

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

129th Legislative Day

5/18/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, their cell phones and their pages (sic-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 Pastor Jim Campbell of the Christ Life Church in Woodstock, Illinois. Pastor Campbell is a guest of Representative Jack Franks."

Pastor Campbell: "Well, good afternoon. Let us approach our God. Let us pray. Almighty God, we draw near to You now in this prayer. We come to You in the name of Your son, our Lord Jesus Christ. We live in troublesome times. As Joel, the old testament Hebrew prophet said, 'Multitudes, multitudes in the valley of decision.' So our state and nation are in a valley of decision, many decisions. A valley of war. A valley of needs. A valley of state financial difficulties. Important decisions must be made nationally and also in this great State Legislature. Our valley may look impossible and we need You, Lord. We need Your wisdom. We need Your truth. We need a balance of heart and head. Father, I bring to You these wonderful Legislators. Their decisions of state are not just politics. They are not just partisan. They must be decisions of the heart and what is best for every citizen of our state. These noble men and women are here because you ordained them to lead this great state. So we must remind ourselves that Jesus taught that to be a people

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

129th Legislative Day

5/18/2004

leader, we must serve. They want to serve the people of Illinois. The Holy Bible is clear that You, Lord, are absolute truth. Your trues never change. Truth is not just what is relative, truth is Your ways, Father. So we pray that this will be done in our hearts and actions, for in Your will is love and acceptance of all. In Your will we will make right decisions. We will help the poor, take care of the aged, provide for the hungry as best we can. In Your will we will lead this state with heart and head, and in turn, Father, You will bless and prosper this great state. Your wisdom dictates that we behave with restraint, but it also says from Your word that we receive what we need by giving. Give these noble leaders abilities beyond themselves. Bless them, as they do right. Touch their hearts with Your love and healing. If they have friends or loved ones who are troubled or sick, bring answers and peace and healing. Lift up the hearts of these women and men with encouragement, with spirits of conciliation and love for each other. Use them God, to do Your will. To do Your business well. To think of Illinois and what is best for its people. And as You have said, Lord, 'It is not by might nor by power, but by My spirit,' says the Lord of Hosts. Let them go forth and work in Your power, Your spirit and Your love. For in Jesus name we pray and ask these things. And Amen."

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

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

129th Legislative Day

5/18/2004

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

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

Currie: "Thank you, Speaker. Please let the record show that there are no excused absences to report among House Democrats today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that there are no excused absences on the Republican side of the aisle today."

Speaker Madigan: "The Clerk shall take the record. There being 118 Members responding to the Attendance Roll Call, there is a quorum present. The Chair would like to announce the presence of a special guest standing next to Representative Eileen Lyons, the Attorney General of the State of Illinois, Lisa Madigan. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 2961; 'do pass as amended Short Debate' Senate Bill 1648; 'recommends be adopted' Floor Amendment #1 to House Bill 5252, Floor Amendment #1 and 2 to Senate Bill 2248, House Resolution 561, House Resolution 761, House Resolution 667,

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

129th Legislative Day

5/18/2004

House Resolution 676, House Resolution 719, House Resolution 725, House Resolution 853, House Resolution 857, House Joint Resolution 59 and House Joint Resolution 80; 'recommends be adopted as amended' House Resolution 414. Representative Giles, Chairperson from the Committee on Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on May 17, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 1955. Representative Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 7234; 'do pass as amended Standard Debate' House Bill 7216 and House Bill 7233; 'do not pass' House Bill 7228. Representative Hoffman, Chairperson from the Committee on Transportation and Motor Vehicles, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Joint Resolution 68, House Joint Resolution 81, Senate Joint Resolution 59; 'recommends be adopted as amended' House Joint Resolution 69. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 760; 'recommends be adopted as

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

129th Legislative Day

5/18/2004

amended' House Resolution 854. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 660, House Resolution 777, House Resolution 851, House Joint Resolution 47, and House Joint Resolution 78; 'recommends be adopted as amended' House Resolution 690. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 721 and House Resolution 845. Representative Brosnahan, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 3077; 'recommends be adopted' Floor Amendment #1 to Senate Bill 2731, House Resolution 773 and House Joint Resolution 67. Representative Delgado, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 2536; 'recommends be adopted' Floor Amendment #2 and 3 to House Bill 6415 and Floor Amendment #1 to Senate Bill 984."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "Is Mr. Holbrook in the Chamber? Mr. Holbrook. Mr. John Bradley, do you wish to call Senate Bill 2274? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2274, a Bill for an Act concerning property. Third Reading of this Senate Bill."

Bradley, J: "Thank you, Mr. Speaker, Members of the General Assembly. This is a technical Bill which is sponsored by the Illinois State Barr Association. Basically what it does is it reforms and brings up to date some of the requirements and regulations surrounding partition lawsuits. Specifically, it cleans up some language regarding mineral rights and surface rights and it also limits the amount of commissioners which are necessary. Under the old law you had to have three commissioners appointed and now it limits it to one and also gives the court greater discretion with regards to whether or not to appoint a commissioner. So, it's a... it's a good piece of legislation. I don't think it's anything too controversial. And I would ask for an 'aye' vote."

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 by voting 'yes'; those opposed by voting 'no'. The Clerk shall... Mr... Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Mautino seek recognition?"

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

129th Legislative Day

5/18/2004

Mautino: "A point of personal privilege."

Speaker Madigan: "State your point."

Mautino: "Yes, I just... an announcement to the Members that the... there's a cake which is down in the... in the front row and that's been provided for the Members by the gentlemen who protect the safety and security of our Chamber, the doorkeepers. And they just wanted to say thanks to us and we would especially like to say thank you to them for everything they do for us."

Speaker Madigan: "Senate Bill 2290, Mr. Lyons. Mr. Clerk,..."

Clerk Mahoney: "Senate Bill 2290..."

Speaker Madigan: "... read the Bill."

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

Speaker Madigan: "Mr. Lyons."

Lyons, J: "Thank you, Speaker Madigan, Ladies and Gentlemen of the House. This legislation was brought to me by the Associated Beer Distributors of Illinois. Basically, what it does is two things. It allows the distributors to notify retailers of their monthly alcoholic beverage purchases via mail, electronic mail, facsimile, Internet website, hand delivery or by accumulated purchase total on the monthly end invoice. This just clarifies language from last year on what qualifies an electronic notification process. The second part also states that the Liquor Control Commission may fine, suspend, or revoke the license of the licensee that does not comply with the filing of a wholesale sales with the Department of Revenue. Currently,

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

129th Legislative Day

5/18/2004

the law states they may only revoke the license. This adds fine and suspend. So, I'd be happy to answer any questions and I would certainly ask for your favorable vote on this Bill."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "Sponsor yields."

Lang: "Thank you. Representative, we just have a small bit of confusion over here. It says on the Calendar that Committee Amendment #1 was tabled. So, is this Bill exactly the way it came to us from the Senate?"

Lyons, J: "Correct, Representative."

Lang: "Thank you."

Lyons, J.: "We tabled the Bill... the Amendment yesterday."

Lang: "Thank you."

Speaker Madigan: "There being no... no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Coulson. Is Representative Coulson in the Chamber? Mr. Holbrook, did you wish to call Senate Bill 1914? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1914, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Holbrook."

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

129th Legislative Day

5/18/2004

Holbrook: "Thank you, Speaker. Senate Bill 1914 is a Bill of our economic development. It does two things. It... it makes a technical change to the Tri-City Port Authority, which is down in our district in the Metro East, which allows them to take over the military base that was decommissioned. The other thing it does, it sets up the Western Illinois Economic Development Authority, with a 21 member board. Take... glad to take any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Dugan. Later?"

Dugan: "Yeah."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, on our staff analysis this shows that this is part of an overall package of legislation to try to solve your problem. Is that correct?"

Holbrook: "Correct."

Parke: "And have all of these other pieces passed? Is this the last piece?"

Holbrook: "Yes, most of 'em have already passed individually already, except for the Western Authority which they changed the members of the board to meet the needs of the members of the area. And that's why Representative Tenhouse and Smith and all those are on the Bill."

Parke: "Okay. What kind of impact will this have on the State of Illinois? Financial impact?"

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

129th Legislative Day

5/18/2004

Holbrook: "The only impact it would have is they're covering the cost of the economic development director for... for... as they start up their program there in Western Illinois. There's no other ties to the state or any financial obligation."

Parke: "Thank you."

Speaker Madigan: "Mr. Holbrook."

Holbrook: "Speaker, can we take this Bill out of the record?"

Speaker Madigan: "Take the Bill out of the record. Representative Coulson. Coulson. Representative Coulson, did you wish to call Senate Bill 2367? The Lady indicates she does not wish to call the Bill. On the Order of Concurrence there appears House Bill 599. The Chair recognizes Mr. Rich Bradley."

Bradley, R.: "Thank you, Mr. Speaker. I make a Motion to nonconcur with Senate Amendment #1 to House Bill 599."

Speaker Madigan: "The Gentleman has moved that the House nonconcur in Senate Amendment #1 to House Bill 599. You've all heard the Gentleman's Motion. Is there leave? Leave is granted. The Motion is adopted. Mr. Clerk, what is the status of Senate Bill 2367?"

Clerk Mahoney: "Senate Bill 2367 is on the Order of Third Reading."

Speaker Madigan: "Put that Bill on the Order of Second Reading. Mr. John Bradley, do you wish to call 2374? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2374, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

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

129th Legislative Day

5/18/2004

Bradley, J.: "Thank you, Mr. Speaker, Members of the General Assembly. This is the uniform speed limit Bill. It would make on interstate highways outside of urban areas, the speed limit would be uniform at a mile per hour of 65. I would ask for an 'aye' vote on this matter. It's the same Bill, essentially, that was passed by the House last year and we're trying to pass it again this year. So, appreciate your support and ask for an 'aye' vote."

Speaker Madigan: "Mr. Osterman."

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

Speaker Madigan: "Sponsor yields."

Osterman: "Representative Bradley, how did you get this Bill?"

Bradley, J.: "I became the House Sponsor after it passed out of the Senate by Senator Shadid."

Osterman: "And Representative Reitz, I believe, was the Sponsor last year. Did he... did he tell ya about the legislative history of this Bill?"

Bradley, J.: "Not in... not in specific terms, no."

Osterman: "Well, I think that after this you should ask him that in the future when he gives you Bills he should probably tell you about the legislative history. 'Cause for the next, probably, half hour you're gonna hear about how this Bill is needed for making sure that people don't run into the back end of pick up trucks... not pick up trucks, but semi trucks. Others will tell you that they don't want semis driving faster. Some will get up and say that, you know, this doesn't affect local municipalities

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

129th Legislative Day

5/18/2004

and large metropolitan areas; others will get up and say, well, it does."

Bradley, J.: "Well, Repre... Representative, it would be agreeable with me if we could just maybe put the discussion from last time in this record and avoid all that."

Osterman: "I know, but everyone right now is dusting off their fast truck speeches. My question is that the Governor vetoed this last year, right?"

Bradley J.: "That's my understanding."

Osterman: "Has he indicated or his legislative liaisons, have they said that they are not gonna veto this Bill?"

Bradley, J.: "My understanding was they were looking at it."

Osterman: "They're looking at it? Looking at it like they might sign it?"

Bradley, J.: "I wouldn't want to speak for the Governor."

Osterman: "You may, if you want. I mean, feel free."

Bradley, J.: "No. No, thank you."

Osterman: "I guess I have one fundamental question in all sincerity. Is that people will argue both sides of this, the need for it, is it safe or not? But the people that study safety, national institutes that study this, have indicated that larger trucks have a more difficult time braking, which can cause more accidents, deadly accidents. And my question to you is, ya know, how do you... how do you see that?"

Bradley, J.: "Well, I guess if that were the case and we were gonna apply that... without being curt, if we were gonna

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

129th Legislative Day

5/18/2004

apply that reasoning then we should limit the speed limit to say 20 miles an hour."

Osterman: "Yeah, but the braking speed... or the braking distance for a truck at 20 miles an hour and the braking speed of one going 65 mile an hour is a huge difference."

Bradley, J.: "I... I mean the same argument could be made for it being 55 instead of 45."

Osterman: "Yeah, true. But, I mean, the people that have... that study this say that trucks going faster could have difficulty braking and that could cause more accidents or more deadly accidents."

Bradley, J.: "The research I've seen is that the increase safety by a uniform speed limit, in vehicles traveling at the same speed outweighs the longer stopping distance."

Osterman: "Who are those studies done by?"

Bradley, J.: "Well, one was done by Julie Cirillo, a former federal safety official."

Osterman: "Not the National Highway Traffic Safety Administration? I think they're probably the... if I'm not mistaken, the... the group that foremost at the federal level, studies this issue."

Bradley, J.: "That was... that was the main one."

Osterman: "Okay. State Police and Department of Transportation are opposed to this. Correct?"

Bradley, J.: "That's my understanding, yes."

Osterman: "Why would you say that they are opposed? Do you know?"

Bradley, J.: "I wouldn't want to speak for them either."

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

129th Legislative Day

5/18/2004

Osterman: "Okay. I would hope that they'd be opposed based on the concerns of having road safety. To the Bill. Ladies and Gentlemen, this Bill has been debated annually. If the Bill fails or the Governor signs it, hopefully we'll have a one-year moratorium on calling this Bill. But, in all honesty, increased truck speed on our roads could cause more injury if trucks are not allowed to stop. And I know that others are gonna get up and say something to the contrary, but I would ask for a 'no' vote on this measure."

Speaker Madigan: "Mr. Sacia."

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

Speaker Madigan: "Sponsor yields."

Sacia: "I'd like to applaud the Sponsor of this Bill for bringing it forward. As a CDL owner-operator I can attest to you that this Bill is badly needed and is strongly supported throughout the truck industry. The previous speaker alluded to the fact that this particular Bill has had studies that show that trucks running the same speed as automobiles are unsafe. Our analysis indicates that the AAA recently conducted a study that took great deference to that. This is a good Bill. It is necessary for the trucking industry. Ladies and Gentlemen, this state has literally gutted the Illinois trucking industry in the past year. We have lost over 17 thousand truckers. We have lost over 27 hundred trucking businesses. And I, like the previous speaker, will agree that many people will stand both in opposition and in favor of this Bill. But take it from somebody that's been behind the wheel of an 80

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

129th Legislative Day

5/18/2004

thousand pound truck, this is a very, very necessary Bill. It is good for the trucking industry. It is good for Illinois. I applaud the Sponsor and I strongly urge an 'aye' vote. In spite of what the gentle Lady from Cook, who suffers from acute FOT, which she tells me is fear of trucks. But this is good legislation for people that are good drivers. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. I rise in strong support of this piece of legislation. Ladies and Gentlemen, you know, I think we've pa... voted this out in one form or another over the last 10 years that I've been here. Many of you may know, and many of you may not, that I come from the trucking industry. One of the previous speakers spoke that... that this was a safety issue and that this would make things more dangerous. Actually, it does not. The studies do show that in the states that a uniformed speed limit has been passed, that safety has increased and the reason being is a steady flow of traffic makes sense. One of the previous speakers also brought up the fact that we, in the State of Illinois, have already been painted as being an antitrucking state. We wanna make sure that we raise up our fuel taxes and fuel costs so that we make sure they don't stop in the State of Illinois. We wanna make it sure that we raise our license fees so that 17 thousand trucks are not registered in the State of Illinois. Over 28 hundred industries have left the State of Illinois. We don't know how many jobs total that is. I know, in

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

129th Legislative Day

5/18/2004

particular, of one company that my family is involved with that, prior to us being the great State of Illinois that has grabbed the trucking industry by the throat, prior to the legislation we passed last year which was detrimental to the trucking industry, there were 5 other people that had jobs in the State of Illinois in that business alone not counting all the others around this state, in those other 28 hundred. Now, this is a safety issue and this is a Bill separate from that, but I thought it was important for this House to understand that this is one industry that we've pinned its head down long enough. You are out here saying, oh, we're for jobs in Illinois. We are for jobs in Illinois. But no, I guess we're not when it comes to this industry because these are those evil truckers out there. Those evil truckers that without there... them doing their job, you'd starve. You wouldn't have the benefits that we have in life when they deliver the goods to your homes, to your communities. Folks, this is a safety Bill. I appreciate the opportunity, Mr. Speaker, to stand up and talk kind of off the subject a little bit on the problems that we're having in this industry throughout the state, that we in this great Legislature have taken care of to make sure that if... many, many others are unemployed in the State of Illinois. This is a good Bill. You should vote for it. There are some other Bills out there that deal more with the trucking industry that we should go ahead and try to straighten this industry out and try to bring jobs back to Illinois."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "Representative Feigenholtz."

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

Speaker Madigan: "Sponsor yields."

Feigenholtz: "Representative Bradley, is this Bill the same Bill that we voted on last year that the Governor vetoed?"

Bradley, J.: "I believe so, yes."

Feigenholtz: "So, this Bill seems to keep popping up like a bad penny. And I'm trying to get some clarification from... but I... last time I checked this Bill was gonna be vetoed again. Do you have any other information for Members of this House... about this Bill?"

Bradley, J.: "Trucking is some... yeah, the trucking association, had indicated to me there had been some overtures about the possibility of looking into it... and I..."

Feigenholtz: "I'm sorry I can't hear you."

Bradley, J.: "The trucking industry had indicated to me that there had been some overtures that perhaps the... the administration was going to look into it. I'd object to the characterization of this Bill as a bad penny."

Feigenholtz: "I'm sure you do. Ladies and Gentlemen of the House, to the Bill. I have a letter in front of me from AAA Motor Club who is adamantly opposed to this Bill because re... realistically... I have this letter right here, realistically, when we increase the speed of trucks to 65 they then will drive 75 or 80. They don't have the capabilities of passenger vehicles. They can't stop as quickly as cars can. The NHTSA says speed limits of 55

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

129th Legislative Day

5/18/2004

miles or higher significantly increase odds of rollovers and jackknives and that in 2001, IDOT reported 16,481 crashes involving trucks. This is really just bad public policy. It will jeopardize and compromise the safety of people in the State of Illinois. I understand some of the other issues facing the truckers' industry that the previous speaker alluded to that I think are gonna be remedied. I know that there has been a lot of discussion about that. We don't want to drive truckers out of the State of Illinois, we just want to keep everybody else safe. So, I encourage yet another 'no' vote on this Bill. Thank you."

Speaker Madigan: "Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Thank you. Representative Bradley, I notice in our analysis here that this is limited to areas outside of urban areas. Is that correct?"

Bradley, J.: "That's correct."

Rose: "What do you define as an 'urban area', Representative?"

Bradley, J.: "I believe it's defined by the Department of Transportation."

Rose: "Okay, but Chicago would not be..."

Bradley, J.: "Would be excluded. Yeah."

Rose: "Chicago... for legislative intent, Chicago would be excluded?"

Bradley, J.: "Yeah."

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

129th Legislative Day

5/18/2004

Rose: "Okay. To the Bill, Mr. Speaker. Ladies and Gentlemen, let's get real for a second. What kills people is the speed differential. The differential between two vehicles, the one in front and the one behind. Traffic studies note time and again, I'm about to quote from one, that you have to be within 85 percent of the vehicle in front of you and the vehicle behind you. If you're within that 85 percent speed differential, most people tend to walk away. You get outside that 85 percent differential, people tend not to walk away. I'm gonna quote to the Body from the Washington Department of Transportation. Washington Department of Transportation says, 'What's actually more dangerous is when motorists are traveling at varying speeds with speed limits set at the 85th percentile speed. The speed differential or range of travel speeds is reduced so that more vehicles are traveling at or near the same speed with few vehicles traveling at extremely high or low speeds.' We are kidding ourselves if we think anybody drives 65 miles per hour in this state. To have an artificially low limit for truckers is actually increasing the risk of injury. It's about the speed differential, not the speed. I urge an 'aye' vote. If anybody wants to look at the website, I have it up on my computer. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "Sponsor yields."

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

129th Legislative Day

5/18/2004

Lang: "Just a question, Representative. So, I know this is the same Bill the Governor vetoed previously. Have you had any conversations with the Governor's Office regarding what his intention would be should this Bill pass again?"

Bradley, J.: "What is... I haven't specifically, but I understand from the truckers' industry that there's been some at least informal discussions with certain agencies that were against this. No commitment, but certainly the door hasn't been completely shut."

Lang: "But he hasn't told you outright that he's gonna veto it again if you pass it again?"

Bradley, J.: "No. No. And certainly last year we missed the Veto Override, I think, by one vote."

Lang: "Thank you, Representative."

Speaker Madigan: "Mr. Bradley to close."

Bradley, J.: "Thank you, Mr. Speaker. Thank you everyone for your comments on this. I would appreciate your supporting this. I think it's a good Bill. I think it sends a strong message to the trucking industry in the State of Illinois and the information that I've been provided shows that a uniform speed is a safer speed. So, I would ask for an 'aye' vote. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 81 people voting 'yes', 37 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared

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

129th Legislative Day

5/18/2004

passed. Mr. Eddy. Mr. Clerk, Senate Bill 2395. Read the Bill."

Clerk Mahoney: "Senate Bill 2395, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Eddy: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2395 and the Amendment basically deals with the licensure for speech and language pathologists. The underlying Bill takes care of some issues related to the dates that... that were allowable for folks... certain individuals with a Bachelor's Degree in communication disorders to obtain an SLPA, speech-language pathology license, and the original deadline did not coincide with the delays that took place. The Amendment to this Bill allows for individuals to seek an alternative path to certification through the State Board of Education so that they can receive a Type 73 School Service Personnel Certificate and continue to work in our schools as speech-language pathologists. It also slightly amends the licensure law and would also allow for these individuals to complete some requirements for certification under Type 73 with a hundred and fifty hours of supervised experience. I would ask for an 'aye' vote on this measure and if there are any questions, I'd be glad to answer 'em."

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 by voting 'yes'; those opposed by voting 'no'. Have all voted who wish?"

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

129th Legislative Day

5/18/2004

Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Aguilar, did you wish to call Senate Bill 2548? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2548, a Bill for an Act concerning notaries public. Third Reading of this Senate Bill."

Aguilar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2548 provides a clear language on the duties of notaries and non-attorneys are authorized to perform and authorize to charge immigration services. It also provides this clear language through stricter penalties for object... for objective means of enforcement. I ask for your support."

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 by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Does Representative Dugan seek recognition? Mr. Delgado. Mr. Clerk, Senate Bill 2607. Read the Bill."

Clerk Mahoney: "Senate Bill 2607, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Delgado: "Thank you, Mr. Speaker and Members of the House. Senate Bill 2607. The Bill amend... the Bill, as amended,

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

129th Legislative Day

5/18/2004

enhances penalties and law enforcement tools in regards to violations of the duty of sex offenders and child murderers to register. It requires more updated information be maintained on the database and it also warns to issue for those who violate the registration requirement. It closes a loophole that allowed sex offenders who failed to register a break on the 10 year registration requirement because of the time kept ticking rather than totaling upon failure to register. And I would ask for your 'aye' vote."

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 by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Turner. Mr. Arthur Turner. Mr. Turner. Arthur Turner, did you wish to call Senate Bill 2653? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2653, a Bill for an Act concerning corrections. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2663 (sic- Senate Bill 2653) is a Bill that was brought to my attention by the Department of Corrections. This would allow the department to administer medical treatment to one who has decided to go on a hunger strike within the Department of Corrections. And so this

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

129th Legislative Day

5/18/2004

would allow the department to step in and administer medication to one who's going on a hunger strike and who refuses to... or who insists on doing bodily harm to himself. And I move for the adoption of Senate Bill 2653."

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 by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Howard in the chamber? Representative Howard? Mr. Joyce, did you wish to call 2768? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2768, a Bill for an Act concerning health facilities. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill... Senate Bill 2768 provides for flu vaccinations at assisted living facilities for seniors age 65 and older. If those fac... if those vaccinations are not available at those facilities then seniors age 65 and older would be notified on paper of where they could get those vaccinations. I'd be happy to answer any questions."

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 by voting 'yes';

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

129th Legislative Day

5/18/2004

those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr... Mr. McGuire, did you wish to call 2845? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2845, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. What we're talking about today is Amendment to 2845. And the Amendment basically says, 'by replacing appropriations made to this fund,' and the wording should be changed to 'this fund is'. That is the substance of the Amendment. We've had the Bill on Third, we moved it back to Second... We're ready to go. I'm sorry, Mr. Speaker. I'd appreciate your 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. The Gentleman explained the Amendment that's already been added to the Bill and then he said he would appreciate our 'aye' vote. An 'aye' vote on the Amendment or the 'aye' vote on the Bill? Well, which, by the way, the Amendment has already been adopted. So, what are we voting on?"

Speaker Madigan: "Mr. McGuire to explain the Bill."

McGuire: "You're... you're correct, Representative Black. I was having a little problem because we weren't able to find a

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

129th Legislative Day

5/18/2004

copy of the Amendment. We have passed the Amendment, so we are voting on the Bill, as amended."

Black: "And could you give me a reasonably simple explanation of what the Bill does?"

McGuire: "It's... it's a funding mechanism for the Alzheimer's Disease Assistance Act and the Alzheimer's Review Center (sic-Alzheimer's disease centers). This Bill is identical to House Bill 4475, which we passed some time ago out of the House. This is the Senate version of the identical same Bill."

Black: "Yep. Representative, and I appreciate that very much, just one question. Does... does the... the Bill we're... we're looking at and discussing at this point identify certain Alzheimer's treatment centers that will be eligible..."

McGuire: "Yes."

Black: "...for a higher reimbursement?"

McGuire: "It... it identifies, but they're not entire reimbursement."

Black: "Okay. Now, are... are those treatment centers identified in the Bill or will they be chosen later by an individual or a committee?"

McGuire: "Yeah, there's three of them identified in the Bill."

Black: "And where might they be, just for my edification?"

McGuire: "Umm..."

Black: "Would any of them be in Chicago?"

McGuire: "Yes."

Black: "Oh, I'll be darned."

McGuire: "One in Chicago."

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

129th Legislative Day

5/18/2004

Black: "Are there any outside the City of Chicago?"

McGuire: "There's one in southern Illinois and one in Chicago, SIU in Springfield is the third one."

Black: "So, there's one in Chicago, one in central Illinois, and what is your definition of southern Illinois, Joliet?"

McGuire: "No, south of Route 80. No, seriously it's in southern Illinois. In Springfield."

Black: "So, you're... you're saying that Springfield is southern Illinois? There's one in Chicago, there's one in Springfield. Where's the third?"

McGuire: "Northwestern Memorial in Chicago."

Black: "Oh, you mean there's two in Chicago and one for the rest of the state?"

McGuire: "That's correct."

Black: "I see."

McGuire: "They're already designated."

Black: "Well, I... maybe Alzheimer's is more prevalent in the City of Chicago, although I tend to doubt that. But, I'm getting very used to this. At least you put one in Springfield. Maybe those who suffer from the illness can travel to Springfield to receive treatment. God forbid the Governor would need treatment in Springfield because it's very difficult for him to come down here, but it's nice to know that if he does and needs it some time in the future, there'll be a treatment center for that in Springfield. Thank you very much. And for those of us who live in southern Illinois, come on down and visit us some time, you might like it."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Madigan: "Proceed."

Bellock: "These are the three resear... major research centers in Illinois that do research on Alzheimer's and these were the three institutions that testified before the Alzheimer Task Force when the task force met. So, I think that that is why this Bill is allocating that money to... for major research on Alzheimer's disease."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk. Mr. Clerk for an announcement."

Clerk Mahoney: "The House Rules Committee will meet in the Speaker's Conference Room at 1 p.m. At 1 p.m. in the Conference Room."

Speaker Madigan: "Mr. Clerk, on... on Senate Bill 2878, put that Bill on the Order of Second Reading. Mr. Aguilar, are you seeking recognition?"

Aguilar: "A point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Aguilar: "I'd like to introduce to you a young lady, Ms. Latina Illinois, Daniela Penaloza. She's up in the gallery. She's waving. Thank you very much."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "Mr. Fritchey, did you wish to call 2982? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2982, a Bill for an Act concerning limited partnerships. Third Reading of this Senate Bill."

Fritchey: "Thank you, Speaker, Members. Senate Bill 2982 is a Bill that was forwarded by the Uniform Laws Commission. It updates the Limited Partnership Act to reflect some of the changes that take place in business structures. I know of no opposition and I request an 'aye' vote. Thank you."

Speaker Madigan: "The Gentleman has moved for passage of the Bill. Is there any discussion? The question is, 'Shall this Bill pass?' Those in favor signify by saying 'yes'...voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, do you wish to call 3083? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3083, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Hamos: "Speaker and Ladies and Gentlemen, this is a Bill that was the initiative of the Attorney General's Office and we had some conversation about this last week. I presented it, at that time, as a technical Bill and we have cleared it up with the Attorney General's Office that this, is indeed, a technical Bill. And some of the questions that

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

129th Legislative Day

5/18/2004

were posed to me last week have been resolved. And I will be glad to answer any other questions. Thank you."

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

Black: "Thank you very much, Mr. Speaker, it's very kind of you. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, I just want to thank you for taking this Bill out of the record, giving myself and our side of the aisle a chance to talk to the Attorney General's people and... and your right, my fear was we could be taking out the promotional aspect as an unintended consequence. The Attorney General's staff has assured me that that is not the case and this is necessary to put various sections of the Bill in sync. I appreciate your cooperation. I urge an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Joyce, do you wish to call 3211? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3211, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 3211 creates the Right to Breastfeed

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

129th Legislative Day

5/18/2004

Act and allows a nursing mother to breastfeed in any location, public or private, where as long as the mother's authorized to be there. There is an exception in there for a place of worship, so the mother would comport through the norms appropriate in that place of worship. We did remove the insurance liability for insurance coverage for lactation consultants. I believe that removes all the opposition to this Bill. I know of no opponents and I'd appreciate an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Kurtz."

Kurtz: "Speaker, I have a question. What is wrong with not including churches?"

Joyce: "I'm... could you repeat that, Representative Kurtz? I'm sorry."

Kurtz: "I notice in the Bill that there's an exception for churches... piece... places of worship. Could you please explain to me?"

Joyce: "It simply states that the mother should comport to the norms appropriate for that particular place of worsh... of worship. So, the exposure in a church that... you know, like whether it's... whatever's appropriate for that particular place of worship 'cause they are covered under the law as being an exception."

Kurtz: "So, in other words, it may be offensive in a place of worship?"

Joyce: "The... the allowed... the right of action that the mother would be allowed under this Bill, they would not be allowed

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

129th Legislative Day

5/18/2004

a right of action against the church or the place of worship."

Kurtz: "So, then in a public place it may, at some time, be offensive, such as high school kids for instance. We have mothers... teenage mothers and breastfeeding may be very distracting in that situation or in other public areas. Why do we need a law?"

Joyce: "Because in one particular case a woman was removed from the premises for breastfeeding her child at a healthcare... at a workout facility, at a health club. The child's crying, the all... all national medical studies say that it's best for a child's health that a child be breastfed, if possible. And in this particular case the child was hungry, the child was crying, the child needed to be fed, the mother decided to feed the baby. And not out in the public, she was in a corner of a room and one of the workers at the facility came up and said that she had to leave and had to... that she was a distraction, even though no... no customers were complaining about it."

Kurtz: "Thank you, Representative. To the Bill. I oppose this in that in most places what is natural will occur and will be accepted by society. And to have a Bill for just one person... every place in our society we have a person who is not satisfied with the way things are. But I just don't think that we should be ruling based on the needs of one person. And also, I would like to stress that in many situations, public situations, there would arise a case

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

129th Legislative Day

5/18/2004

occasionally that would be offensive to the general public.
Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 116 people voting 'yes', 2 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Representative Bellock seek recognition?"

Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Bellock: "Thank you. Representative Pihos and I would like to welcome the orchestra from the O'Neil Middle School band that's up here today and they were playing for us in the rotunda at 12 o'clock. Thank you."

Speaker Madigan: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker. I rise on point of personal privilege, please."

Speaker Madigan: "State your point."

Ryg: "On April 22nd this Body adopted House Resolution 819 mourning the death of Marine Private First Class Jeffrey S. Morris on April 4, 2004 in Iraq. The Resolution spoke to PFC Morris' service with the weapons company of the Second Battalion, Fourth Regiment, First Marine Division, First Marine Expeditionary Force following his graduation from Warren Township High School in Gurnee. The Resolution described PFC Morris' commitment to his family, his friends

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

129th Legislative Day

5/18/2004

and his country and his interest in hunting and fishing with his dad and friends, paintball games in the backyard with buddies and his special devotion to playing with and entertaining young kids, especially his younger brothers and sisters and then later away from home with local Iraqi children. In presenting the Resolution, I had the opportunity to remind the Ladies and Gentlemen of the House that while the Morris family struggled to deal with their own terrible loss and feelings of grief, they were also brave enough to share their sorrow with our entire country, appearing on national TV to talk about Jeff's feelings about his service to country and the protection of human rights and freedoms. In one of their last conversations, Jeff reassured his father and family that if something should happen to him, he would be happy because he would be with God and he would have died performing an honorable duty. Mr. Morris told me he was willing to share his stories publicly as a way to honor his son. It is my honor to ask that you join with me in recognizing this amazing family in the gallery behind me today. Let me introduce them to you, it's Kirk Morris, Jeff's dad, Vicki, his loving second mom, his siblings, Jennifer, Lauren, Taylor, Austin and Dillon. Please join me in thanking them for the sacrifice of their son and daughter and giving them our support as they face the days ahead. Without the physical presence of Marine Private First Class Jeffrey Morris, we hope they take comfort knowing that his spirit has touched and inspired us all. Thank you."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "For what purpose does Mr. Scully seek recognition?"

Scully: "Thank you, Mr. Speaker. On a matter of perf... personal privilege."

Speaker Madigan: "State your point."

Scully: "I'd like to announce that the Commerce Committee scheduled for 4 o'clock this afternoon has been cancelled. Thank you."

Speaker Madigan: "Mr. Clerk, House Bill 5252. What is the status of the Bill?"

Clerk Mahoney: "House Bill 5252 has been read a second time, previously. Floor Amendment #1, offered by Representative Granberg, has been approved for consideration."

Speaker Madigan: "Mr. Granberg. The Gentleman indicates he does not wish to call the Amendment. Mr. Clerk, House Bill 6415. What is the status of the Bill? 6415."

Clerk Mahoney: "House Bill 6415 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative McGuire, has been approved for consideration."

Speaker Madigan: "Mr. McGuire on the Amendment, for the purpose of moving for the adoption of the Amendment. I'm sorry. Mr. Millner."

Millner: "Thank you, Mr. Speaker. House Amendment #2 becomes the Bill and amends the Child Curfew Act to comply with a judicial ruling by the United States Seventh Circuit Court on the constitutionally... constitutionality of curfew laws. And there's also an Amendment 3."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "All right on Amendment #2 Mr. Millner moves that the House adopt Amendment #2. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Millner."

Millner: "House Amendment #3 adds the definition of the word 'establishment' to the Bill."

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

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

Speaker Madigan: "Third Reading. Mr. Clerk, Senate Bill 984. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 984 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

Speaker Madigan: "Mr. Molaro. Mr. Molaro. Is Mr. Molaro in the chamber? Mr. Molaro. So, Mr. Clerk, take this Bill out of the record. Mr. Clerk, Senate Bill 1955. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1955 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

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

129th Legislative Day

5/18/2004

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Amendment was approved unanimously in the Elementary and Secondary Education Committee yesterday. It provides several things. First of all, it gives the Governor the authority to appoint a majority of the members of the State Board of Education. Starting July 1st, every new Governor would have the authority to appoint a majority of the members of that board as well. In addition, it provides that the term of the State Superintendent, selected by the board, would run no longer than the term of the Governor. As well, there are some accountability reforms, some changes that... that we hope will make the whole system of education work more effectively. The State Board would be required to adopt a 5-year strategic plan, updating it at frequent intervals. We would make sure that the regional offices of education are working effectively at the local level and we would establish 15 local centers, so is to provide more service to the people who are in the front lines of educating our young. I know of no opposition and I'd appreciate... appreciate your support for this Amendment."

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

Mitchell, J.: "Thank you, Mr. Speaker. I rise in support of this funding Bill. The Amendment itself involves much of the work that we did on the Republican side that allows for a change in the way the State Board of Education will be structured. The structure itself was... was the work of

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

129th Legislative Day

5/18/2004

Speaker Madigan, but the organization beyond that, the various departments, the fact that they will now have a 5-year strategic plan, and keeping the regional office laws of education at 45, along with the hubs that go with that, stays in tact. So, I think it's... I think it's a good Bill, I think it's a good beginning. And I think everyone should support this. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. I just have a question. To you, Representative Currie, about the appointment in... that would be in June, I presume, but then they have to be confirmed by the Senate in November and..."

Currie: "They would be... they would be then subject to confirmation and they could be removed for cause, if they were negligent, malfeasant or what have you, but there would be no other opportunity to knock 'em off."

Kurtz: "But they would be working during the summer and the early fall?"

Currie: "Yes, they would serve... they would serve until at... such time as they are up for confirmation in the State Senate."

Kurtz: "Thank you very much."

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

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

Speaker Madigan: "Third Reading. Senate Bill 2248. What is the status of the Bill? 2248."

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

129th Legislative Day

5/18/2004

Clerk Mahoney: "Senate Bill 2248, a Bill for an Act in relation to property. Second reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rich Bradley, has been approved for consideration."

Speaker Madigan: "Mr. Bradley."

Bradley, R.: "Thank you, Mr. Speaker, Members of the House. Amendment #1 is IDOT's annual land transfer legislation of 23 different parcels. Also in the Amendment are 3 parcels transferred from DNR to separate entities for future recreation purposes."

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

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

Speaker Madigan: "Mr. Wait. Mr. Wait. Mr. Wait."

Wait: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Yeah, this is just a transfer. Boone County Conservation District is transferring... giving up 15 percent of an acre and receiving a third of an acre back in exchange. This just align... the property lines with the fence lines is what it's gonna do."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "Sponsor yields."

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

129th Legislative Day

5/18/2004

Lang: "Thank you. Just wondering on this Amendment and on the previous one whether we have all the appraisals to review, if we wish to do so?"

Wait: "On this one... like I say, they're getting twice as much land back as they are giving up. And it... and it's just... it's only about four or five feet wide is what it is and it's just to align the fences is what it's gonna do."

Lang: "Are we... are we not required to have the appraisals on file though?"

Wait: "I'm not aware... we did the... here's the problem. The conservation districts can buy land, but they can't sell land. The only way they can do it is we have to come down here and... and... and do it this way. But they're perfectly happy, like I said, they're getting twice as much land back as they're giving up. And it's just a small parcel, it's a third of the... wasteland is basically what it is."

Lang: "I don't really have any problem with what you're trying to do, Representative, I'm just trying to make sure we're following the program as it was always done around here."

Wait: "Mayb... Representative, I understand, one, it's not state property and therefore appraisal is not necessary, I understand."

Lang: "All right. Thank you, Representative."

Wait: "Thank you."

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

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

129th Legislative Day

5/18/2004

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

Speaker Madigan: "Third Reading. Senate Bill 2731. Mr. Clerk what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2731 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Delgado, has been approved for consideration."

Speaker Madigan: "Mr. Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. Actually, Amendment #1 becomes the Bill. Establishes a certification process for providers of pre-paid calling cards to protect consumers from fraud. The ICC has authorized to create a certification program and to adopt rules to implement the program. The Bill sets forth minimum disclosure criteria for pre-paid calling card sellers and provide fines and penalties for pre-paid calling card sellers that market their cards in the state without obtaining certification from the ICC. And I would ask for your 'aye' vote."

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

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

Speaker Madigan: "Third Reading. Mr. Turner in the Chair."

Speaker Turner: "Page 34 of the Calendar, we Senate Bill 1648. Representative Saviano."

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

129th Legislative Day

5/18/2004

Saviano: "Thank you, Mr. Speaker. I would ask that... I would like to withdraw my Motion to discharge on Senate Bill 1648."

Speaker Turner: "The Gentleman ask leave to withdraw the Motion to discharge Senate Bill 1648. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is withdrawn. On the Order of Third Readings, page 14, we have Senate Bill 2665. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2665, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. Senate Bill 2665 would insure that workers and local communities are given ample notice in the event of a plant closing or mass layoff. It would allow local government agencies that provide retraining, placement and other adjustment assistant services to dislocated workers to better serve the community and would help facilitate workers reentry into the workforce. Currently, Illinois has no state law regarding layoff notification. This Bill would mirror legislation already in place in California and Wisconsin. It would require employers to notify workers and government agencies within 60 days when ordering a mass layoff for termination. I ask for the support of my colleagues."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

129th Legislative Day

5/18/2004

Black: "Sorry for that noise, Mr. Speaker. I've asked that it be fixed but it's been rejected. Will the Sponsor yield?"

Turner: "She indicates she will."

Black: "Thank you. Representative, is there a portion of this Act that references the Unemployment Insurance Act?"

Howard: "I am attempting to see whether or not there is something here that has to do with that, Representative Black."

Black: "I thought there was a provision in the underlying Bill that said if an employer receives back pay... I'm sorry, if an employee receives back pay from an employer who was found to be in violation of this act... of the WARN Act, that that back pay would not count against his or her unemployment insurance weekly benefit."

Howard: "The reference that I see to back pay would be that the employer would be required to give notice... the employer who fails to give notice would be required to pay back wages and health benefits up to a maximum of 60 days."

Black: "Okay. I delayed long enough for your staff to get down here. So, let me..."

Howard: "Thank you."

Black: "...again rephrase the question. As I interpret what you just read, if an employer is found to be in violation of the proposed Illinois WARN Act and therefore is ordered to pay his or her employees back pay, and in the meantime the employee has been laid off and is drawing unemployment benefits, it's my understanding that these unemployment benefits will not be diminished by the amount of back pay

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

129th Legislative Day

5/18/2004

the employee receives. That... that is a considerable change in the current UI law and, my fear is, would have an impact on the Unemployment Insurance Trust Fund."

Howard: "We don't think that your concern is... is justified. And in fact, business is okay with this because they've signed off on it."

Black: "Well, and I'm very glad that you worked very diligently to get businesses to go neutral on this Bill. I've been here long enough to know that they often go neutral on a Bill because they're more fearful of the consequences than they are fearful of what the Bill does. Having been... having been raised in a family that owns a business, I can tell you that this... this a... this language has a significant change in the way unemployment benefits have traditionally been calculated in this state. And to say that back pay will not diminish your unemployment benefits creates a potential drain on the Unemployment Insurance Trust Fund. I... was that intentionally put in here as a... as a benefit to the worker? Or is it just something that popped up?"

Howard: "We've... we've not had to address that particular issue, but we don't think that that's a problem. We... we believe that employers would have some serious problems with it and they would have raised that issue with us, had it been a concern."

Black: "Well, Representative, as you well know, unemployment insurance is a premium paid only by the employer. The employee doesn't pay anything for unemployment insurance. Then... you know, if... if... if... I don't know why this is in the

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

129th Legislative Day

5/18/2004

Bill. It has nothing to do with a WARN Act. It's a punitive measure that says, and I quote from the Bill, 'If the employer is found in violation of the WARN Act and is adjudicated to have to pay back pay, that is a cost to that business.' So, the back pay is issued to the employees. So, they may have... these employees may receive thousands of dollars in back pay and yet their 26-week unemployment insurance benefit cannot be reduced by any dollar amount. Now, that... that is... you're treating unemployment in this Bill completely different than any other scenario treats unemployment insurance in the State of Illinois. And I don't know why it's in there. I don't know why... why a WARN Act has to also impact the Unemployment Insurance Law."

Speaker Turner: "Anything further, Mr. Black?"

Black: "Well, Mr. Speaker, I'm gettin' used to this, but you never get an answer to your question here anymore."

Howard: "Representative Black, I was attempting to be polite because I saw you're talking to someone, but I do have an answer for you."

Black: "Okay. I... I..."

Howard: "There is... there is no correlation between the two matters that you're... you're attempting to link. The fact is that there is a penalty for those employers who, in fact, do not follow the law. There... a penalty means that someone has to... to understand that they've done wrong. And that's why the penalty has been... would be established, so that the unemployment insurance has nothing to do with that."

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

129th Legislative Day

5/18/2004

Black: "Well, I... I just simply differ with you, Representative, but I appreciate your... your response, as I always do. Mr. Speaker, to the Bill. In all due respect to the Sponsor, I'll probably be the only 'no' vote. We... we just continue to penalize business in this state. Penalty. Penalty. Penalty. I don't know what a penalty has to do with an early warning notice of layoffs or closure. I don't have any problem with an early warn notice or an early warn notice to employees that the plant is going to close or move. I have no problem with that. I do have a problem when you tie unemployment insurance benefits into a WARN Act. Now, let me tell you what's gonna happen, and you're all gonna laugh and snicker, and that's fine. But I've been around long enough and I grew up in a family-owned business that my grandfather started and my nephew and brother run to this day. And I'm gonna tell you what's gonna happen under this Bill. You're gonna get somebody laid off and they're gonna be half way or three-quarters of the way through their twenty-sixth week unemployment, the employer's going to be fined and the employer is now going to have to pay back pay. Well, guess what's gonna happen? The employee who is just about through with his or her unemployment benefits is gonna get a check. And it could be a check for twenty weeks of back pay. I don't know what the pay would be, but it could be in the thousands of dollars. Now, if you don't think the Federal Government and the U... and the Illinois Department Employment Security isn't gonna look at that money and say, whoa, wait a

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

129th Legislative Day

5/18/2004

minute, we've given you \$5 thousand in unemployment benefits, you just got a \$3 thousand back pay check from your employer, you owe us money. They are going to recoup those benefits. I've seen it happen under the existing law, and this law makes it more likely that what... the very person you're trying to help will probably be asked to send money back because they drew unemployment, then the employer, after three or four months of hearings, is gonna be fined. The employer... excuse me, the employee is going to get back pay, and don't think for one moment that IDES is gonna let that happen. If they have given unemployment benefits, now the employee gets back pay, they will have to reconcile that, and in most cases the employee will have to pay back money. And I'll guarantee you, the employee is not gonna be happy. That's the law of unintended consequences that we do so well down here. If I'm the only 'no' vote, so be it. But I intend to vote 'no'."

Speaker Turner: "The Lady from Cook, Representative Howard, to close."

Howard: "Yes, I'm certainly sorry that there's a misunderstanding about this... that particular provision. The employer need but follow the law and that will not even come into play. So, we hope that that is going to put that to rest. I certainly hope that my colleagues will understand that this about protecting workers and will give me a 'green' vote for this legislation. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 2665 pass?' All those in favor should vote 'aye', all those

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

129th Legislative Day

5/18/2004

opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 81 voting 'aye', 37 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'approved for Floor Consideration' Motion to Concur with Senate Amendment #2 to House Bill 378, Motion to Concur with Senate Amendment #1 to House Bill 393, and Motion to Concur with House... Senate Amendment #1 to House Bill 4005, Motion to Concur with Senate Amendment #1 to House Bill 4099, a Motion to Concur with Senate Amendment #1 to House Bill 4232, Motion to Concur with Senate Amendments #1 and 2 to House Bill 4475, and a Motion to Concur with Senate Amendment #1 to House Bill 4566."

Speaker Turner: "On page 18 of the Calendar we have Second Readings. Senate Bill 2215. Representative Gordon. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2215, a Bill for an Act in relation to finance. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Gordon, has been approved for consideration."

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

129th Legislative Day

5/18/2004

Speaker Turner: "The Lady from Grundy, Representative Gordon, on Amendment #1."

Gordon: "Thank you, Mr. Speaker. House Amendment #1 becomes the Bill. This would amend the State Finance Act by prohibiting the transfer of any funds from the Road Fund or the street... State Construction Account Fund. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #1 to Senate Bill 2215?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. All Notes have been filed."

Speaker Turner: "Third Reading. On the Order of Second Reading, we have Senate Bill 2236. Read the Bill, Mr. Clerk. Representative Rita."

Clerk Mahoney: "Senate Bill 2236 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank... thank you, Mr. Speaker. I'd like the record to reflect on Senate Bill 2665, I wish to... it was my intention to vote 'yes'."

Speaker Turner: "The record will so reflect. Mr. Clerk, move Senate Bill 2236 to Third Reading. The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

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

129th Legislative Day

5/18/2004

Bost: "Yes, Mr. Speaker, I'd like to... I'd intended to vote 'yes' on Senate Bill 2665."

Speaker Turner: "The Clerk will so reflect your intentions. On the Order of Second Reading we have Senate Bill 2247. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2247, a Bill for an Act in relation to property. Second reading of this Senate Bill. Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Dunkin, has been approved for consideration."

Speaker Turner: "Take it out of the record. On the Order of Second Readings we have Senate Bill 2375. Read the Bill, Mr. Clerk. Representative Osterman."

Clerk Mahoney: "Senate Bill 2375 has been read a second time, previously."

Speaker Turner: "Out of the record. On the Order of second readings, we have Senate Bill 2578. Representative Brosnahan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 25..."

Speaker Turner: "Out... out of the record. On the Order of Second Readings we have Senate Bill 3013. Representative Ryg. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3013 has been..."

Speaker Turner: "Out of the record. On the Order of Concurrences, Supplemental Calendar #1. We're going to go down the Concurrence Calendar, please be prepared. Page 22 of the Calendar, on the Order of Concurrences, we have House Bill 378. Read the Bill, Mr. Clerk. Sorry."

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

129th Legislative Day

5/18/2004

Representative Capparelli. The Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Senate Amendment 2 to House Bill 378 contains technical clean-up language, agreed by the City of Chicago and the Chicago Fire Department Union, which clearly defines previous agreed language in House Bill 600, allowing a person to marry another person after retirement and they have to have the spouse eligible for survival benefits of 50 percent if the proper contributions have been made. I would ask for a favorable Roll Call."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. Just a quick question of the Sponsor."

Speaker Turner: "He indicates he will."

Black: "Representative, I... the language in... in this Amendment, it strikes me as a little bit odd, but maybe I'm just not that familiar with other pension plans. The Amendment makes it very plain that the survivor does not have to have been married to the firefighter prior to the firefighter receiving retirement. Is that... that after the fact marriage a standard in other pension plans?"

Capparelli: "Yeah, well... well, this came about one time when a fireman divorced his wife, retired, and then remarried the same woman. She was not entitled to the retirement benefits. So, this will say if he remarries after he

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

129th Legislative Day

5/18/2004

retires or whoever marries, she will be eligible for 50 percent of the annuity."

Black: "Well, I'm... I'm not a lawyer. Maybe one of the lawyers can enlighten me, but I thought even the divorced wife would have a claim on that... on that pension."

Capparelli: "He might of, but I don't know. This only corrects the problem that we needed. The downstate firefighters has this in their contract now."

Black: "All right. So, the downstate firefighters have a provision that you do not have to have been married to a firefighter prior to the firefighter receiving the pension and then you qualify for the survivor's benefits?"

Capparelli: "That... that's the way I understand it. Yes, Sir. If he... if he's retired and marries, she is... she will be entitled to 50 percent of his pension."

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

Speaker Turner: "Gentleman from McLean, Representative Brady, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Brady: "Representative, did you indicate that downstate firefighters presently have this in their contract?"

Capparelli: "Yes, they do."

Brady: "Presently, in the contract that if the firefighter retires..."

Capparelli: "I beg your pardon?"

Brady: "...if the firefighter... what we're talking about here, we're talking about retiree situation? Can... can you go

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

129th Legislative Day

5/18/2004

through one more time for me, I didn't catch it all? A divorce situation to remarry, can you explain one more time what you said earlier? I didn't hear it all."

Capparelli: "Let me go over it once more. Do it again, okay."

Brady: "Thank you."

Capparelli: "This is cleanup language, as I said, and... which clearly defines previous agreed language in an old Bill that we did... House Bill 600, but it wasn't clear enough in the Bill. And it allows a person to marry another person after retirement and to have the spouse eligible for survival benefits of 50 percent."

Brady: "Okay. Thank you very much."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 378?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 3 voting 'no', 1 voting 'present'. And the House does Concur in Senate Amendment #2 to House Bill 378. I should say, this Bill, having received the Constitutional Ma... Majority, is hereby declared passed. On the Order of Concurrences, page 22, we have House Bill 393. Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I rise to Motion to Concur with House... Senate Amendment 1 to House Bill 393. What the Senate Amendment does is clarify that the insurance policies that can be written by these 501C3 non-for-profits, that'd be like the Boys and Girls Clubs of

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

129th Legislative Day

5/18/2004

Chicago, the United Ways, would be limited to casualty, fidelity, surety, fire and marine insurance. A question came up on the House Floor here on whether they could write malpractice, for example, for catholic hospitals. This clarifies it, it's an Agreed Bill. Appreciate an 'aye' vote."

Speaker Turner: "The Gentleman from DuPage, Representative Meyer, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Meyer: "Representative, if I recall correctly, we passed this on another Bill. Is that correct?"

Mautino: "This language has been on a... a couple of different Bills, but it actually came through on this Bill. It came through our House Insurance Committee. And one of the things that was requested was that we specifically define what type of insurance lines could be written by the 501C3 non-profits."

Meyer: "Was that language on other... on the other versions also?"

Mautino: "Yeah, it's been the same. It was proposed as Amendments to a Senate Bill at one point, and it had it's own Bill left from last year. So, it's the identical language that we've discussed, the underlying Bill is, and the Amendment only clarifies that the portions were requested by our Members to be clarified."

Meyer: "What has occurred with the other Bills that this language has been a part of in... in... in previous days?"

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

129th Legislative Day

5/18/2004

Mautino: "This is the one we actually dealt with in our committee and that... there was one, I think it was 893 but the number escapes me right now, that may be within a Rules Committee."

Meyer: "Have we voted on this measure outside of this Bill?"

Mautino: "No."

Meyer: "You're amending it. I guess what... what is confusing... I... the language has been out there before, for whatever reason, and I'm trying to find out, was it something that there was a great deal of contention on before that it wasn't passed as it's own Bill? Why are we amending this onto the Senate Bill?"

Mautino: "The Senate... the Senate amended a Bill. The Bill had been fully negotiated. Basically, there's two states that currently allow for these types of insurance arrangement, our code doesn't. But we haven't voted on any other Bill besides the one before you. There is no controversy at all within this legislation."

Meyer: "Okay, thank you. That was somewhat confusing to us and we were just trying identify exactly what had happened previously. Thank you."

Mautino: "Yes. This Amendment specifically arose from committee discussion about what specifically could be covered."

Speaker Turner: "The Gentleman from Cook, Representative Lang, for what reason do you rise? He doesn't. The Gentleman from... the Representative... the Lady from Cane,

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

129th Legislative Day

5/18/2004

Representative Chapa LaVia, what do you... what reason do you rise?"

Chapa LaVia: "Yes, Speaker, will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Chapa LaVia: "I wanted to know if the Department of Insurance is still... I'm sorry, Revenue is still opposition to the Bill? And why were they..."

Mautino: "Excuse me, were you asking if there was a position to the department?"

Chapa LaVia: "Revenue. Why... if it's an insurance Bill, why is the Department of Revenue opposed to it?"

Mautino: "Because this would enable the non-for-profits to utilize a federal tax exemption, what we can't do at this point."

Chapa LaVia: "Thank you."

Speaker Turner: "Representative Mautino to close."

Mautino: "Appreciate an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 1 to House Bill 393?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have... page 24, we have House Bill 4005. Representative Poe. Read the Bill... the Gentleman from Sangamon, Representative Poe."

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

129th Legislative Day

5/18/2004

Poe: "Yeah, Mr. Speaker, we'd like to make a Motion to Concur with the Senate. And basically what they did, they changed one word in the Amendment, and they changed it to the Illinois Emergency Management Agency Act. They put the word 'Act' on there. So, we'd like a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Senate Amendment 1 to House Bill 4005?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences we have House Bill 4099. Read the Bill, Mr. Clerk. I'm sorry, Representative, take the Bill out of the record. On the Order of Concurrences we have House Bill 4232. Out of the record. On the Order of Concurrences, we have House Bill 4475. Read the Bill, Mr. Clerk. Representative McGuire... I'm sorry, Representative McGuire on House Bill 4475."

McGuire: "Yes, I'd like to concur, Mr. Speaker."

Speaker Turner: "The Gentleman asks leave to Cconcur with Senate Amendments 1 to House Bill 4475. All those in favor... the Gentleman asks leave for Concurrence on Senate Amendments 1 and 2 to House Bill 4475. With that, the Gentleman... the Lady from Cook, Representative Howard. Seeing no questions, then the question is, 'Shall the House

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

129th Legislative Day

5/18/2004

Concur with Senate Amendments 1 and 2 to House Bill 4475?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Howard, for what reason do you rise?"

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

Speaker Turner: "State your point."

Howard: "I have in the gallery, this afternoon, individuals, five of them, who have been helping the Department of Human Services commemorate Asian Pacific American Heritage Month. I'd like you to welcome them. They are James Park, June Park, Grand Master Perry, Veronica Robison and Tom McClout. Please welcome them and Annie Wallace from DHS to the General Assembly. Thank you."

Speaker Turner: "Welcome to Springfield. Representative Howard, is the Grand Master available in case there's some action going on towards the end of the week? We could use..."

Howard: "I'm sure he will be."

Speaker Turner: "We could use him between the second and third floor. Thank you again. Representative Hannig in the Chair."

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

129th Legislative Day

5/18/2004

Speaker Hannig: "Mr. Clerk, would you read the Agreed Resolutions? Okay, let's... Mr. Clerk, let's go to House Joint Resolution 73. Representative Turner. Representative Turner."

Turner: "Thank you, Mr. Speaker. I rise, and actually I will be... the remarks will be ecutable... echoed by some of my colleagues, in particular Representative Colvin, who's the joint Co-Sponsor on this Resolution. As you know, yesterday was the 50th Anniversary of Brown vs. the Board of Education, a very historical moment regarding education in this country. And we just wanted to commemorate it at this time, although yesterday was the official 50th celebration of it. It's something that goes beyond just yesterday because it's something that... it was so significant that everyday it's an important issue in our... in our lives and has had tremendous impact on education and how we view it here in this country. I'm going to yield at this time to Representative Colvin, who will continue with remarks on this Resolution. Representative Morrow."

Speaker Hannig: "The Gentleman from Cook, Representative Colvin."

Colvin: "Thank you, Mr. Speaker. Yesterday in the State of Illinois and the 49 states that make up the United States of America, celebrated a historic and a landmark decision by the United States Supreme Court in Brown vs. the Board of Education. Brown vs. the Board of Education, along with 5 other lawsuits around the United States of America at the time in 1954, made up this historic case. Essentially...

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

129th Legislative Day

5/18/2004

and I'm sure it's not lost on anyone here that Brown vs. Board of Education dealt with the essential... the essential question of equality in public education. That court decision moved America ahead of it's time during the day. But here in the year of 2004, as we still come to grips with what that decision meant and it's impact and how it's to be implemented, is a argument that still goes on today. And we're nowhere near where we need to be in terms of quality in education, both quality as well as financially. But here in the State of Illinois, as yesterday at Chicago State University, we had a historic celebration yesterday morning where we reenacted the court case of Brown vs. the Board of Education. And in attendance was many civic and governmental leaders arou... from around the State of Illinois, including the Governor of the State of Illinois. And the court... the 9 Members of the Justices were made up of Justices from here in Illinois from both the Appellate Court, the Illinois Supreme Court and Cook County Circuit Court. It was a wonderful reenactment and it was a pleasure to be there to listen to those arguments and how intricate they were laid out in terms of making a case that ended up in a unanimous decision to return... overturn, essentially, Plessus... Plessy vs. Ferguson, a court decision that gave us the Jim Crow era for more than 90 years here in the United States of America. Over the next 50 years, as we continue to move toward equality in education, both the quality and the funding issue, particularly here in the State of Illinois, let's all be mindful that it's all of

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

129th Legislative Day

5/18/2004

our job here to make sure that no child in Illinois doesn't receive any less education than child in the best corner of the State of Illinois. So, I would really be pleased if all of our colleagues would join us in joining onto this Resolution, House Joint Resolution 73, in commemorating Brown vs. Board of Education. Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? Representative Turner, would you like to close? Representative Miller, would you like to speak on this issue? The Gentleman from Cook."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just a quick comment, too. I think Representative Colvin kind of said it, that Brown vs. the Board of Education essentially set a goal in which we need to reach here, not just in America, but in the State of Illinois. And what it did was kind of set a model that... that saying it is uncon... unconstitutional to have a separate... it's impossible to have separate but equal education. And as we look at our landscape in education today, that's almost how much have we evolved since this past 50 years. It hasn't been that much in terms of funding of education or costs our schools. Some districts, as we know, have done very well, others have not. And the true goal with Brown vs. Education... Brown vs. the Board of Education is not to lower those high academic schools. Those schools with enriched wealth and were... with rich academia, but to raise those... those schools that aren't doing so well and to raise those schools that do have economic burdens up. And I really

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

129th Legislative Day

5/18/2004

truly think that is the goal that has been set forth by the United States Supreme Court. And so, I would like to make sure that everybody still works towards that goal at the end, regardless of whether what part of the state that you live in. Regardless if you're African-American or if you're white or Latino, it does not matter. Because I think in the true sense of... of the spirit of Brown vs. the Board of Education, that is the true goal of all of us. Thank you."

Speaker Hannig: "The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in strong support of House Joint Resolution 73. Brown vs. the Board of Education had, as its agenda, a... an education that was fair and equitable to all children of this nation. I don't think at the time that Brown vs. the Board of Education was an issue that they concerned themselves so much with funding as they did with integration. We have solved the integration problem, but I'm afraid somewhat at the expense of the equity of education. I'm not talking about tearing down those schools that can afford 18 to 20 thousand dollars a year, I'm talking about bringing the bottom up. For those districts that are struggling, for those districts that can only afford \$45 hundred per child and are still working hard to do a good job to afford them the opportunity to have the same educational opportunities of districts that are considered 'lighthouse districts' in Illinois. This is

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

129th Legislative Day

5/18/2004

going to take a strong resolve in the House of Representatives, in order to look at and tackle the equity issue in this state. Before I leave this chamber, I would hope that we would address that issue through a change in the way we fund schools in this state so that education is no longer a birthright, but it is truly an opportunity no matter where you live, no matter what district you're educated in. Money is not the salvation of a good education, but it sure helps to level the playing field. Ladies and Gentlemen of the House, we've taken on the task of making the State Board of Education more accountable, of changing the way that we look at education internally. It's time to be serious about the way we fund education in this state and make sure that all children have the opportunities that a few have at this time. Thank you, Mr. Speaker."

Speaker Hannig: "And Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker. This is a great Resolution and I want to commend the Sponsor for it. But I think since we're dealing with education, we probably should spell the word 'Board' correctly before we pass this out of here."

Speaker Hannig: "The Gentleman from Cook, Representative Turner, to close."

Turner: "Thank you, Mr. Speaker. We appreciate all the comments that were made earlier from my colleagues. I'd like to ask leave to ask... to add all the Members to this Resolution. I think the very fact that we're talking about

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

129th Legislative Day

5/18/2004

education and equality, and especially now, as the previous speaker mentioned, about funding and how important that is, because that is a true inequality today, is how we fund education in this country. So with that, I'd like to ask leave that all Members be add and I move for the adoption of House Joint Resolution 73."

Speaker Hannig: "The Gentleman has moved for the adoption of House Joint Resolution #73. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the resolution is adopted. Representative Poe is recognized for an announcement. The important announcement by Representative Poe, the Gentleman from Sangamon."

Poe: "Yes, this... Ladies and Gentlemen of the House, tomorrow, about 12 o'clock, I'll serve lunch and we won't tell anyone what it's gonna be."

Speaker Hannig: "Thank you, Representative Poe. Mr. Clerk, would you read House Resolution #921? This is a Death Resolution for a former Member."

Clerk Bolin: "House Resolution 921, offered by Representative Bost.

WHEREAS, The members of the House of Representatives of the State of Illinois were saddened to learn of the death of their former colleague, Senator Ralph Dunn, of Du Quoin, on Monday, May 3, 2004; and

WHEREAS, Ralph Dunn was born in 1914 in Pinckneyville to Arthur and Florence Dunn; he graduated from Pinckneyville High School in 1933; he married Ellen Fones in 1935; she preceded him in death in 1999; and

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

129th Legislative Day

5/18/2004

WHEREAS, Senator Dunn first became involved in politics when he worked in Chuck Percy's 1964 run for governor; in 1968, he was a delegate to the Republican National Convention; in 1969, he was elected to become a member of the Illinois Constitution Convention; at the convention, he fought for the right of Illinoisans to bear arms and to prevent efforts that allowed branch banking; and

WHEREAS, In 1972, Senator Dunn successfully ran for a seat in the House of Representatives, where he served from 1973 to 1984; he moved to the Senate in 1985 and served until his retirement in 1995; during his tenure as a legislator, Senator Dunn was most proud of helping to raise the drinking age to 21, protecting gun owner rights, and advocating for Southern Illinois University at Carbondale;

WHEREAS, Senator Dunn and his two younger brothers started a ready-mix business, a trucking company, a car dealership, and owned a radio station; they were all pilots; and

WHEREAS, Senator Dunn was active in his local Cerebral Palsy chapter; he was known as a gentleman and for his willingness to stand up for what he believed in; and

WHEREAS, The passing of Senator Ralph Dunn has been deeply felt by many, especially his children, Reverend Jerry Dunn, Catherine Sunquist, Florence Dunn-O'Neal, and Janet Johnson; his brother James Dunn; and his numerous grandchildren and great-grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Senator Ralph Dunn, our former colleague,

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

129th Legislative Day

5/18/2004

and we extend our sincere condolences to his friends, family, and all who knew and loved him; and be it further RESOLVED, That a suitable copy of this resolution be presented to the family of Senator Ralph Dunn as an expression of our deepest sympathy.

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker and Members of the House. You know, most times when we... we do these Death Resolutions, it's very sad and it just tears your heart out. But you know, let me tell you about Ralph Dunn. Ralph Dunn lived a very, very, very full life. Ralph Dunn was a Senator whenever I first came here to the General Assembly, but I knew him well before that. My grandfather, my mother's father, drove trucks with him in the 30's. He then successfully built a business, he and his brothers, in the concrete business. He then went into the auto dealership business. He never did get active in politics until his later life. He... he was a pilot when planes were new. And there's a story of when Chuck Percy was running for the Senate, Ralph had him speaking at Du Quoin and he decided to fly him down to Cairo in a little two-seater plane. And in down in Cairo there was just a grass strip and the people were lined up where the hangar was, the one hangar, and Ralph came in and it was kind of a... a warm day and Chuck Percy was in there with him, and as they flew right on in the lift of the warmth... warm air didn't exactly allow them to... to sit down on the run where they wanted to. They

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

129th Legislative Day

5/18/2004

kind of flew right on past the crowd, set down, rolled down to the end of the long runway, and then the Senator had to get out and push the plane backwards so it could be taxied back so he could speak to the people. You know, Ralph's life, when he became involved in politics, he loved it. He... he said that when he was elected to Con Con was one of his greatest achievements in being able to serve there, and I know that Speaker Madigan and he served together on that committee, along with many others. But then he, the next 2 years later, ran for the House the first time. He was loved and respected. And that was a 3 Member districts back then, but then later... and whenever I first got involved in politics, Ralph was runn... making his first run for the Senate in 1984 and I was running for a County Boards Seat. And there's a picture of myself and Ralph and now Federal Judge Phil Gilbert, who was then running for just a circuit judgeship, and another person that was running for office. And I look at the picture now and all of us have aged, except for Ralph. And Ralph, the day that he passed he looked just about the same as he did 20 years ago. I guess you finally get that point that you just kind of plateau, I... at least that was the case with Ralph. You know, Ralph was always fun and you could always wonder what Ralph was gonna say next because at Ralph's age you could get away with saying a lot of things that we others in public office can't get away with saying. I won't tell you some of those jokes, but there is one particular story he used to tell. He says... he used to tell people that he had

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

129th Legislative Day

5/18/2004

an aunt who was in the nursing home, and... and this was a true story about the fact that she was a 104 and in the nursing home, and he'd go and visit her on a regular basis. And one day while at the nursing home, a little old lady setting in a wheelchair beside him kept looking up at him. He said, you know, we in politics, we believe as we have people look at us it's because, you know, they... they think they... this ego thing that we got, you know, we're on TV. And so finally he looks at the little old lady and he said, 'Ma'am, do you know who I am?' She said, 'No, but if you go up to that counter there that guy'll tell ya.' So, Ralph actually... they wrote a book after Ralph retired of jokes like that. You know, right after being elected, the day after, not sworn in, just elected, Ralph came and dragged me from my home early in the morning and says come on we gotta go to work. And we headed down, well actually up Route 3, towards Chester, where a person who'd been in public office for many years was retiring. And I asked Ralph, because as a new young Legislator, I said, 'Okay Ralph,' I said, 'I've got a Bill that comes before us,' and I said, 'I'd like to figure out how to vote correctly,' and I said, 'I feel one way but I'm pretty sure my constituents feel another, what do I do?' He said, 'Well, the first thing you do, you find out if it's a moral issue.' He said, 'If it's a moral issue you vote your morals.' He said, 'Because I believe that there is a higher being that we're all gonna have to answer to.' And so, if it's not just a moral issue, then you go back to your people and you

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

129th Legislative Day

5/18/2004

go to the coffee shops and you go to the barber shops and you go around and talk to people and try to explain to them your view and opinion on how it is that you feel. And if they... and he says you'll be able to tell, if they come along with you and believe the way that you do and you change their mind, you can realize that that's the way you should go. If you can't, remember your title, Mike, it's Representative, and you represent the people and you vote your people. I think it was great advice. Ralph Dunn was a great statesman, a great friend. He was a great lover of this process. For those of you that didn't have the pleasure of serving with Ralph, you truly missed something. And those of you who did know the blessing of it. I thank you for the opportunity to speak and we send our condolences to the family and we thank him. And we thank them for allowing the opportunity for him to serve this great State of Illinois."

Speaker Hannig: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had the pleasure of serving with Ralph Dunn when I joined the House in 1975. And it just seems like when you look back at the time and listen to Representative Bost and when he joined the House, it was such a pleasure to learn from this man and listen to him. He was a great American, a great Illinoisan, and, yes, a great lover of Southern Illinois because he always spoke strongly of his loved area. He had many passions, and one of the things

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

129th Legislative Day

5/18/2004

that I personally admired about him was his passion for people with Cerebral Palsy and his commitment to the disabled population. But more than that, I found that he was a man of a few words, but man when he talked you listened because he knew what to say, he knew how to say it and only in a few words. Now, there were only a couple of times that Ralph and I had a disagreement. I had the pleasure of serving as his leader for two years, which may be why he went to the Senate after we were done with that, but only a couple times we had a disagreement. And I knew that after that was done, I was mighty happy to never have anymore with him because he knew how to carry an argument. What Representative Bost said was true, a great man, a great American and a great lover of Illinois and brought an awful lot to this process. We were fortunate to have him in the House as a colleague, fortunate to have him in the Senate, and fortunate to have the many fond memories of the service to the people of Illinois. Thank you, Ralph Dunn, for all you've done for us."

Speaker Hannig: "All in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And House Resolution 921 is adopted. We have another Death Resolution that we need to read. Mr. Clerk, would you read House Resolution 932? Excuse me..."

Clerk Bolin: "House... House Resolution 932, offered by Representative Daniels,

WHEREAS, The members of the House of Representatives of the State of Illinois learned with regret of the death of their

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

129th Legislative Day

5/18/2004

former colleague State Representative William D. Walsh of Oak Brook on August 3, 2003; and

WHEREAS, William D. Walsh was born in Chicago on February 5, 1924; he valiantly served his country in the U.S. Navy during World War II; and

WHEREAS, Representative Walsh married the former Barbara Kennedy in 1948; he received a B.S. in Business Administration from Loyola University in Chicago in 1948; and

WHEREAS, Prior to his service in the legislature, Mr. Walsh worked as a sales representative for Burroughs Corporation (Unisys) in Chicago and as vice president of Alpine Plastic Bag in Chicago; he was a long-time partner in P.M. Walsh & Company in Oak Brook Terrace; in 1959, he was elected to the Memorial Park District Board of Commissioners; and

WHEREAS, Representative Walsh was elected for 10 terms to the Illinois House of Representatives and served from 1961 to 1981; during that time he filled many roles including Assistant Minority Leader, Assistant Majority Leader, and House Majority Leader; and

WHEREAS, Representative Walsh was known for his integrity and his knowledge of parliamentary procedure; he was a proponent of community-based treatment for the mentally ill; he played a leading role in the passage of the Regional Transportation Authority, the oversight board for regional mass transit; he also sponsored legislation that made community colleges an integral part of the State's education system; he was named "Most Respected Legislator"

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

129th Legislative Day

5/18/2004

in the Chicago Tribune poll of the House of Representative members in 1978; and

WHEREAS, Representative Walsh was a member of the Board of Directors of the Oak Trust and Savings Bank in Chicago, DuPage National Bank in West Chicago, the Regional Transportation Authority in Chicago, and was a member of the Prisoner Review Board from 1992 to 1998; and

WHEREAS, The passing of Representative William D. Walsh was deeply felt by many, especially his wife, Barbara; his sons, Thomas, William Jr., David, and Terrence; his daughters, Cynthia Cashen, Julie Doran, and Elizabeth Cullen; his brothers, John, Robert, and Richard; and his 10 grandchildren; his son, Peter, preceded him in death; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of our former colleague, State Representative William D. Walsh, a man of integrity who was respected by his peers; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of William D. Walsh as an expression of our deepest condolences."

Speaker Hannig: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Like Representative Dunn, I had the pleasure of serving with Representative William Walsh. And the minute I joined the General Assembly, he had already served since 1961. And we quickly learned that this man was an extreme

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

129th Legislative Day

5/18/2004

authority on parliamentary rules, which we relied on, this side of the aisle quite heavily, to the detriment, at some times, on the other side of the aisle, because he was constantly correcting anybody that made any kind of mistake or error in the Parliamentary Rules. This man had a profound impact here in Illinois on the RTA, the Regional Transportation Authority, on the Community College System, and, of course, on the development of parliamentary procedure here in the House. But he also was a great advocate for the treatment of the mentally ill and community-based services, to which we are so familiar with today, another area that I respected him deeply for. He served 10 terms in the House and one of the very important parts of it was his brother Dick also served in the Illinois Senate at the same time. Prior to that his brother Dick served in the House. As a matter of fact, when I was elected in 1974, which you all recall was the Watergate year, Republicans still had this illusion that they were gonna win... retain control of the House. Well, you remember that at that point we had a 177 Members of the House. We... I came in as a freshman Legislator, there were 103 Democrats. Our choice for Speaker prior to that was Dick Walsh. And I had actually committed to him... I was gonna vote for him for Speaker. Well, low and behold, what happened? Dick Walsh lost his race. We came down here and, of course, Bill was still here. And at that point, of course, those of you that remember, the 103 Members of the Democrat Party couldn't decide to elect their Speaker until

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

129th Legislative Day

5/18/2004

some 90 plus or a 100 plus ballots, that was oral Roll Call ballots that take 8 hours a ballot. Well, Bill Walsh was constantly referring to the rules to make sure that everyone followed those rules, at which time I grew to respect him deeply. You all probably know his son, Tom, better than you know Dick, who served this Body and served the Senate so well, as well. It's a great family. Bill Walsh, like some people before him, so many before him, really left a mark in this state and this General Assembly. I was pleased to be able to serve with him. I know those of you that have met him are rewarded by that experience. If you didn't, you missed an opportunity there to know a great man. And I'm honored to serve with him, honored to stand now and say, thank you, Bill Walsh, for the years of service. Thank you to your family, your wife, Barbara, and your sons for all of the extreme commitment that you made to Illinois. So, to his family, his wife, his sons, his daughter, we send our condolences and our grateful appreciation for a job well done. Thank you, Bill Walsh."

Speaker Hannig: "The Gentleman from DuPage moves for the adoption of House Resolution 932. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Molar... Molaro, for what reason do you rise?"

Molaro: "For purpose of an announcement, Mr. Speaker."

Speaker Hannig: "Yes, state your announcement."

Molaro: "For those Members, a little lighter note, that aren't doing much this evening, from 6 o'clock to 7 o'clock this

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

129th Legislative Day

5/18/2004

evening at the Pasfield House, which is on 525 South Pasfield, from 6 to 7 o'clock, there is a reception that we're all invited to. And the honored guest will be none other than 10 herself, Ms. Bo Derek is in Springfield tonight. And we're all are invited to meet her, talk to her and see what things are about. 6 to 7 tonight, Ms. Bo Derek at the Pasfield House. Thank you."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, on the Calendar under Motions to Discharge Committee, I have filed a Motion to Discharge House Resolution 857. I'd like to withdrawal that at this time, as I believe the Resolution has been discharged from committee... or from the Rules Committee and, in fact, is awaiting a hearing with bated breath in the assigned committee."

Speaker Hannig: "So, the Gentleman moves that... to withdrawal the Resolution to Discharge. Is there any discussion? All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Gentleman's Motion to Withdraw his Motion to Discharge is adopted. Mr. Clerk, would you read the committee schedule for this afternoon?"

Clerk Mahoney: "Meeting at 2:30, the Elementary and Secondary Education Committee in Room 114. Judiciary Criminal Law in D-1. State Government Administration... Correction. Meeting at 2:30, Environment and Energy in 122-B, Local Government in 118, Public Utilities in C-1, Registration

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

129th Legislative Day

5/18/2004

and Regulation in 114, Transportation and Motor Vehicles in D-1, Personnel and Pensions in Room 115."

Speaker Hannig: "So, I'd advise the Members to take a look at the green sheets that have been distributed, we have the committee schedule for this afternoon. And so at this time, there being no further business to come before the House, Representative Currie moves that, allowing Perfunctory time for the Clerk, that the House stand adjourned until tomorrow, Wednesday May 19th, at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will now come to Order. Introduction and First Reading of Bills. House Bill 7304, introduced by Representative Flider, an Act concerning counties. First Reading of the House Bill. Senate Joint Resolution 53, offered by Representative Collins. First Reading of this Joint Resolution. There being no further business, the House Perfunctory Session will stand adjourned."