81st Legislative Day

1/14/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and their guests to turn off their laptop computers, their cell phones and their pagers. And 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 Jim Cooper, of the East Benton Baptist Church in Benton, Illinois. Representiv... Reverend Cooper is the guest of Representative John Bradley."

Reverend Cooper: "Let us bow in prayer, please, at this time.

Dear Lord, we ask and pray Your blessings upon this Assembly today, Father. I ask and pray for Your blessings to be upon the Speaker of the House, and all of the Representatives that are present today, Lord. I ask and pray, dear God, that all decisions, Father, would be based, Father, upon Your authority and upon Your control. I ask and pray, dear God, that You would keep our state and also keep our country, Father, as we go into this New Year. We ask and pray for Your blessings upon our President and our troops that are fighting over in Iraq, Lord... And we just ask and pray, Father for peace to come, again, one day to this nation. We ask and pray these things in Your precious name. Amen."

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

Washington - et al: "I pledge allegiance to the flag of the United States of America, and to the republic for which it

81st Legislative Day

- stands, one nation, under God, indivisible, with liberty and justice for all."
- Speaker Madigan: "Roll Call for Attendance. Representative Currie."
- Currie: "Thank you, Speaker. Please let the record show that Representatives Collins and Howard are excused today."
- Speaker Madigan: "Mr. Bost."
- Bost: "Thank you, Mr. Speaker. Please let the record reflect that Representative Lindner is excused."
- Speaker Madigan: "The Clerk shall take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."
- Clerk Bolin: "Committee Reports. Representative Bradley, Chairperson from the Committee on Personnel and Pensions, to which the following measure/s was/were referred, action taken on Wednesday, January 14, 2004, reported the same back with the following recommendation/s: 'be adopted' Senate Bill 1705. Representative Monique Davis, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Wednesday, January 14, 2004, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #4 to Senate Bill 1271."
- Speaker Madigan: "Mr. Clerk, what is the status on Senate Bill 1705? 1705."
- Clerk Bolin: "Senate Bill 1705, the Bill's read a second time, previously. No Committee Amendments. Floor Amendment #1,

81st Legislative Day

1/14/2004

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

Speaker Madigan: "Representative Currie on the Amendments."

Currie: "Thank you, Speaker and Members of the House. But for technical changes, date changes primarily, this legislation is a measure we have voted on before. This contains the City of Chicago's early retirement initiative meant to help the city save approximately \$15 million by virtue of early retirement options for people in the municipal laborer's funds. There also are some pension changes for firefighters and Chicago police uh... personnel, as well as members of the Chicago Park District pension system. of the dollars involved in any of the liability changes are local dollars only. This is a critical key to the city's ability to avoid layoffs and continue appropriate levels of servic... services for the city... city residents in Chicago. I'd be happy to answer your questions and I hope I will have as much support this time as we had the last time we voted on this measure."

Speaker Madigan: "The Lady offers the Amendment. The Chair recognizes Mr. Parke."

Parke: "Good afternoon, Mr. Speaker. We wish you a great day and a great new Session that's before us. I have a question for the Sponsor."

Speaker Madigan: "The Sponsor yields."

Parke: "Thank you. Representative, you've just shelled this Bill so that new language can be put in later on... oh, Mr. Speaker, the Sponsor cannot hear me."

81st Legislative Day

- Currie: "Can I have order... order... a little order, I can't hear...
  I can't hear? Could you try again?"
- Speaker Madigan: Ladies and Gentlemen... Ladies and Gentlemen...

  Ladies and Gentlemen... I know we've been away for awhile and we have to share some war stories, but please take your seats and give your attention to Mr. Parke and Representative Currie. Mr. Parke."
- Parke: "Thank... Thank you, Mr. Speaker. Representative, I've just simply... you've shelled this Bill so that new language can be put in so that's acceptable to vote the unions and the City of Chicago... is that what we have here..."
- Currie: "Sub... substance... substantively it's identical to the measure we adopted when we were here during Veto Session.

  The changes have to do with a couple of clarifications, technical in nature, and date changes because we are acting now, rather than November or December."
- Parke: "So... it's not really a shell Bill, it's substative language that uh... and you... uh... your amending it to reflect a... what is necessary to make it current."
- Currie: "This is the whole package. We're redoing the whole package, but the changes between the old Bill and this are date changes and two technical clarifications."
- Parke: "Representative, is it your intention when this goes to Third Reading to call it right now?"
- Currie: "Yes, this Bill has been read a second time, previously."

81st Legislative Day

- Parke: "So, we that will be... we'll be working on this legislation as soon as it moves to Third Reading. We now will be prepared to vote on the legislation."
- Currie: "Yes."
- Parke: "Okay. Thank you. To the Bill. Ladies and Gentlemen, this is a substantial piece of legislation for the City of Chicago as amended, and I would suggest that uh... all the members pay close attention to this Bill to make sure that this is the legislation they wish to vote for... or against. Thank you, Mr. Speaker."
- Speaker Madigan: "There being no further discussion, the question is, 'Shall the House adopt the Amendment?' Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"
- Clerk Bolin: "No further Amendments."
- Speaker Madigan: "Put the Bill on the Order of Third Reading.

  Has the Bill been read a third time?"
- Clerk Bolin: "Senate Bill 1705, a Bill for an Act in relation to public employee benefits. Third Reading of this Senate Bill."
- Speaker Madigan: "The Bill is now on the Order of Third Reading. Mr. Capparelli. Mr. Capparelli on the Bill. This is the City of Chicago pension Bill. You're the Sponsor of the Bill."
- Capparelli: "Thanks for the quick uh... warning here. I... is this the same Bill as 1704 that we passed last year? I ask for a favorable Roll Call, thank you."

81st Legislative Day

- Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify... Mr. Black."
- Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"
- Speaker Madigan: "Sponsor yields."
- Black: "Representative, these uh... this Bill now embodies five new pension proposals for the City of Chicago. Can you tell me uh... how much accrued liability do these pension proposals add to the uh... City of Chicago pension funds?"
- Capparelli: "I'm told that um... some of them are raised from 1 percent and some of them are 2 to 3 percent."
- Black: "How many dollars of accrued liability is... is included in this Bill? It's a substantial amount of money, about a half a billion dollars."
- Capparelli: "A half a billion is about correct, but these funds have such huge amounts of money at the present time that we find no problem in doing what we're doing."
- Black: "Well, I... I find a lot of problems when you're... when you're running a Bill this quickly, that deals with the Chicago Firefighters' Pension Fund, the Chicago Police Pension Fund, the Chicago Municipal Employees' Pension Fund, the Chicago Laborers' Pension Fund and the Chicago Park District Employees' Pension Fund. The Economic and Fiscal Commission says that this Bill, that's before us on Third Reading, would increase the accrued liabilities of these five pension funds in the City of Chicago by an

81st Legislative Day

1/14/2004

estimated \$456 million. Now, the question that I want to focus on is that the Bill, in addition, reduces city funding by \$56 million over the next ten years. Now, how is that done? Is the city reducing its contribution to the pension fund?"

- Capparelli: "What I am told now, uh... Mr. Black, is the city is reducing paying some of the funds, and they expect a big... a lot of retirements at this time, and they would... the city really doesn't seem to have any problem, even though you may see some calculations that may be wrong. The city feels that they can handle it at this time."
- Black: "Well... I... I would... well, I mean it goes without saying that there'll be a lot of early retirements. If you put a \$700 million package out there... Absolutely there's gonna be people take advantage of this early retirement option. But the \$700 million in new benefits only impact the City of Chicago. I can't get a straight answer out of anybody in this chamber. Will the teachers early retirement option be extended? Everybody tells me they don't know."
- Capparelli: "That has nothing to do with the downstate, this is another issue."
- Black: "I understand that. I understand that, but..."
- Capparelli: "...but... but you did bring it up, though. And I want to say that the issue is not downstate, it is this issue."
- Black: "I understand perfectly that this doesn't have any impact downstate whatsoever. But what I do understand is that you're asking me to vote, in about 20 minutes, on a \$700 million benefit package for the City of Chicago. And

81st Legislative Day

1/14/2004

I have sat here for the last three years trying to get property tax exemptions for the senior citizens who live in my district, the same exemption that a senior gets in Cook County. And your party says 'no'. Seniors are worth more in Cook County than they are in the 101 counties. get an answer on the downstate teacher's early retirement option extension. There's another thing in here that just kinda gets my... it gets stuck in my craw. Chic... why do Chicago city workers get to go back work on a contract, who take an ERI? If you retired under IMRF, you can't go back For an employer who pays IMRF... IMRF to work ever. benefits, I think that is discriminatory and yet this Bill says any employee of the City of Chicago who takes an early retirement initiative can go back to work for the City of Chicago on a contract. Now, what's fair about that?"

Capparelli: "Mr. Black, but the state employees can come back 75 days a year, without losing their benefits..."

Black: "I'm not talking about state employees..."

Capparelli: "Well, the City of Chicago can afford to do this under its own budget, the State of Illinois... and I'd be willing to support anything downstate as you know, but I don't know if the State of Illinois can afford it. But if it can, I will vote for it and you know I will."

Black: "You... you're a man of your word, and I know you would.

But I think there's some gross iniquities in this Bill, and

I... you know, Zeke Giorgi was one of the finest people I

ever had an opportunity to work with down here. And Zeke

always told me 'look, you can make a career out of bashing

81st Legislative Day

1/14/2004

Chicago, if that's what you want to do.' I don't wanna bash Chicago on this. I think it's important to the City of Chicago. They're in a budget crunch like every other city, but there are things that Chicago gets out of their Bills, that nobody else gets. When the IMRF, the Illinois Municipal Retirement Fund, had an early retirement initiative two or three years ago, the law specifically prohibits an ERI employee covered under IMRF from going back to work in any capacity, if the employer is in IMRF. Yeah, I know state employees can work 75 days. How many days would a Chicago city employee be able to work under this Bill? 75, 150, 280?"

- Capparelli: "Representative Black, what's that question about 75 days?"
- Black: "Under the State Employees Retirement System, if they took the early retirement initiative, they can come back and work for the state, an agency of th... state government for 75 days. I have a lady working in my district office, who's working 75 days. How many days can a City of Chicago employee can come back and work for the city who takes advantage of this ERI?"
- Capparelli: "I don't think there's any, there is not a hireback situation in the city, I am told."
- Black: "You mean there's no time limit, they can come back to work for contract for 50 weeks a year?"
- Capparelli: "Right. Right. That's what I am told.

  Yes, Sir."

81st Legislative Day

1/14/2004

"All right. Thank you very much uh, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the I am not going to stand up here and go off on what I think is an inherently, and becoming more inherently unfair in this process everyday. I have great respect for a firefighter, whether they live and work in Chicago, or the City of Danville, or they're a volunteer in some rural district. I have great respect for anybody who works for any unit of government, generally speaking, there are exeptions, but generally speaking they do not make a great deal of money and I think most of them work a lot harder than people perceive them to work. But at some point I'd like to see a Bill that I think is inherently fair for workers wherever they live. In this Bill a Chicago city employee can take advantage of the early retirement initiative, and go back to work the next day for the City of Chicago for 52 weeks. How are ya' gonna save any money if you have 800 people take advantage of the early retirement initiative, and you hire 750 back on Monday and you allow them to work the next full year. You... you...we.... We don't allow that for state employees, we don't allow that for IMRF, and yet were saying to employees in the City of Chicago, 'once again, you will be treated differently than an employee under any other system. I'll tell ya what I'll do, Representative, I have enough respect for you, and enough respect for our late colleague, 'Zeke' Giorgi, I'm not going to bash the City of Chicago. These pension systems are the responsibility of the City of Chicago.

81st Legislative Day

1/14/2004

There is no downstate, use that term loosely, there's no downstate General Revenue Funds involved in this. gonna be responsible for this pension program in the City The City of Chicago taxpayers will be of Chicago. responsible for this program. If they think this is fair, and they think it's right, they have to live with it and they have to pay the Bills. I'm going to vote 'yes', but I want to tell you something... it's not the easiest 'yes' vote I've made, because once again I think there are things in Bills that we're asked to vote on that give the City of Chicago and their employees just a little different imolument than any of the rest of us get, and I don't think that's right and I don't think it's fair and I will expect your vote on a IMRF Bill to let them go back to work for some extent and also to equalize the property tax exemptions between the County of Cook and the other 101 counties. It's out of respect for the Dean of the House, respect for our friend, the late 'Zeke' Giorgi, I'll vote 'yes' because this is the City of Chicago's responsibility. But there will be some things I will ask for later."

Speaker Madigan: "Question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 96 people voting 'yes', 19 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed."

Clerk Bolin: "Committee Report. Representative Currie, Chairperson from the Committee on Rules, to which the

81st Legislative Day

1/14/2004

following measure/s was/were referred, action taken on Wednesday, January 14, 2004, reported the same back with the following recommendation/s: 'direct floor consideration' for House Joint Resolution 51."

Speaker Madigan: "The Clerk has read the Adjournment Resolution. Representative Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'aye' those opposed say 'no'. All right. The... to correct the record, the matter now before us concerns the call for the joint Session tomorrow. And those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted, and the Resolution is adopted. Mr. Clerk. Mr. Clerk, do you have the Adjournment Resolution? Mr. Turner. Mr. Turner, on House Resolution 607. Mr. Clerk, read the Resolution."

Clerk Bolin: House Resolution 607,

- WHEREAS, Dr. Martin Luther King Jr. was born January 15, 1929, in Atlanta, Georgia; and
- WHEREAS, Throughout his life, he worked to ensure that all people were given the opportunity to follow their dreams, regardless of their race or station in life; and
- WHEREAS, Dr. King won the Nobel Peace Prize on December 10, 1964, in response to his diligent efforts to racially integrate the nation through peaceful means; and
- WHEREAS, School children continue to learn from Dr. King as they read and study his "I Have A Dream" speech that was given during the March on Washington on August 28, 1963; and

81st Legislative Day

1/14/2004

- WHEREAS, Dr. King's aspirations for a color blind society detailed in that speech inspire all citizens to live together with mutual respect and understanding; and
- WHEREAS, Leaders look to the example that Dr. King established when evaluating what can be done to improve human rights here and abroad; therefore, be it
- RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we commemorate the 75th birthday of Dr. Martin Luther King Jr. on January 15, 2004, in the State of Illinois; and be it further
- RESOLVED, That the State of Illinois joins the nation in celebrating the life of Dr. Martin Luther King Jr. on January 19, 2004."

Speaker Madigan: "Mr. Turner."

Turner: "Thank you Mr. Speaker, and Ladies and Gentlemen of the Assembly. I rise in support of House Resolution 607, I think it pretty much speaks for itself. Certainly, Dr. Martin Luther King was one of the greatest human beings ever to walk the face of this Earth. And I think that it is only important that we commemorate him, and his spirit, and legacy um... um... that he has proclaimed for ad infinitum in terms of making life better for all of us regardless to our color, race, creed, and wherever we may be from. So I think it's important that we commemorate and celebrate the birthday of Dr. Martin Luther King. As we know this is his 75th birthday, and I ask that all Members be added as cosponsors to this Resolution. Mr. Speaker."

81st Legislative Day

- Speaker Madigan: "The Gentleman moves for the adoption of the Resolution that all Members be made cosponsors of the rev...

  Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the Resolution is adopted.

  For what purpose does Representative Younge seek recognition?"
- Younge: "Thank you, Mr. Speaker. There will be a Democratic Caucus in Room 114 immediately after Session. There'll be a Democratic Caucus in 114 immediately after Session."
- Speaker Madigan: "To the Democrats. To the Democrats, Representative Younge has just announced a caucus immediately after Session. To the Democrats, we're prepared to adjourn. So we need you to go to caucus immediately after Session. The Chair recognizes Mr. Black for the purpose of an introduction."
- Black: "Thank you very much, Mr. Speaker. I would like to introduce our newest Member in the Illinois General Assembly, Gentleman on our side of the aisle, replacing David Wirsing. The honorable Bob Pritchard from DeKalb. Representative."
- Speaker Madigan: "On the same order, the Chair would like to introduce Representative Lisa Dugan, who is replacing Representative Phil Novak. Lisa. In addition, new Representative Corrine Gordon replacing Representative O'Brien. Mr. Parke."
- Parke: "Thank you, Mr. Speaker, I... recognize that look over there and I see the new Representative, but I don't recognize who the pirate is. And... who's that pirate over

81st Legislative Day

1/14/2004

there? I... I... Are you a pirate of the Caribbean or what? Thank you, Rep... thank you."

Speaker Madigan: "Mr. Clerk, do you have an announcement regarding laptops?"

Clerk Bolin: "Laptop computer distribution will continue this afternoon in Room 115. Again, if you have not picked up your laptop computer yet, you may do that this afternoon in Room 115."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker, the Clerk just mentioned the laptops. Will it be the same policy, if we leave them on our desk, the Clerk's office or staff will take care that they are secure if we leave them here? Is that correct?"

Clerk Bolin: "That is correct."

Moffitt: "Thank you."

Speaker Madigan: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I would like to have a point of personal privilege. I would like to introduce former Senator Ethel Skyles Alexander. Will everyone please give her hand?"

Speaker Madigan: "All right, Ladies and Gentlemen, we need your attention again. All Members, please. We need your attention. All Members. Representative Flowers, Representative Jones, we need your attention. Tomorrow morning at 10 a.m. in Room 114, there will be a joint caucus meeting of Democrats and Republicans, for the purpose of explanation of certain new requirements under the ethics legislation. It's very important that every

81st Legislative Day

1/14/2004

Member understand the obligations put upon individual Members as a result of the ethics legislation in terms of the management of their district office. And our purpose tomorrow is to explain those requirements to you. concerned with the adoption of personnel policies in your district offices. They're concerned with the maintenance of timesheets in your district offices. These are all requirements in the law. And our purpose tomorrow morning at 10 a.m. in Room 114, is to explain all of that to all of you. So, tomorrow morning 10 a.m., joint meeting, House Democrats and Republicans and immediately upon adjournment Democrats go to Room 114 for a caucus. Session time tomorrow will be 11 a.m. The Governor will arrive about There be nothing further, we are prepared to adjourn. Representative Currie moves that the House stand adjourned until 11 a.m. tomorrow. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 11 a.m. tomorrow morning." Clerk Bolin: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 577, offered by Representative Madigan. House Resolution 578, offered by Representative Flowers. House Resolution 581, offered by Representative Flowers. House Resolution 593, offered by Representative Cross. House Resolution 594, offered by Representative Cross. House Resolution 595, offered by Representative Cross. House Resolution 596, offered by Representative Cross. These Resolutions are referred to the House Rules Committee. Introduction and First Reading

81st Legislative Day

1/14/2004

of House Bills. House Bill 3994, offered by Representative Ryg, a Bill for an Act concerning mechanics liens. House Bill 3995, offered by Representative Bellock, a Bill for an Act in relation to gambling. House Bill 3996, offered by Representative Krause, a Bill for an Act concerning public health. House Bill 3997, offered by Representative Brady, a Bill for an Act concerning criminal law. House Bill 3998, offered by Representative Krause, a Bill for an Act concerning small business development. House Bill 3999, offered by Representative Krause, a Bill for an concerning small businesses. House Bill 4000, offered by Representative Krause, a Bill for an Act concerning small business regulation. House Bill 4001, offered Representative Ryg, a Bill for an Act in relation to commemorative dates. House Bill 4002, offered by Representative Holbrook, a Bill for an Act concerning financial regulation. House Bill 4003, offered Representative Acevedo, a Bill for an Act concerning House Bill 4004, offered by Representative vehicles. Millner, a Bill for an Act concerning public bodies. House Bill 4005, offered by Representative Poe, a Bill for an Act concerning disaster service volunteers. House Bill 40006, offered by Representative Eddy, A Bill for an concerning vehicular offenses. House Bill 4007, offered by Representative Sacia, a Bill for an Act concerning the General Assembly. House Bill 4008, offered by Representative Grunloh, a Bill for an Act concerning infants who are born alive. House Bill 4009, offered by

81st Legislative Day

1/14/2004

Representative Sullivan, a Bill for an Act concerning House Bill 4010, offered by Representative Holbrook, a Bill for an Act concerning finance. House Bill 4011, offered by Representative Froehlich, a Bill for an Act in relation to elections. House Bill 4012, offered by Representative Froehlich, a Bill for an Act in relation to transportation. House Bill 4013, offered by Representative Eddy, a Bill for an Act in relation to public employee benefits. House Bill 4014, offered by Representative Eddy, a Bill for an Act in relation to taxes. House Bill 4015, offered by Representative Stephens, a Bill for an Act in relation to health. House Bill 4016, offered Representative Aguilar, a Bill for an Act concerning taxes. House Bill 4017, offered by Representative Joyce, a Bill for an Act concerning tuberculosis sanitariums. House Bill 4018, offered by Representative Joyce, a Bill for an Act concerning vehicles. First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."