is prepared to adjourn. Allowing perfunctory time to the Clerk, Representative Lang now moves that the House stand adjourned until the hour of 12 noon, Thursday, November 20, 2003. All those in favor signify by saying 'aye'. In the opinion of the Chair, the 'ayes' have it and the House now stands adjourned."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading and introduction of House Bills. House Bill 3920, offered by Representative Franks, a Bill for an Act concerning government. House Bill 3921, offered by Representative Holbrook, a Bill for an Act concerning land. House Bill 3922, offered by Representative Coulson, a Bill for an Act in relation to aging. House Bill 3923, offered by Representative Hannig, a Bill for an Act in relation to health facilities. House Bill 3924, offered by Representative Monique Davis, a Bill for an Act regarding schools. First Reading of these House Bills. Committee Reports. Representative Currie, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to House Bill 3828; 'do pass Short Debate' Senate Bill

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334. The House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 553, offered by Representative Brauer. This Resolution is referred to the House Rules Committee. Committee Reports. Representative Steve Davis, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 25. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 2833. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, November 19, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Senate Joint Resolution 39. There being no further business, the House Perfunctory Session will stand adjourned."