

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

136th Legislative Day

5/28/2004

Speaker Turner: "The hour of 10:15 having come and went, the House shall be in order. We shall be led in prayer today by Reverend Randal C. Donahue with the Hope Lutheran Church in Countryside, Illinois. Reverend Donahue is the guest of Representative Eileen Lyons. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Reverend Donahue."

Reverend Donahue: "Thank you, it's a pleasure to be here this morning and to... to have the invocation with you. In the name of the Father and of the Son and of the Holy Spirit, amen. Dear heavenly Father, You are so gracious to us that You have given us many great blessings in our lives. The blessing of family and friends. The blessing of a home and income to support our families. The blessing of clear minds and sincere hearts. And to those assembled here, You have given the great blessing of participating in the inner workings of the governance of our State of Illinois. Father, You have also given them great responsibilities. Responsibility to their families and friends, responsibility to their jobs and companies. Responsibility to the people who put their trust in them by electing them to the offices which they occupy. Responsibility to make our state a better and freer place to live each and every year. Gracious Father, these responsibilities can overwhelm them at times and they need Your strength to persevere. They need Your guidance to stay on the path that leads to good for all citizens of the state. They

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

136th Legislative Day

5/28/2004

need Your understanding in order to be able to fulfill the responsibility of the offices for which they have been elected. Father, leadership is not easy. It is one of the toughest tasks that we will ever face on this earth. Give to each one here today the stamina to stand up to criticism. Give to each one here today the stick-to-itiveness to stay on the right path, even through the political storms and the storms of this life. To arrive at a better place for all citizens of Illinois. Most of all Father, give them compassion, compassion for each and every person within this state, for there are many who need their help. There are many who need their abilities. There are many who need their understanding. There are many who look up to them. Father, watch over these men and women today. Give them respect for one another. Give them knowledge and the heart to make decisions that will be beneficial to all citizens of this state. In the name of Jesus Christ, we pray. Amen."

Speaker Turner: "We'll be led in the pledge today by Representative Capparelli."

Capparelli - 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 Turner: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

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

136th Legislative Day

5/28/2004

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present on this beautiful Friday and they're ready to do the work of the people."

Speaker Turner: "The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker and Members of the House. Please let the record reflect that Representative Delgado is excused today."

Speaker Turner: "The record will so reflect. We have a 117 Members present. A quorum is, in fact, present, and the House will proceed with the business. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Steve Davis, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on Thursday, May 27, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 431. Representative Giles, Chairperson from the Committee on Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on Thursday, May 27, 2004, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 1553, recommends 'be adopted' Floor Amendment #3 to Senate Bill 1592. Representative Holbrook, Chairperson from the Committee on Environment and Energy, to which the following measure/s was/were referred, action taken on Thursday, May 27, 2004, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment

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

136th Legislative Day

5/28/2004

#1 to Senate Bill 3188. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, May 27, 2004, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 1953. Representative Smith, Chairperson from the Committee on Appropriations Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on Thursday, May 27, 2004, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 3341. Representative Soto, Chairperson from the Committee on Transportation and Motor Vehicles, to which the following measure/s was/were referred, action taken on Thursday, May 27, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 451."

Speaker Turner: "Mr. Clerk, Resolutions."

Clerk Mahoney: "Order of House Resolutions-First Reading. House Resolution 1017, offered by Representative Mathias. House Resolution 1018, offered by Representative Bill Mitchell. House Resolution 1019, offered by Representative Saviano. House Resolution 1020, offered by Representative Tenhouse. House Resolution 1021, offered by Representative J. Lyons. House Resolution 1022, offered by Special Committee on Illinois State Toll Highway Authority. House Resolution 1023, offered by Representative Osterman. House Resolution 1024, offered by Representative Osterman. House

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

136th Legislative Day

5/28/2004

Resolution 1025, offered by Representative Giles. And House Resolution 1017, offered by Representative Mathias. Hold on. House Resolution 1026, by Representative Myers, and House Resolution 1027, by Representative Myers."

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

Mitchell, J.: "Nothing."

Speaker Turner: "Nothing? You'd like to withdraw a Motion? You want to... you want to withdraw a Motion, right? On House Bill 4280?"

Mitchell, J.: "Thank you, Mr... thank you, Mr. Speaker. Yeah, I wish to withdraw the Motion to reconsider."

Speaker Turner: "The Gentleman asks leave to withdraw the Motion to reconsider a vote on House Bill 4280. All those in favor say 'aye'; all those opposed say 'nay'. The opinion of the Chair is the 'ayes' have it. And the Motion is withdrawn. The Gentleman from Macon, Representative Flider, for what reason do you rise?"

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

Speaker Turner: "State your point."

Flider: "Yes. Thank you, Mr. Speaker. I just wanted to let the Members of the chamber know, when they came in today you have on your... on your desk a handout from this morning's Decatur Herald & Review Newspaper and it talks about the Summer Start Festival that's going on in Decatur. And not knowing exactly what our schedule would be and knowing that my district in Decatur is less than an hour away from Springfield, if you and your families were

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

136th Legislative Day

5/28/2004

looking for something to do this weekend. I just wanted to let you know that there are some boat races going on over there. It's an annual sanction event if you're interested in those kinds of activities. It's really a super event. And so, if you're looking for something to do and if you're gonna be here and you'd like to spend some time, less than an hour away is Decatur, Illinois and the program here talks about all the different activities that are going on. And if you're wondering about any of the logistics or anything, if you think you'd be interested in attending I'd be more than happy to answer any questions. Thank you very much, Mr. Speaker."

Speaker Turner: "Page 8 of the Calendar, Second Readings, we have Representative Lang on Senate Bill 1592. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1592, has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Lang on Amendment #3."

Lang: "Mr... Mr. Speaker, I think this is Representative Sacia's Amendment. Am I correct, Mr. Clerk? In fact, I think, Representative Sacia is now the Chief Sponsor of this Bill."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia, on Amendment #3."

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

136th Legislative Day

5/28/2004

Sacia: "Thank you, Mr. Speaker. Amendment #3 to Senate Bill 1592 deals with an effort from the Stockton, Illinois School District that has just had a referendum a year ago and they are in a financial watch list situation wherein they have had 17 water breaks in their heating system in the last several years. And it's a life safety issue for them to be able to sell bonds in the amount of \$750 thousand in order to rectify this situation. I would appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 1592?' All those in favor should vote 'aye'... no, should say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Amendment is adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1592, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Lang or Representative Sacia. Representative Lang."

Lang: "Yeah... yeah, again, Mr. Speaker, the sponsorship of this Bill should be switched to Representative Sacia on the record and I'd be happy to yield to him."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. I... I'm sorry, I missed the question."

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

136th Legislative Day

5/28/2004

Speaker Turner: "We're ready to move this Bill to Third Reading."

Sacia: "Yes, please do."

Speaker Turner: "We want to pass your Bill."

Sacia: "Yes, Sir."

Speaker Turner: "So, the Bill now is the Amendment? Amendment #3?"

Sacia: "The Bill is the Amendment. That is correct, Sir."

Speaker Turner: "Okay."

Sacia: "And I'd be happy to answer any questions if anyone wanted further clarification."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Senate Bill 1592?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 68 voting 'aye', 44 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Peoria, Representative Slone, for what reason do you rise?"

Slone: "Thank you, Rep... Mr. Speaker. My switch was still locked out from yesterday. Had I been able to do it, I would have voted 'yes' on that last Bill."

Speaker Turner: "The record will so reflect. On page 9 of the Calendar, we have Senate Bill 1953. Representative Flowers. Read the Bill, Mr. Clerk."

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

136th Legislative Day

5/28/2004

Clerk Mahoney: "Senate Bill 1953, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Flowers, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Flowers, on Amendment #1."

Flowers: "Thank you, Mr... thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 would amend the School Code and provide that school districts must publish school lunch menus and their nutritional contents, including the calories of each meal. If the school board already does any of the following three items and it talks about the software provide meals and nut... nutritional base plan and complete a nutritional analysis, and most schools do so. And I'll be more than happy to answer any questions that you might have in regards to Senate... Bill 1."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise? Representative Bellock."

Bellock: "Thank you, Mr. Speaker. I wanted to be recorded as a 'no' on House Bill 1592."

Speaker Turner: "The record will so reflect. Representative Lyons, for what reason do you rise?"

Lyons, E.: "I also would like to be recorded as a 'no' on that Bill. Thank you."

Speaker Turner: "And the record will... 1592?"

Lyons, E.: "1592."

Speaker Turner: "1592. The record will so reflect. Seeing no questions on Floor Amendment #1, the question is, 'Shall

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

136th Legislative Day

5/28/2004

the House adopt Senate Amendment... Floor Amendment #1 to Senate Bill 1953?' All those in favor should say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Amendment is adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1953, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Flowers: "Thank you, Mr. Speaker. I would urge for the passage of Senate Bill 1953."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1953?' 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 'nay'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Menard, Representative Brauer, for what reason do you rise?"

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

Speaker Turner: "State your point."

Brauer: "Ladies and Gentlemen of the House, please rise and give us a strong Springfield welcome for the nuclear submarine, the Springfield. They're on a namesake tour."

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

136th Legislative Day

5/28/2004

We have with us today Senior Chief Terry Geecey from Chicago Heights. We have Master Chief Gayland Humphries from Minnesota and we have Petty Officer David Woburn from Rock Falls, Illinois. Lets give 'em a warm welcome. Thank you."

Speaker Turner: "Welcome to Springfield, gentlemen."

Brauer: "Al... also with them we have Skip Turnbowl who's acting as their guide. He's a retired submariner back when they had diesel. So, lets give him a welcome too."

Speaker Turner: "Welcome Skip. On the Order of Second Readings, on page 11 of the Calendar, we have Senate Bill 3069. Representative Joyce. Out of the record. On the Order of Second Readings, page 11 of the Calendar, we have Senate Bill 3186. Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3186, has been a read a second time, previously. No Committee Amendments... Committee Amendment #1 was approved in committee. Floor Amendment #2, offered by Representative Flowers, has been approved for consideration."

Flowers: "Thank you, Mr. Speaker. I move to... for the adoption of Amendment #2 to 3186. Amendment #2 adds the definition of 'because of sex or on the bases of sex'. And this is... is an agreed to Amendment by the department. And I would urge for the adoption of Amendment #2."

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

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

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

136th Legislative Day

5/28/2004

Speaker Turner: "She indicates she will."

Parke: "Good morning, Representative."

Flowers: "Good morning, Representative. How are you?"

Parke: "Is Amendment #2 still on this Bill?"

Flowers: "Amendment #2 is on the Bill. Yes."

Parke: "Is that the Bill?"

Flowers: "No, Amendment number... the original Bill is still there."

Parke: "Okay. So..."

Flowers: "Amendment #1 as..."

Parke: "Now, it's my understanding that the Illinois chamber is opposed to this. Can you tell us why?"

Flowers: "Well, you know what, if the chamber is opposed to it they were not in committee and neither was I notified of their opposition to Amendment #2."

Parke: "And again..."

Flowers: "There were some concerns that Jay Shaddock may have had. But when I talked to him I got the impression that everything was worked out."

Parke: "Well, could you tell us again... this you... this is an initiative of the Illinois Planned Parenthood Council and this is..."

Flowers: "No. No."

Parke: "It is not?"

Flowers: "No. This is an initiative of the Illinois Department of Human Rights. This is their Amendment."

Parke: "Well, it's their language. And this... and this came about because of a federal court case?"

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

136th Legislative Day

5/28/2004

Flowers: "Yes. You know, you can be discriminated, and it... it enunciates in the Act the things that you can be discriminated against, but it does not indicate on the basis of the because of your sex. And it's really only applicable to women, because of their sex they are pregnant."

Parke: "Well, give me an example of what evil you're trying to correct with this legislation."

Flowers: "Because of a person's sex and they're pregnant, they cannot be discriminated against. They..."

Parke: "Give me an example of how their discriminated against."

Flowers: "Well, you may of hired me in the early stages of my pregnancy and you didn't realize I was pregnant, and now that I'm beginning to show you want to terminate me. Not because I'm a female, not because I can't do my job, but because I am pregnant. Now, that employer couldn't very well do the same thing to you."

Parke: "Just a second, please. Well the... my understanding of the business community, and I won't speak for all of it, but the chamber's concern is that with a woman that now is with child may not be in a line position that might be as safe as it could be by shifting her to another position that would be safer for her and her child in the period of time before birth. And this Bill says that if you move her that you can be in violation of some Federal Law under discrimination, and I think that that's not unreasonable."

Flowers: "Well, I'm sure that if you explain to... I'm sure a female would not put herself in a position to harm herself

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

136th Legislative Day

5/28/2004

or her unborn child. So, whereas it that you may... that may be your determination, but maybe I think I could handle it. And so as a result..."

Parke: "Well, let me just say this. Is that...."

Flowers: "Now see, you have staff helping you. That's not fair. Staff is not helping me."

Parke: "Yes, I know. That's why staff is wonderful on both sides of the aisle."

Flowers: "And see that's discrimination. This is exactly what this Bill is all about."

Parke: "What?"

Flowers: "Discrimination."

Parke: "Not allowing pregnant staff to help people..."

Flowers: "Absolutely."

Parke: "I see."

Flowers: "Absolutely."

Parke: "Okay. Well, I have... I have a relative of mine who was a forklift driver and she was a woman. And she has to move that forklift around a lot. It was a real strenuous job. If, in fact, I don't know... I mean, but if she became pregnant they may say, well look, this a... this could be a dangerous job, you could have an accident, then... and working on some kind of construction.. automation line where they may move her to an office. And in the committee this was brought up by a Representative of the chamber and said that they had problems that they were... said that they could not move that job... that woman even though they wanted to move her to a safer position. So, you say that... that she

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

136th Legislative Day

5/28/2004

wouldn't... would want to do that. Well, not all woman do. You can't generalize like that. And I don't think this is necessary."

Flowers: "Well, Representative, first of all I want to clarify that no one spoke yesterday in opposition in committee in regards to this Amendment. That's number one. Number two I have never had the pleasure of driving a forklift. But when you said that woman was pushing, she's not pushing the forklift. She's driving the forklift. And I'm sure she's accelerating it the same way we would accelerate a car. And then when she needs to pick up... when that forklift needs to pick up something heavy, I'm sure she pushes a button and that machine picks it up, not she. So, and this... it would be the same principle if she was a truck driver or either just driving her car."

Parke: "Well, to the Bill. Ladies and Gentleman, I rise in opposition to Senate Amendment 2. I don't think this is necessary. I think under the Human Rights Act that if there's any form of discrimination they have the right to protest. I don't think we need additional laws to protect a... a woman who is with child. To do that, I think that's not necessary and I rise in opposition to Senate Amendment 2."

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

Miller: "Will the... will the Sponsor yield?"

Speaker Turner: "She indicates she will."

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

136th Legislative Day

5/28/2004

Miller: "Representative Flowers, this is basically... this Amendment here is to protect women who you feel may be discriminated because they do get pregnant, correct?"

Flowers: "Absolutely."

Miller: "To the Amendment. I personally support... I support this Amendment strongly. There's a situation that the previous Representative talked about a forklift. But, however, there's other women that in case I know that do other things besides manual labor. For instance, they may be in a sales force and they have to fly to different areas of a territory and because of the pregnancy they may not be able to fal... be able to fly those distances because it may be a difficult pregnancy or normal pregnancy. And so what may happen is because of their performance, their related to how much they do in sales may be diminished, there's still other... other functions of that job they may be able to do. And so, what this law... this Amendment simply does is protect those women who may be unfairly biased against them as... as others in that company or whatever to say that... that they should be performing at a certain level. But because of restrictions just through a pregnancy they may not be able to perform. I... I urge all Members to support this Amendment."

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

Churchill: "Will the Lady yield?"

Speaker Turner: "She indicates she will."

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

136th Legislative Day

5/28/2004

Churchill: "Representative Flowers, I'm trying... I'm generally for the Bill that you're trying to do here. But I've got a problem and I want to know... I'm gonna give you a scenario and see if you can give me an answer on this. So, there's an employer who hires a lady and the job is to move 50 pound boxes. And she's young and unmarried or whatever and she's out there working her job, she's moving 50 pound boxes everyday. She gets married. All of the sudden she... she's pregnant with a child and she tells the employer, she says, 'I'm... I'm pregnant.' And so then the employer says, 'Well, I don't want to have you moving 50 pound boxes anymore because that would not be good for your health or the health of your... of your baby.' At that point, if he puts her into a different job or if he tells her that there is no other job other than moving 50 pound boxes, has he not discriminated against her... against her because of her pregnancy? And then under this Bill he would be liable."

Flowers: "Representative, according to my understanding of this legislation is if that person is pregnant or either have a pregnant related condition or either give the appearance of pregnancy, she will have to be treated as any other person with a... with... not like... with a similar situation. For instance, with a man with a bad back. If you had a bad back you would not be fired, you would be moved elsewhere. You see what I'm saying?"

Churchill: "That may be true or may not be true. There may not be another place for you to be moved. You might have two employees and there may be no other place for employment."

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

136th Legislative Day

5/28/2004

Flowers: "But the fact of the matter is there may be or there may not be. But if there is, this person who happened to pregnant or either a related condition of pregnancy cannot be treated any differently than a person such as yourself with a similar condition."

Churchill: "Yeah, let's just... let's just make it equal. It's a female with a bad back and female with a pregnancy. All right. So, maybe the female with the bad back you would say, 'All right, you have to go on disability.' Can you take the female with the pregnancy and put her on disability?"

Flowers: "If... if... as long as you treat them equally."

Churchill: "Okay. So, there's a female with a bad back and you say, 'You cannot... I'm worried about your health. I don't want you to end up getting hurt, I don't want you to end up suing the company and, therefore, I... I deem it that you can't do your job right anymore.' And so, then you would say... dismiss the employee. So, now if the female gets pregnant and you say, 'You know, I'm worried about your child and I'm worried about your health and I don't want you to get hurt and turn around and sue the company,' can you then dismiss the female?"

Flowers: "I just..."

Churchill: "You just dis... you just dismissed the person with the bad back. Can you dismiss the female who is pregnant?"

Flowers: "Let... let... let me just read what the intent is because I don't want to add anymore to it. Anyone with any of these conditions would be protected under the Act from not

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

136th Legislative Day

5/28/2004

receiving fair treatment related to their employment, including any benefits under fringe benefits or anything like that. So, just not to be treated differently."

Churchill: "Yeah, in generally, I think that the purpose is... is well-founded. I just want to make sure that we're not putting an employer in a situation were there is a dilemma that either one, they're gonna treated under this Act as having violated a law or two, they're gonna allow that female to keep carrying those 50 pound boxes because she wants to and she gets harmed and then she turns around and sues them. So, either way they go, you know, there's not a clear line where they can travel that keeps them in safety. They're gonna put somebody in harm's way either way they do it. And I... I'm afraid of the unintended consequence of the Bill."

Flowers: "I think there's... there's a commonsense to this legislation. And that... and what we're talking about is equal treatment. And if a person with a bad back, may it be male or female, pregnant or otherwise, if you cannot lift this 50 pound bag because of your bad back, because you're pregnant, if he's not gonna fire you because you can't lift the 50 pound bag he cannot fire me because I cannot lift the 50 pound bag because I am pregnant. You can't lift it because of your back. I can't lift it because I'm pregnant."

Churchill: "Thank you."

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

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

136th Legislative Day

5/28/2004

Flowers: "Thank you, Mr. Speaker. I would appreciate the adoption of Amendment #2 to this Bill. And I want to indicate to everyone that this came out of the Senate 50 voting for... with 50 votes. So, I would appreciate the passage of... the adoption of Amendment #2. Thank you."

Speaker Turner: "The Lady asks... no, the question is, 'Shall the House adopt Amendment #2 to Senate Bill 3186?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Mahoney: "No further Amendments. But notes have been requested and not yet received."

Speaker Turner: "The Bill shall remain on Second Reading. The Lady from Cook, Representative Flowers, for what reason do you rise?"

Flowers: "I would like to challenge the notes because I want to say that they are inapplicable."

Speaker Turner: "The notes were filed on Floor Amendment #2. And so, because that Amendment just passed... the Lady has made a... the Lady has moved to challenge the applicability of the fiscal notes that have been filed on Floor Amendment #2. There are two different notes that have been filed. Mr. Clerk, what are the notes that have been filed?"

Clerk Mahoney: "A fis... a fiscal note on Floor Amendment #2 and a state mandates note on House Amendment #2."

Speaker Turner: "Representative Parke. The Gentleman from Cook, Representative Parke, for what reason do you rise?"

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

136th Legislative Day

5/28/2004

Parke: "Thank you, Mr. Speaker. If... if this Motion prevails it will set a precedent that we think would be unhealthy. We have worked in this chamber on an agreement that when something is perceived to have a fiscal impact on the state, whether that's on the state directly or on the business community that provides the taxes for it, that we have a right to know what the estimated cost will be to State Government and to the perception of what it may cost outside of State Government. We think that to allow her Motion to prevail opens up a Pandora's box. I don't think you want to do that. I'm disturbed that you would entertain it. Those notes are filed in a proper manner. We would ask that it would continue to be done in a way that shows cooperation. That's within our rights and we would ask that you honor that request."

Speaker Turner: "Representative Parke, your remarks are well taken. The Lady, though, is within her rights to question this Body as to whether the notes are applicable. And so, the Motion on the Floor... Floor currently... and if the Body agrees with you they will vote accordingly. The note... the question on the Floor at this point is, 'Is the fiscal note act applicable on Floor Amendment #2 to Senate Bill 31 (sic-3186?' Those who believe that the note is applicable should vote 'aye'; those who'll believe that it is not applicable should vote 'no'. Are the Members clear? The question is, 'Is the fiscal note act applicable for... on Floor Amendment #2 applicable?' The Lady from... the Lady from Cook, Representative Flowers."

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

136th Legislative Day

5/28/2004

Flowers: "Mr. Speaker, for timely purposes, I would withdraw my challenge to the Gentleman's fiscal note and I'll just have it taken care of."

Speaker Turner: "The Lady withdraws her Motion. Hold the Bill on Second Reading. The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. I want to recognize the... the request of Rep... Mary Flowers... Representative Flowers to show that she feels it's important to work within the system. I respect that. And I'm pleased that she has not forced the issue. Ladies and Gentlemen of the House, we... we have to be able to work in a manner that's within the rules. And I'm glad to see that she also respects that. And I'm pleased that she removed that. So, we do want... yes, we're going to meet today with some of the business groups to find out exactly what the concern was on the representatives. And that's why we want those fiscal notes. Thank you."

Speaker Turner: "Okay. Representative, we're going to move forward. But the Lady was within her rights to ask... to question whether the note is applicable. That is a right of each Member and so there were no violations in terms of making that request. The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I just wanted to clarify, I had wanted to be a 'no' on Senate Bill 1592. I think I had said House Bill. Thank you."

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

136th Legislative Day

5/28/2004

Speaker Turner: "The record will so reflect. On the Order of Second Readings, page 11, we have Senate Bill 3188. Representative Bradley. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3188, has been a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bradley, has been approved for consideration."

Speaker Turner: "The Gentleman from Williamson, Representative Bradley."

Bradley J.: "Thank you, Mr. Speaker, Members of the chamber. As many of you know, the State of Illinois is currently competing for a \$1.1 billion federally financed coal mine project, the Future Gen Project. And the Amendment that I've put on this Bill would, in fact, give us another incentive or another piece of allurements to bring that coal mine project to southern Illinois. So, I would ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 3188... I should say Floor Amendment #1 to 3188 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 3188, a Bill for an Act in relation to executive agencies. Third Reading of this Senate Bill."

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

136th Legislative Day

5/28/2004

Speaker Turner: "The Gentleman from Williamson, Representative Bradley."

Bradley J.: "Thank you, Mr. Speaker, Members of the commit... or Members of the chamber. Again, this is the Bill that would, as language purposed by DCO, which would allow the State of Illinois to be even more competitive on the Future Gen initiative. It expands the definition of 'new electric generating facilities' to include the integrated gasification... coal gasification system, which would be utilized in the Future Gen Project. This is a... another piece of ammunition for us trying to get Future Gen. And I'd ask for your support."

Speaker Turner: "The Gentleman from Effingham (sic-Vermilion), Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Gentleman's efforts to pass this Bill. I think whenever we can, it isn't always possible, but whenever we can we need to reach out across the aisle and do into each other's districts to help the economic climate of Illinois, to help create jobs, to help retain jobs. This is a case were it's a positive. We're not asking for the taxpayers to spend huge sums of money on this... on this concept. We are asking that we give every possible consideration to new technology in generating electricity. It's a positive for his area of the state, but it's also a positive for mine. And I think whenever we can, we need to help each other retain and create jobs in our district rather than turn our back on

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

136th Legislative Day

5/28/2004

any Member in this chamber who is simply trying to create and help the overall economy of the State of Illinois. I commend the Sponsor. I intend to vote 'aye'."

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

Dunkin: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Dunkin: "Thank you, Mr. Speaker and Mem... Members of the House.

I'm... I agree wholeheartedly with my colleague across the aisle and my colleague sponsoring this Bill. And we do need to create jobs as often as we can, when we can, especially given today's climate. I also believe that when we have an opportunity to play a major role with that on the immediate here in this chamber, we should do that. So, I would encourage all of our colleagues to vote to help expand jobs here in the State of Illinois to put people working, irrespective in... of whose district that it's located in because it makes sense, Representative, to increase the economic livelihood of families and individuals of communities in our great state here in the State of Illinois, to bring more state taxes here. And ultimately have... give people an opportunity to acquire and reach the American dream. So, again, when you are looking to expand jobs, especially... even if it's not in your district, whether it's downstate, central Illinois or Chicago, I think you should have that opportunity. So, I would encourage an 'aye' vote."

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

136th Legislative Day

5/28/2004

Speaker Turner: "Seeing no further questions, the question is, 'Shall Senate Bill 3188 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar, we have Senate Bill 1897. Representative Currie. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1897 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

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

Currie: "Thank you, Speaker and Members of the House. This is cleanup language on the Ethics Bill that we adopted last year. We're clarifying some of the issues about how we may use our campaign funds to help sustain to expand upon our governmental and public service activities and clarifying that... that the language about not putting our names on items like bumper stickers... we can if we're... if they're part of a governmental service. We are exempting from the Freedom of Information Act guidance that might be provided by the inspector general or the Ethics Commission information... from the... at the request of an ethics officer, a Member, or a state employee partly because, of course, it would be construed if these individuals were lawyers that

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

136th Legislative Day

5/28/2004

an attorney-client privilege already would apply. And in addition, we wanna encourage ourselves to come forward with questions so we can make sure we're doing things just the way we ought. As well, we're following the model that we have for JCAR and the other support agencies so that the three of the four Legislative Leaders have to approve an employee of the Ethics Commission, the Legislative Ethics Commission, or the Office of the Legislative Inspector General. Finally, we are permitting people who are employed part-time by the inspector general or the Ethics Commission to retain a pension, a public pension, if they already were entitled to it, but again, only if they're employed part-time. And finally, we've included in this legislation the provisions that already passed the House on Senate Bill 3200 which would allow a member of one of the other Ethics Commissions to serve without adverse impact if they have a pension under the State Employees Retirement System. I'd be happy to answer your questions and I'd appreciate your support for this cleanup Bill."

Speaker Turner: "The Gentleman from McHenry, Representative Franks."

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

Speaker Turner: "She indicates she will."

Franks: "Thank you. Madam Majority Leader, for a legislative intent for Senate Bill 1897, I'd like to ask you a few questions."

Currie: "Fine. Fire away."

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

136th Legislative Day

5/28/2004

Franks: "Thank you. In the language clarifying that state officials may use political committee funds to supplement or pay for expenses that are in furtherance of state duties in the governmental or public service functions of the office, the Bill strikes existing language that refers to the use of these moneys for operating expenses of a Member's district office. Am I correct that the changes made here does not restrict the use of political funds for these purposes, but rather clarifies that they can be used not only for what might be considered an operating expense of an office but also for other legitimate expenses, including expenses for governmental and public service functions of the office?"

Currie: "Correct."

Franks: "Good."

Currie: "Yes. The answer is yes."

Franks: "And my second question, what is intended by the change in the language concerning promotional items?"

Currie: "The change here is just to make sure that state officials and Members of the General Assembly can use their names in conjunction with constituent services and governmental or public service functions in our offices. All right, here's an example. Say you made magnets that people could put on their refrigerator that would tell them how to contact their State Representative or the Attorney General's Office. Well, you can put your name on that because it has additional information, as well. What if you're putting your name on a... a document that helps people

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

136th Legislative Day

5/28/2004

figure out how to fill out their senior citizen's circuit breaker form? That's okay. We don't want to prohibit those kinds of expenditures from state fund. But the point is, if it serves absolutely no other purpose but to promote name recognition, provides no substantive or useful information, then that's what last year's Bill meant to stop. So, if a bumper sticker or button has nothing but the Member's name printed on it then you can't use public funds to pay for it. But we are in the business of public service and sometimes that requires us to communicate with the public to let 'em know how to find us and to provide them useful information."

Franks: "Thank you, Representative."

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

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

Speaker Turner: "She indicates she will."

Parke: "Thank you. Representative, is this the language that was developed by the House Republican staff and presented for agreement with your side?"

Currie: "My understanding is that this was a joint staff effort, yes."

Parke: "Okay. Well, then, congratulations. This sounds like a good idea. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the floor... 'Shall the House adopt Floor Amendment #1 to Senate Bill 1897?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair,

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

136th Legislative Day

5/28/2004

the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1897, a Bill for an Act in relation to government ethics. Third Reading of this Senate Bill."

Currie: "Thank..."

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

Currie: "Thank you, Speaker, Members of the House. The Amendment is the Bill. I urge your 'aye' votes."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 1897 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, page 5 of the Calendar, we have Senate Bill 2108. Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2108, a Bill for an Act concerning accounting. Third Reading of this Senate Bill."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2108, as amended, is an initiative of the Il... Illinois CPA Association, in conjunction with the Department of Professional Regulation. So remember, a couple of years ago we transferred the... the regulatory authority to the... to

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

136th Legislative Day

5/28/2004

the Board of Examiners over at the University of Illinois. Well, with the change of administration we've decided to put it back with the Department of Professional Regulation and expand the consumer protection aspects of the Act. And of course, this is in response to, you know, our Enron situation and other... other corporate 'cooking a book' schemes. We felt that we should tighten up the Act and make sure there's further consumer protection for the citizens of Illinois. This is an Agreed Bill. It's taken a long time to negotiate this. I commend all the parties who have worked so diligently on this piece of legislation and I would entertain any questions."

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

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

Speaker Turner: "He indicates he will."

Tenhouse: "Representative Saviano, for questions of legislative intent, this Bill has provisions stating that it would apply to CPAs providing services to a company. That could be a company in California or New York or Hong Kong. Is it the intent of these provisions to apply to companies with minimal connections to Illinois?"

Saviano: "That is not the intent. It is our intent that the provisions apply only to those companies that are located in Illinois or with a significant nexus or connection to Illinois. If it were applied to companies with minimal connections to Illinois that could raise serious issues under due process and the commerce clauses of the Federal

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

136th Legislative Day

5/28/2004

Constitution. The Department of Professional Regulation can draft regulations that provide greater guidance to make sure that CPAs and companies know exactly what triggers the applicability of these provisions."

Tenhouse: "The Bill has a July 1, 2004 effective date. Does the Bill intend to allow those accoun... accounting firms already providing both audit and nonaudit services to a company to use the exemption provision to provide both types of services contemporaneously?"

Saviano: "Yes. That is our intent. An accounting firm currently providing both audit and nonaudit services certainly could use the exemption provision to continue providing such services."

Tenhouse: "Lastly, would the Bill allow those accounting firms already providing one type of service audit or nonaudit to a company to use that exemption provision to begin providing both types of services contemporaneously?"

Saviano: "Yes. That is our intent. An accounting firm currently providing audit services may use the exemption provision to begin providing nonaudit services contemporaneously with the audit services and vice versa."

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

Speaker Turner: "To the Bill."

Tenhouse: "I stand in support of this particular piece of legislation. I think it's necessary, certainly intact in terms of what we're facing right now. We pick up the newspapers, we read about some of the situations with ethics in terms of CPAs. And being one myself, although

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

136th Legislative Day

5/28/2004

I'm not practicing it, 'cause I want to mention that to Members of the House, I certainly feel that this is needed legislation. There was some concern raised by the big four. I want to just point out that at this point in time they've indicated that they are not in opposition of this Bill. And I think it's a step in the right direction. I'd certainly encourage Members on both sides of the aisle to support it."

Speaker Turner: "Seeing no further question, the question is, 'Shall the House pass Senate Bill 2108?' 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 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, on page 4 of the Calendar, we have Senate Bill 184. Representative Smith. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 184, a Bill for an Act concerning court districts. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a minor change to the law that we passed last year establishing the Heart of Illinois Port District and the six counties around Peoria. The district has been formed and they have asked us if they could change the law to

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

136th Legislative Day

5/28/2004

allow them to take action by Motion, by simple Motion of their board rather than by ordinance or Resolution as the existing law requires. It's a very minor change. It'll help them do their business easier. Help them save money in legal expenses. And I'd ask for an 'aye' vote."

Speaker Turner: "The Gentleman from Cook, Representative Parke."

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

Speaker Turner: "He indicates he will."

Parke: "If you... if this passes, will this port... Peoria Regional Port District be able to build a major project? Could they widened the... what river is Peoria on?"

Smith: "It's on the Illinois River."

Parke: "Could they put a major port there if you give them the authority to do this?"

Smith: "This doesn't change that at all, Representative Parke. This is just a minor change to the law we... we passed last year."

Parke: "Well, what does the Peoria Port District do?"

Smith: "Well, as we said last year in the debate when we... when we set that up, it's a... a port district which the State of Illinois recognizes. There are... there are a number of port districts around the state. We have never had one in the Peoria area although we certainly are there because of the river. But a port district is much more than just river transportation, it's rail and truck transportation as well. This is simply a tool that our economic development folks think will help them attract business to the Peoria area."

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

136th Legislative Day

5/28/2004

There are already existing businesses who are in the river barge transportation who are already using some of the... some of the services that the port district will be able to provide. Also be able to access some federal money for economic development purposes through the port district. So, it's... it's an excellent economic development tool for our area."

Parke: "Well it says... it says..."

Smith: "But this legislation has nothing to do with that."

Parke: "Okay. But this..."

Smith: "This is just a minor change."

Parke: "Well, it's minor, but doesn't it say that it can go any authorization... authorization of an expenditure of over \$5 thousand must be by ordinance? Isn't that what it really does?"

Smith: "No, Representative Parke. This says... the law that we passed last year said that everything the Port District Board did had to be by ordinance or by Resolution. They're simply saying they would like to be able to do things by simple Motion and not have to have a Resolution drafted, except... except in the area of expenditures over \$5 thousand, and those they'll always do by ordinance."

Parke: "Well, that's what I said. Okay. Thank you."

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

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

Speaker Turner: "He indicates he will."

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

136th Legislative Day

5/28/2004

Meyer: "Representative, I'd like to follow through on some of that line of questioning. Currently, the records of ordinances and Resolutions have to be kept and open for the... to the public as public... as part of the public knowledge that's available to them. Is that correct?"

Smith: "Certainly. Every... all the records of the port district would be."

Meyer: "Well, would the vote on Motions also be subject to the same scrutiny by the public under your legislation?"

Smith: "Absolutely."

Meyer: "So, really... well, we're not changing the fact that... of how we operate. Everything is still open to the public and their scrutiny. Is that correct?"

Smith: "That... that is correct. This will just help them do their business a little bit easier."

Meyer: "How... how does that allow them to do their business easier verses a Resolution or an ordinance?"

Smith: "Well, for one thing they won't have to have a Resolution drafted. They won't have to pay an attorney to do a Resolution. Right now, the port district does not have any staff, they do... they have contracted with legal council. But if they have to... every action they take has to be in written Resolution form and, obviously, that's gonna cost them some money. It's gonna take a little time, whereas, if they can do it by simple Motion, you know, then the record is in the minutes of the port district."

Meyer: "Well, would those Motions... going back to local government, as I recall it, when we published our agenda we

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

136th Legislative Day

5/28/2004

had to have the Resolutions and ordinances on the agenda and open to the public so that they knew what was gonna be discussed at the meetings."

Smith: "Yes. They... the port district is subject to the same open meetings, laws and freedom of information laws that other units of gov... local government aren't."

Meyer: "Would Motions have to be a part of the agenda also?"

Smith: "I'm not sure that Motions would, but... but any action they're gonna take would be on the agenda. So, you know, rather than... let's say they have some... some contract or some action to take, it will be on the agenda and then they can simply approve it by simple Motion rather than having a Resolution saying they approve it."

Meyer: "I certainly don't have a problem of a Motion to accept minutes or those types of kind of rudimentary type of Motions. However, introducing... introducing a Motion on... on something that quite possibly should be on an agenda so that people would have some type of notice that they should be at the meeting and things, something like that I... I would be concerned about. Is that your intent to allow Motions for very specific discussion matters or is it more along the lines of Motions for approval of minutes?"

Smith: "No. I... I would imagine that major action items are probably going to be done by some type of ordinance anyway. This does not preclude them from using an ordinance or a Resolution. It just says that they don't have to do that in every action that they take."

Meyer: "Okay. Thank you for your responses."

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

136th Legislative Day

5/28/2004

Speaker Turner: "The Gentleman from Fulton, Representative Smith, to close."

Smith: "Thank you, Mr. Speaker. I'd just simply ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 184 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes' 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, page 7 of the Calendar, we have 20 Bill... Senate Bill 2432. Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2432, a Bill for an Act concerning renting fees. Third Reading of this Senate Bill."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is a very simple Bill that the Illinois Press Association brought to me and which passed the Senate, I believe if not unanimously, certainly near unanimously. And it's a one-page Bill. And on page 13 and 14 of the Bill they speak of column lines. And on page 18 of the proposal, for some reason over the years, the Bill simply read 'line'. And so what this suggestion is that we insert 'column line' into that language as well so that there would be no uncertainty that we are talking about column lines in the calculation of this amount. So, it's a very simple request from the Illinois Press Association and I'd

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

136th Legislative Day

5/28/2004

be happy to answer any questions. I think it clarifies something that we all thought was there all along."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House... I'm sorry. The Gentleman from Iroquois, Representative Cultra, for what reason do you rise?'"

Cultra: "Just... will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Cultra: "Will this add any cost for the people that are publicized... that will be publishing in the newspaper? Will it... will this change add any cost?"

Speaker Hannig: "Representative, if... if people are following the way the law was intended to operate already, and I assume that they are, it should not add any additional cost."

Cultra: "All right. Thank you."

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

Churchill: "Yes, this is a question for the Clerk. Is House Amendment #1 on the Bill?"

Speaker Turner: "Mr. Clerk."

Clerk Mahoney: "No Amendments have been adopted to 2432."

Churchill: "Okay, are... you know, on the computer it says that there's an Amendment on there. That is not true in this case, Representative Sacia passed that Amendment out on a Bill previous to this time. So, the computer analysis on our Republican side is not correct."

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

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

136th Legislative Day

5/28/2004

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

Speaker Turner: "He indicates he will."

Giles: "Representative Hannig, you... I think a previous question was just asked, is Amendment #1, Representative Sacia's Amendment, was not adopted?"

Hannig: "That's correct."

Giles: "Maybe Representative Sacia can answer this. We adopted the Amendment in Elementary-Secondary Education Committee yesterday. Was it to this particular Bill?"

Sacia: "May I resp... it was... we had initially attempted to use this Bill but this Amendment was never adopted to this Bill. This Amendment should not be on this Bill."

Hannig: "Yeah. The Amendment is... is not on the Bill, Representative Giles. The... the Illinois Press Association asked us to try to send a clean Bill to the Governor. We worked with Representative Sacia to find another vehicle for his... for his Bill."

Giles: "Thank you. I was just making sure. I know we did adopt in Am... Amendment #1 some language that Representative Sacia had to, I guess, a previous Bill, but it was not this one. Representative Hannig, I think it was asked previously, is... is there a cost amount? I'm... I'm looking here, there's a charge of 40 cents per line per printing. What is... what is the... what is that total amount?"

Hannig: "Representative, these are... these are numbers that are already in the law. The only thing that we're doing is on page 18 of the Bill. We're suggesting that this line say 'per'... instead of saying 'per line', as it does on line 13

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

136th Legislative Day

5/28/2004

and 14, that it should say 'per column line', as it does on line 13 and 14. In other words, there's an inconsistency in the Act where they talk about a column line on page 13, they talk about a column line on page 14, and this is in... in newspapers, and then they only talk about a line on page 18. We've always assumed that that meant a column line but the Illinois Press Association asked us to clarify by inserting the word 'column' before 'line' on page 18. That's all the Bill does."

Giles: "Thank you. I... it was just some confusion early on, Representative, with... with Amendment #1, if it was added. And that was the initial intent of questioning. Thank you."

Speaker Turner: "Seeing no further question, the question is, 'Shall Senate Bill 2432 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 voting 'aye', 10 voting 'no', 0 voting 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, on page 15 of the Calendar, we have House Bill 1041. Representative Hannig. Read the Bill... no, Mr. Hannig on 1041."

Hannig: "Thank you, Mr. Speaker and Members of the House. I move that the House concur in the Senate Amendment to House Bill 1041. The Bill that went over was a shell Bill. The Secretary of State found that when they rewrote part of the

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

136th Legislative Day

5/28/2004

Uniformed Commercial Code back in, I believe, 2001, they inadvertently... inadvertently left out a fund name in the... in the language. The Secretary of State had not been aware of that, had continued to transmit the money in the proper way and had suggested to us that we really need to update or to correct the statute so that the traditional way of dividing the money would actually be reflected in the statute. So, this, again, is a clarification. It has no fiscal impact. It doesn't change anything that we're currently doing, it only codifies what we already felt was the statute, in which we inadvertently caused to be changed a few years back when we did a major rewrite. So, it... it's a cleanup Bill and I'd ask that we concur."

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

Franks: "Thank you, Mr. Speaker. To the Bill. I appreciate what the Sponsor's trying to do and I presume this is gonna pass. But I voted against it in committee and I wanted to explain my reason why and why I plan on voting aga... against this again. When I asked... right now the way this is done, this \$20 fee is being paid for the filing of certain financial statements, such as a UCC. \$12 of that money goes to the Secretary of State and \$8 goes into the General Revenue Fund. I believe that a fee should only be as much as the real cost. Now, if the Secretary of State is only receiving \$12 because that's the cost for their time and effort, then the fee should only be \$12. I believe the extra \$8 that goes into the General Revenue Fund is,

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

136th Legislative Day

5/28/2004

therefore, a tax. And I think this is improper to putting an extra tax on it. I think fee should only be for amount of the service, and that is why I'm... I'm voting no and I'd encourage you to think about this Bill. And I think we need to come up with a strong policy, especially in light of the Governor's recent i... ideas to go to the different funds and to take those out. If there's surpluses in those funds that means a number of things. One, it can mean that we're charging too much. Two, if we are then we should be getting some of those monies back. Three, possibly we could be bake... having better services. But I just think as a public policy we should not be charging more for fees than the cost is to do the to... to actually provide the service."

Speaker Turner: "Seeing no question... no further questions, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1041?' 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 98 voting 'aye', 18 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Consideration Postponed, on page 13, we have Senate Bill 2577. Representative Fritchey. Read the Bill, Mr. Clerk."

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

136th Legislative Day

5/28/2004

Clerk Mahoney: "Senate Bill 2577, a Bill for an Act concerning alcoholic liquor, is on the Order of Consideration Postponed."

Speaker Turner: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Mr. Speaker, Ladies and Gentlemen. By... by way of admission, I did a poor job of explaining this Bill last time it came around. I want to try to do a better job this time. Please, don't just look at the board on this Bill and have a vote as a knee-jerk reaction. I have come and spoken to a number of you about this issue. It is an extremely important issue to my district. We've had a number of Bills today, we've had a number of Bills this Session that are locally unique to those of us as Legislators. This is one of those. Ladies and Gentlemen, the Athenaeum Theatre was built in 1910 by the Roman Catholic Parish of St. Alphonsus. The Athenaeum Theatre hosts events for about 75 thousand people a year from around this city. In the past, they have been able to get special event permits from the city to allow them to sell alcohol at some of these events. The events that happened at the E2 nightclub, completely unrelated to this venue, has made it exceedingly difficult for them to get those special event permits. What they are seeking to do is the theatre, in conjunction with St. Alphonsus' Church, is seeking an exemption so they can be allowed to sell alcohol. Ladies and Gentlemen, you are not going to get blasted for weakening the laws as they apply in this arena.

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

136th Legislative Day

5/28/2004

This legislation is drafted very specifically to apply to this specific fact pattern. It would allow the sale if there's a theatre that is within a hundred feet of a church, if and only if the church owns the theatre, the church leases the theatre to one or more entities, and that theatre is used by five different non-for-profit theatre groups. All those apply. This is an initiative of the theatre. This is an initiative of my local church. It is supported by the church, the theatre, the local community. This is truly about economic development. This is working with the wishes of the church, not against them. It is very, very important to us. I very respectfully request an 'aye' vote. And I said, those of you that I have come to talk to several weeks ago, please remember our conversations. Please help me help my district. Thank you."

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

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

Speaker Turner: "He indicates he will."

Dunkin: "You know, I too rise in support of this Bill. You know, I've talk... I've spoken with the Sponsor and actually have a thorough understanding of where he's coming from. I actually... when I was a teenager, not long ago, I used to go to his theatre and see a number of shows. Shows... very unique shows of bands or groups that came from across the country, some out of the country. And they do some great things. And unlike the E2 situation, these venues... these

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

136th Legislative Day

5/28/2004

events come at different times and they help fuel the economy. They create jobs. They put people to work for a nominal fee and they entertain. And again, they add value to our Illinois tax base. So, I would urge an 'aye' vote."

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

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

Speaker Turner: "He indicates he will."

Parke: "Representative, none of us our immune to having certain needs that we have to have for our districts. Can you just tell us what... what event this is and what church needs this to be done? Are we preempting the City of Chicago zoning regulations with this?"

Fritchey: "We... we are actually amending the Liquor Control Act, which would prevent the theatre... the theatre from being able to get the liquor license. The special event permits that the city had issued very routinely in the past, they've become much more stringent with issuing those permits in light of the E2 nightclub disaster. The city is aware and is acquiesced in what we are trying to do. The Athenaeum Theatre and the St. Alphonsus is a cornerstone of the community. And in order to allow them to continue the performances that they put on and... and they put on, Representative, let me tell you they... they put on last year about 800 performances. This really is a cornerstone of our community and in order to allow them to do this in a profitable way and for the church to benefit and for the

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

136th Legislative Day

5/28/2004

theatre to benefit, this was the route that we had to take."

Parke: "Why don't you just go to the city council and share your concern? Why... why do we even bother ourselves? This is a City of Chicago issue isn't it?"

Fritchey: "I... I understand. But the city does not want to start to, I don't want to say backtrack, but deviate from their stricter policies now with respect to the issuance of these special event permits. They are... they are trying to keep it very limited, which is why we felt that the best... the best course of conduct here was to come forward to the Legislature with very narrowly drawn and specifically tailored legislation that would fit this situation only."

Parke: "So, the bottom line here is that the City of Chicago will not give you this exemption so you come down here... I'm all broken up, no. So, the City of Chicago said, no... let me get this straight, you cannot get permission from the City... City of Chicago so you decided to do it legislatively, is that right?"

Fritchey: "I... I didn't hear the end of that, I apologize."

Parke: "I said you cannot... since you cannot get permission from the City of Chicago you plan on preempting them by having the state pass a law that says that they have to allow you to do this?"

Fritchey: "Well, Representative, we've had a number of pieces of legislation that come before us every Session that theoretically could be handled at the local level. But we

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

136th Legislative Day

5/28/2004

believe that this is the most suitable venue to handle this."

Parke: "Did... did you try to get this approved through the City of Chicago?"

Fritchey: "There... there is no blanket way to do it in the City of Chicago. You would have to apply on an event-by-event basis, and that would drain resources of the church and the theatre as well. This is actually a much more expeditious way to handle it."

Parke: "So, you didn't even try?"

Fritchey: "It's not... it's not a matter of trying. There is... there is no one-time solution in this city that you can do this by. This... this was the way that we could do it to best help the church and best help the theatre."

Parke: "Thank you."

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

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

Speaker Turner: "To the Bill."

McKeon: "The history of this theatre goes back to the early construction of the church, almost a hundred years ago. It was originally designed and used for German Operas because it is in the center of the old German neighborhood. Since its creation it has always been a community asset. Having plays, musical performances, and a theatre that actually provides compensation to the church for the use of the facility. Until the, you know, Alcohol Beverage Control Act was changed by this Body, what they had been doing for

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

136th Legislative Day

5/28/2004

years was in conflict with that ordinance. One of the final things I'd like to say, because a lot people came up and asked me about it, and I'd hope you would pay attention. I had a Bill in this chamber that failed the first time, eventually passed, passed the Senate and on the Governor's desk regarding a tavern and it's proximity to another church. In this case, you know, the church has been doing this for years. It's a source of income for the church. Service of alcohol beverages only occur in the theater for those people over 21 that are attending the musical or some sort of event, play or so forth in the church. Now, I'd like to make something perfectly clear. This has nothing to do with the Bill that I passed. A lot of people came up to me and they thought this was my Bill, which was somewhat controversial where this Bill is not. And I urge your passage. This is what the theatre and the church have been doing for years. They are part of the community, and again, it's a revenue source for the church. And they have no opposition to this Bill. I urge your positive support and... and your 'yes' vote. Thank you."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, in listening to debate and... and looking at our laptop, the... the church owns the theatre, correct?"

Fritchey: "That is correct."

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

136th Legislative Day

5/28/2004

Black: "Is the theatre actually attached to the church?"

Fritchey: "It is."

Black: "And the church has no objection?"

Fritchey: "By no means."

Black: "This does not preempt the Home Rule of the City of Chicago?"

Fritchey: "No, Sir."

Black: "The Liquor Control Commission has no objection?"

Fritchey: "The Liquor Control Commission has actually signed in support of this legislation."

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

Speaker Turner: "To the Bill."

Black: "I... I think the Sponsor is absolutely correct. There are some unique set of circumstances that simply can't be addressed by local ordinance or any... any means that we might have at our disposal. This is a situation that I think is extremely unique in that the church owns the theatre in question, the theatre is attached to the church. The church has absolutely no objection to such application and use of a special liquor license permit. I mean, some people will vote 'no' regardless. But I would ask those of you who vote 'no' and not listen carefully to the debate, how far are you going to carry this? I'm wondering when somebody will introduce a Bill that says you can't... you can't legally serve sacramental wine at the church because you don't have the permit to do so. I understand that many people feel very strongly about the prohibitions and the

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

136th Legislative Day

5/28/2004

distance factor and everything else that is in the liquor control... Liquor Code. The Sponsor has done an excellent job of explaining this. There is no opposition from the church in question. The church owns the theatre in question. I don't see why that should be a problem for anyone who feels strongly about the expansion of liquor sales. This is an extremely unique situation that can only be addressed by this Body. I think the Gentleman has crafted a Bill that recognizes that unique difference. I... I fully intend to support the Gentleman's Bill and I would hope a sufficient number of our colleagues would do that as well. It is unique. Look at your laptop. Having listen to the debate, this should really be a no-brainer. Vote 'aye'."

Speaker Turner: "The Gentleman from Cook, Representative Molaro."

Molaro: "Thank you. I'll be very brief, and this is in response to a question by Representative Parke. Please be aware that there's case law in the City of Chicago when it comes to zoning and liquor licenses, and they use the words a lot 'arbitrary' and 'capricious'. The city passes a zoning law, they pass an alcohol law and they say no liquor license within a hundred feet of a church. The problem the city has that they have to follow that law each and every time. If the city starts giving one liquor license that even though every city councilman would want to vote for it, then they'd have to do it every time because we'd file lawsuits and say they can't give it to one and not the

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

136th Legislative Day

5/28/2004

other. We don't have that arbitrary and capricious language here in the General Assembly. And that's why this Bill is here. The City of Chicago themselves does not object to this. And this is a good idea. And it's a great theatre."

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

Fritchey: "Ladies and Gentlemen, I humbly ask your help in helping me to assist the church, the theatre and my community. I would request an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 2577 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 74 voting 'aye', 42 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

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

Speaker Turner: "State your point."

Rose: "Ladies and Gentlemen, I have two distinguished citizens from my district in the gallery, Ron Wolf, the Monticello Township Highway Commissioner, and the Mayor of Villa Grove, Ron Hunt. Would you please welcome the two gentlemen to Springfield."

Speaker Turner: "Welcome to Springfield. The Lady from Cook, Representative Currie, for what reason do you rise?"

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

136th Legislative Day

5/28/2004

Currie: "Thank you, Speaker. I have a Motion to suspend the posting requirements so that Senate Bill 3000 can be heard today in House Elementary and Secondary Education Committee."

Speaker Turner: "The Lady asks leave that the posting requirements for Senate Bill 3000 be... that leave be granted and that it could be heard immediately. All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And leave will be granted. The Gentleman from Cook, Representative Giles, for what reason do you rise?"

Giles: "Thank you, Mr. Speaker. I took the advice of previous Speaker and looked at the legislation on the laptop on Senate Bill 2577. And I would like to be recorded as voting 'no'."

Speaker Turner: "The record will so reflect. On the Order of Concurrences, on page 14, we have House Bill 835. Representative Aguilar. Take it out of the record. Check it as Harley. On page 14 of the Calendar, we have House Bill 835. Representative Aguilar."

Aguilar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 835 co-provides that the TIF District in the town of Cicero, whose ordinance was originally adopted on December 23, 19... 1986, should have the life of the TIF expanded. All of the surrounding taxing districts approve it and I ask for your support. I move..."

Speaker Turner: "Seeing no..."

Aguilar: "I..."

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

136th Legislative Day

5/28/2004

Speaker Turner: "...seeing no questions..."

Aguilar: "...I move to concur."

Speaker Turner: "...seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 835?' 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 109 voting 'aye', 7 voting 'noe'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, on page 14 of the Calendar, Representative Jakobsson, we have House Bill 828. Read the Bill... I should say, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I ask to agree with the Amendment from the Senate... con... concur with the Amendment. The... it's a tax increment financing district and under this one, the City of Urbana's tax increment district would expire December 2009 and this new one would allow this to expire in... have another 23 years if this ordinance is adopted."

Speaker Turner: "Seeing no questions, the question is 'Shall the House concur in Senate Amendment #1 to House Bill 828?' 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 112 voting 'aye', 5 voting 'no' and 0 'presents'. And this Bill, having received the Constitutional Majority, is

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

136th Legislative Day

5/28/2004

hereby declared passed. On the Order of Concurrences, on page 16 of the Calendar, we have House Bill 4225. Jerry Mitchell. The Gentleman from Lee, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill... House Bill 4225, for concurrences, is the Bill for special education funding that we have passed out of here three years in row. In fact, we passed it out of here unanimously twice last year. There's absolutely no change in the formula for school districts to receive their special education money. It changes from a claims reimbursement style to a formula style cutting out a tremendous amount of paperwork for superintendents and boards across the state. The Governor had a problem with the sunset. We've agreed with him to suns... put a sunset in in three years on the hold harmless. The hold harmless is what he had a concern with. Three years will give us a history to see if we need to come back and revisit that issue so that no district gets hurt. Everyone's in agreement on this. There was no opposition in committee nor in the Senate. I would request an 'aye' vote and be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur with Senate Amendment #2 to House Bill 4225?' 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,

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

136th Legislative Day

5/28/2004

there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, page 8 of Calendar, we have Senate Bill 739. Representative Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate... Senate Amendment... Senate Bill 739, a Bill for an Act concerning agriculture, has been read a second time, previously."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr..."

Speaker Turner: "The Bill's on Second Reading. He wants to move it to Third. Are there further Amendments? Okay. Move the Bill to Third, Mr. Clerk. Now read the Bill again for the third time."

Clerk Mahoney: "Senate Bill 739, a Bill for an Act concerning agriculture. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Can I ask the Clerk if... is there any Amendments filed on this Bill?"

Speaker Turner: "Mr. Clerk. It's our understanding there's House Amendment #1 is on the Bill."

Reitz: "I... I'm not sure that's been adopted yet. Can we pull this out of the record for a second?"

Speaker Turner: "Take the Bill out of the record, Mr. Clerk. Mr. Clerk, Senate Bill 739. What's the status of that Bill?"

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

136th Legislative Day

5/28/2004

Clerk Mahoney: "Senate Bill 739 is on the Order of Third Reading."

Speaker Turner: "The Sponsor requests we bring that Bill back to Second Reading for purposes of Amendment. And the Bill should remain on Second Reading."

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

Speaker Turner: "The Chair would like to enlighten the Members because I know you want to know what's going on. We're going to... in one hour, 1:15, we're gonna go to committee. The Education Committee will be meeting, I think there are two others. Once those committees meet we will then reconvene and, hopefully, get out of here before 3:00, 3:30. So, at 1:15 we're gonna recess and go to committee. After committee, we will come back to the floor and continue doing business. So, 3:00, 3:30 we should be out of here. In the meantime, we're gonna go to the Order of Resolutions on page 17 of the Calendar. And we'll take 'em in order. You tell us whether you want it heard or not. And on page 17 of the Calendar, under the Order of Resolutions, we have House Joint Resolution 23. Representative Fritchey. Out of the record. On the Order of Resolutions, we have House Joint Resolution 30... 54. Out of the record. Mr. Clerk, read House Joint Resolution 54."

Clerk Mahoney: "House Joint Resolution 54 creates the Rural Water Task Force to study ways to improve access to Rural Water Infrastructure Funds. Floor Amendment #1, offered by

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

136th Legislative Day

5/28/2004

Representative Watson, has been approved for Floor... for consideration."

Speaker Turner: "Take it out of the record. On the Order of Resolutions, on page 18, we have House Resolution 79. Representative Boland. House Res... House Resolution 79. Representative Boland."

Boland: "Thank you, Mr. Speaker. House Resolution 79, supports a proposal endorsed by the Free Air Time Coalition, that calls on the Federal Government to require that all broadcasters provide increased coverage of campaigns and elections and a reasonable amount of free air time to candidates just prior to elections as a condition of receiving their broadcast licenses. This coalition is comprised of more than 70 national organizations, including the AFL-CIO, AFSCME, AARP, NAACP, Legal Women Voters, National Organization for Women, Sierra Club Rock the Boat, Institute for Global Ethics and many others. I would ask for the passage."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Resolution 79?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, under Supplemental Calendar #1, we're doing Senate Bills-Second Reading. Senate Bill 431. Representative Morrow."

Clerk Mahoney: "Senate Bill 431, a Bill for an Act concerning public utilities. Second Reading of this Senate Bill."

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

136th Legislative Day

5/28/2004

Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Senate Bill 451. Read the Bill, Mr. Clerk. On..."

Clerk Mahoney: "Senate Bill 451, a Bill for an Act in relation to transportation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. And Senate Bill 3341. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3341, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold that Bill on Second. Mr. Clerk..."

Clerk Mahoney: "Commit..."

Speaker Turner: "...Committee Reports."

Clerk Mahoney: "...Committee Reports. 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 Friday, May 28, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' House Resolution 1017, House Resolution 1018, House Resolution 1019, House Resolution 1020, House Resolution 1021, House Resolution 1022, House Resolution 1023, House Resolution 1024 and House Resolution 1025. Amendment #2 is approved for floor consideration to Senate Bill 1553."

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

136th Legislative Day

5/28/2004

Speaker Turner: "On the Order of Senate Bills-Second Reading, page 8 of the Calendar, we have Senate Bill 1553. Representative Currie. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1553 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Currie: "Thank you, Speaker and Members of the House. This legislation deals in three separate areas. First, it reforms the teacher certification process and enables those 7 thousand individuals who hold initial certif... certifications to be able to have in another year because of the lack of resources available to them to take a standard certificate. As well, it tries to make the process of becoming certified and recertified less paper heavy, less bureaucratic, cut some of the red tape and also provide incentives to teachers to pursue educational programs and national certification. The second part of the deal... Bill deals with the Teacher... the Teacher Retirement Insurance Program. As you know, under a three-year sunset that program disappears as of July 1, 2004. There has been a task force working to try to make the program not only work effectively, but make sure it is economically solvent. The recommendations of that task force appear in this Bill. The program would require some additional funding from the state and from active teachers and there would be some increase in premiums paid by the retired teachers, but we've limited those increases so they

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

136th Legislative Day

5/28/2004

cannot rise above a certain percentage. And while I don't think that this is the long term solution to the financial problems of the TRIP system, the measure would give the Governor authority to appoint an ongoing committee to try to make further recommendations should in years down the road the program become insolvent again. And finally, the measure ensures that the local schools that are building additions or making major changes may consult with the com... the Capital Development Board, but they do have ultimate authority, those school districts, over the selection of an engineer and an architect. And the standards for the School Construction Program, should that be reenacted, would remain what they are today in terms of who would qualify and in what priority order. This measure has support from a variety of major stakeholders in the education biz, teachers, superintendents, groups from the higher education community, the business community represented by the Illinois Business Round Table and the Civic Committee of the Commercial Club, many advocacy organizations. I appreciate all of their help and hard work in making Illinois, if this Bill becomes law, a model state for purposes of teacher certification for continuing professional development and for recertification. I'd be happy to answer your questions and I hope you will support the adoption of this Amendment."

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

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

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

136th Legislative Day

5/28/2004

Speaker Turner: "She indicates she will."

Parke: "Representative, this is a major piece of legislation, is it not?"

Currie: "It is."

Parke: "Ladies and Gentleman, you should pay attention. This is a major education Bill. This includes the TRIP Plan, which is the... which is the... for retired teachers. And perhaps you can share with us what the percentage increase is to each group. And I would like to know if each group has signed off on the increased cost for this. And how long will the TRIP Plan be for?"

Currie: "My understanding and answer to your second question is that this represents the consensus among the group that has been working on the TRIP Program. There is no sunset date in this legislation but most observers believe that in three or four years we are likely to face another financial crunch in the program and that is why the legislation would encourage the Governor to appoint a committee to try to resolve the next crisis before it is, in fact, upon us. The..."

Parke: "Do our retired teachers... have they signed off on this?"

Currie: "Yes."

Parke: "And what is the increase cost to them?"

Currie: "In the next... fiscal year 2005, they'll see a 6.6 percent increase, a 9.1 percent increase in '06, a 3.9 percent increase in '07."

Parke: "As the School Board Association, what are the schools have to pay? What is the increase cost to schools?"

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

136th Legislative Day

5/28/2004

Currie: "They will rise from .50 percent to .60 percent of payroll in fiscal year '06."

Parke: "Have they signed off on this?"

Currie: "They have."

Parke: "And has the active teachers.. what is their increase?"

Currie: "They will go from .75 percent to .80..."

Parke: "Has the IEA..."

Currie: "...percent of payroll in 06."

Parke: "...has the IFT and the IEA signed off on this?"

Currie: "My understanding is they have."

Parke: "So, all the stakeholders that you're aware of have signed off?"

Currie: "Yes."

Parke: "Next, on the teachers certification this has been a major issue for a lot of us and have we reached an agreement with the teachers unions and the school board and the regional superintendents on the teacher certification, first question?"

Currie: "Yes. And the business community as well, Representative. As I say, the business round table, the Civic Committee of the Commercial Club were with us in all the discussions and negotiations, and their help was greatly appreciated."

Parke: "Is there anybody that's in opposition to the teacher certification aspect?"

Currie: "To my knowledge, no."

Parke: "All right. And the last part is the school construction. How much will that increase?"

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

136th Legislative Day

5/28/2004

Currie: "This is not due bonding for school construction. It clarifies the role of the Capital Development Board in determining the selection of architects and engineers for local school district construction programs. Clarifies that that while districts may encourage the participation of CDB, final say remains with the school district, should they wish to... to do so. And second, it retains the current priority listing of state construction funding, should new construction funding become available."

Parke: "Has this..."

Currie: "But that program is not in this Bill."

Parke: "...has the State School Board Association signed off on the school construction aspect of it?"

Currie: "My rec... you know that... I don't know. But my recollection is that the testimony we heard in Education Committee was strongly supportive of this change."

Parke: "Does this mirror the Republican language on the schools construction aspect of it?"

Currie: "I think it was stolen directly from you."

Parke: "All right. So, that's our part of it. And the over..."

Currie: "That's part of it. The other parts of this are your parts to, my darling. But that specific language did come directly from you."

Parke: "I'm your darling?"

Currie: "Absolutely."

Parke: "Well, gee, I think you're kind of cute too. Now, 15... Senate Bill 1553, do you know of any opposition to this legislation?"

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

136th Legislative Day

5/28/2004

Currie: "Overall, no. I mean, there may be some rule objective to specific pieces. I know that the school construction is different from what the Governor had proposed in his own education Bill. But I'm... he's certainly has been responsive to other compromises in the whole education arena."

Parke: "All right. Thank you. To the Bill. Ladies and Gentlemen, I rise in support of Senate Bill 1553. I commend the Sponsor and the staffs and the education community working in can... tandem to work on something very complex, very difficult. And I think that the Body can support this legislation. Again, it's not perfect, but it certainly is a long way to solving some major problems that we have in this state. Thank you."

Speaker Turner: "The Lady from Will, Representative Kosel, for what reason do you rise?"

Kosel: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Kosel: "Thank you. Representative Currie, can you tell me what's going to happen, if this Bill should become law, to those 7 thousand teachers that are out there who are moving from initial to standard certificates?"

Currie: "The 7 thousand people who are unable to teach starting July 1st will be able to do so. They get an automatic one year extension before they have to meet standard certification. And during that year, we believe there will be sufficient program available to them that they will be able to meet those requirements."

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

136th Legislative Day

5/28/2004

Kosel: "Thank you. That's gonna be a big step for our schools because we have the possibility of 7 thousand teachers losing their certificate and not being able to teach in Illinois when we have a tremendous of shortage of teachers already. The other teachers that are involved in this certification program have... have really had an awful lot of hoops to go through in the past and this Bill is going to change that. It's going to... would you say... would you characterize it as significantly simplify, but yet keep the standards very high for continuing education? Would that be a correct..."

Currie: "I think that's a very accurate description. We've cut the red tape. We've said you don't have to jump through hoops. But we are not watering down the requirements of professional development that I think will mean that we'll end up with a model... a model certification program for other states to follow."

Kosel: "Yeah. The first question of my daughter who is a certified teacher and... and will be going through this process next year asked me was will the hundred forms be gone?"

Currie: "Yes."

Kosel: "Thank you. They'll... all the teachers out there will be very glad to hear that. Under school construction, the priority list is one of the things that is very important to school districts. Those who... who could have flooding issues in the past couple of weeks. Those who have had, in the past tornado issues. Has there been any change to the

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

136th Legislative Day

5/28/2004

priority list that exists now in this legislation under the School Construction Grant Program?"

Currie: "In fact, this legislation codifies the current standards and priority lists that apply."

Kosel: "And I would like to thank you very much for stealing our, the Republican House, language for that. We are very pleased to see that codified into law and.. and with the.. the possibility that it being changed now only through the legislative process. To the Bill, please. I would like to thank Representative Currie for the tremendous amount of work that she's done on this. I want to tell you Ladies and Gentlemen of the House, you are looking at a piece of legislation here that will affect so many people in your district. Every single school, every single teacher, every single retired teacher, plus the School Construction Grant Program. This is an absolutely excellent piece of legislation that has had input from every possible group and come to a compromise that is a thing of beauty. I don't believe that anyone signed in in opposition to this Bill in committee yesterday and I hope that there will be no opposition at all as this Bill moves through the process. I strongly, strongly support this legislation. Thank you."

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

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill. I guess mostly to Representative Currie. Barb, you did a tremendous job, as you always do. The sharing that went on

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

136th Legislative Day

5/28/2004

with this Bill is... is really enlightening to see. And I... I guess my only comment comes from the president of the Retired Teachers Association and all of the retired teachers that were out there again, worried that they were going to have to face what we faced ten years ago when we had that crisis. Your work and the work of the committee, the various committees, has avoided that crisis and gave them hope that we have found a solution that over the years will stand up. I realize a lot of it depends on the economy, a lot of it depends on a lot of factors. But... but to have the courage and the foresight to not sunset this, instead, put in mechanisms that allows the retired teachers, the active teachers to share in a program that's going to ensure insurance for those people that served our children is certainly laudable. I commend you. I commend the various committees. And thank you so much for sharing on this issue. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy (sic Eady), for what reason do you rise? Eddy."

Eddy: "Thank you very much, Mr. Speaker. To the Amendment. Just very quickly, I... I also want to rise in strong support of this Amendment. Representative, I can't tell you the number of retired teachers who have contacted me during the past year who have expressed concerns, deep concerns, about the future of the health insurance program that they rely on for their basic health coverage. This legislation, this Amendment will satisfy their concerns, and that's very much an important part of this. I can't tell you the number of

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

136th Legislative Day

5/28/2004

teachers and administrators who have said, 'Why, why do we have to fill out 30 or 40 pages of paperwork in order to show that... that we are following a professional development plan?' To all of those teachers across the State of Illinois, to all of those administrators who no longer have to engage in meaningless paperwork minutia they thank you as well. This is an outstanding attempt to address some of the issues that we face in Illinois regarding the bureaucracy that has taken over the ability for educators to educate children. Outstanding job. I stand in strong support of this Amendment. And I hope that everyone in this chamber will give this a green light."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Senate... Floor Amendment #1 to Senate Bill 1553?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment #1 was adopted. Further Amendments?"

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

Speaker Turner: "The Lady from Cook, Representative Currie, on Amendment #2."

Currie: "Thank you. This is a one word change in the Bill in order to make sure that we are in compliance with the Federal Court decree in the Cory H. case."

Speaker Turner: "The Lady moves for the adoption of Floor Amendment #2 to House... Senate Bill 1553. All those in favor should say 'aye'; all those opposed say 'no'. The

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

136th Legislative Day

5/28/2004

opinion of the Chair is the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1553, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Currie: "Thank you, Mr. Speaker and Members of the House. The Bill is the Amendment, which we've just discussed. I urge your 'yes' votes."

Speaker Turner: "Then the question is, 'Shall the House pass Senate Bill 1553?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Colvin, for what reason do you rise?"

Colvin: "Mr. Speaker, I was not recorded on the board on the last vote and I wish to indicate that my vote would have been 'yes' and that the record should reflect that."

Speaker Turner: "The record will so reflect it. The record will reflect that you wanted to be... wished as recorded as voting 'aye'. The Gentleman from Cook... on the Order of Concurrences, the Gentleman from Cook, Representative Molaro on House Bill 649. Hold your horses."

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

136th Legislative Day

5/28/2004

Molaro: "Thank you, Mr. Speaker. Ladies and Gentlemen, the House of Representatives, Senate Amendment 1 and 4, and I guess we'll talk about Senate Amendment... first."

Speaker Turner: "Respect the Gentleman."

Molaro: "Senate Amendment 1 is, for want of a better term, we'll call it the Coggins test, that seems to be noncontroversial. All it is is in the State of Illinois, if you're bringing a horse in to stay in the State of Illinois, you have to have a test to say that it's healthy. If you're bringing it straight to a slaughter plant you have to have... you don't need the test. Senate Amendment #1 says... is the same language we passed out of here that got over a hundred votes. That's Senate Amendment #1. Now, I assume my Motion, Mr. Speaker... Mr. Speaker. It's a question. I assume my Motion of the Amendments are together, right? Okay."

Speaker Turner: "They currently are, yes."

Molaro: "Yes. Great. We'll leave 'em that way unless someone wants to cut 'em up. Anyway, Amendment #4, however, is the... almost the same language. I think there's some technical changes in the Senate. It's al... almost the same language that was contained in Senate Bill 1921. Let me just take a minute out here now and then we can certainly open up for debate, if there's anybody out there who's gonna talk against this Bill. But if there is, let me... let me just take a minute here so we have a couple things as far as history is concerned. We called the Bill in the House some time in the end of March, beginning of April.

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

136th Legislative Day

5/28/2004

We called it after the Primary so there was no problems in anybody's district. And we... we called the Bill and the week before I called the Bill, I was notified by certain people in the Senate that, in fact, this Bill would not be called in the Senate. So, we called our Bill and the Bill received 55 votes, we put it on Postponed Consideration. I thought at that time, and anybody can check the record and check the newspapers, said at that time it's on Postponed Consideration. You could send me e-mails, which I've got 10 thousand of 'em, you could call my office every day. I told the people who were the opponents of the Bill, as far as... and the proponents who called me every day, that I am not gonna call that Bill off Postponed Consideration. That Bill will not be recalled because I'm being told that I have no idea if the Senate would call it. Why have a second vote, why have people get thousands of e-mails, if the Senate's never gonna call the Bill? Well, for some unknown reason, it was worked very hard in the Senate, the Senate did call the Bill. But they called a different Bill, which contains these two Amendments. And they called the Bill and it received 38 votes in the Senate and here it is. So, we're calling this Bill now. Thirty-eight Senators voted for it, and we did. I don't... I'm not gonna talk about the Bill right now. I'll end with what's in the Bill 'cause not only have we talked about it, not only has it been in committee both here and in the Senate, I think everybody's received a nice... enough e-mails to know exactly what this Bill does. And when the questioning comes, I'm

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

136th Legislative Day

5/28/2004

assuming that we're gonna have a lot of questions about things that really have nothing to do with the substance of the Bill, but I'll certainly answer every question I can, whether it has to do with what's in the Bill or not in the Bill. The Bill, simply put, is very simple. Right now, in 49 states, there are no plants that you can bring a horse to be slaughtered for human consumption. All this Bill would do is say that you cannot open a plant and slaughter horses for human consumption, even if you send 'em overseas. That's what the Bill does. There's... there's a few other things to it, but as I said, we'll talk about it in closing. And I will certainly answer any questions."

Speaker Turner: "The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, a parliamentary inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Pursuant to Rule 54 and 64, I ask that these Amendments be divided. They are divisible. I would ask that we vote on Senate Amendment #1 and that we then take up Senate Amendment #4."

Speaker Turner: "The Gentleman is within his rights to... to ask for the division, and so the we... the request is that the Amendments... that these Amendments be divided and heard individually. All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And they will be divided. So, we will hear the Concurrence Motion on Senate Amendment #1. Representative Molaro."

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

136th Legislative Day

5/28/2004

Molaro: "As I said earlier, Senate Amendment #1 is just a Coggins test that seems everybody has agreed to. It... I don't know how many votes it got here, almost unanimous, and it just tests the animal. Has nothing to do with the slaughter plant, has nothing to do with stopping anybody from doing anything. Again, for those who might be listening now, all it does is when a horse is brought into Illinois, you must show a test or it takes a test that it's healthy. If it goes straight to a slaughter plant, you don't need the test. Even the people at the slaughter plant agree that all animals entering the State of Illinois, horses, should have this test whether they're going to a slaughter plant or not, that this test be there. So, that's basically what Amendment #1 does."

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

Pritchard: "Yes, Mr. Speaker, to the Bill."

Speaker Turner: "To the Bill."

Pritchard: "Amendment #1 is something that we might call 'truth in auction'. It clearly identifies the outcome that might occur to a horse that is placed in auction. It requires a certificate that follows the animal after the auction to whatever its destination may be and states that the... the seller of that horse recognizes that the animal may be sold for slaughter. If the owner does not wish the animal to be slaughtered, they have every right to not sell it in that auction and to make sure that the purchaser does not intend to slaughter. So, I would certainly encourage any of you

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

136th Legislative Day

5/28/2004

that have been lobbied that this is a humane issue, that this is an issue about protecting horses, that you support Amendment #1. It gives you that vote of supporting that the outcome of a horse might not be the slaughter factory. So, I would encourage all of you to support this 'truth in auction' in Amendment 1."

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

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not gonna get into the merits of the Bill right now, but what I find insulting about this Bill is this. I said I'm not gonna discuss the merits right now. I find insulting that we're not governing by celebrity. In 18 years I've been in office, I've never seen... if that's the case, I could bring Halle Berry to come down here and lobby on behalf of a dollar an hour increase for home care workers. I thought we were elected to think for ourself, not to think about celebrity. I find insulting the comments that Bo Derek made last week when she said America was bore... born on the backs of horses. I find it insulting 'cause America was born on the backs of my ancestors who came over here as slaves, and we brought the horses in. Now, I'm an animal rights activist. I ride horses. Yeah, I'm a damn good horse rider. But if this is the way that the General Assembly is gonna debate legislation, then somebody help us. Somebody help us. When are we gonna put the rights of humans before the rights of animals? I don't see anyone for 10 years. I been trying to get a dollar an

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

136th Legislative Day

5/28/2004

hour increase for home care workers. In 10 years, it shouldn't be a dollar an hour now, it should be five dollars an hour. Now, if Bo Derek wanna come in here, come in here and fight for the rights of humans. If you want me to bring Halle Berry, and she won't have no nude pictures for you... for her to autograph for you, then vote 'yes' for this crap. If you wanna give \$20 million to a damn bunch of bones, then vote for this crap. But we're here to do the business of the State of Illinois and the business of the State of Illinois is passin' a budget so that the lives of people are at stake here. If you're more concerned about the lives of a horse than the lives of a human being, then vote for this Bill. I wish Bo Derek would bring a horse into Englewood. I got seniors eatin' cat food, maybe they oughta eat a horse. If you can eat Bo Peep, Bugs Bunny and Bambi, why can't you eat Mr. Ed?"

Speaker Turner: "Is the Gentleman through?"

Morrow: "Mr. Speak... Mr. Speaker, I said I wasn't gonna discuss the merit of the Bill, that's enough."

Speaker Turner: "The Gentleman from Cook, Representative Mo..."

Morrow: "Point... Mr. Speaker, I'm sorry. A point of parliamentary procedure. Are these Amendments germane to the original Bill?"

Parliamentarian Uhe: "Representative Morrow, on behalf of the Speaker and in response to your inquiry, these Amendments were put on in the Senate and, therefore, the question of germaneness, if it were to be asked, should have been asked at that time and the request now is out of order."

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

136th Legislative Day

5/28/2004

Speaker Turner: "The Gentleman from Cook, Representative Morrow."

Morrow: "Well, I could move... move for a Motion to overrule the Chair, but for me to give as much attention as I've already given to this... this piece of nonsense does a disservice to my community. My community sent down... sent me down here to fight for education. My community sent me down here for... for mental health and substance abuse and law enforcement issues. My community did not send me down here for this, so I'm not gonna even make a Motion to overrule the Chair."

Speaker Turner: "The Gentleman from Cook, Representative Molaro, to close on Senate Amendment #1."

Molaro: "Well, yeah, I just would ask for an 'aye' vote of Senate Amendment #1, so that's... which really has nothing to do with the horse slaughter."

Speaker Turner: "The question is, 'Shall the House adopt Senate Amendment #1 to House Bill 649?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment #1 is adopted. Representative... Representative Black."

Black: "Mr. Speaker, in all due respect, an inquiry of the Chair. So that we don't get into an argument later, reviewing the transcripts, you said shall the House 'adopt' Senate Amendment #1. I believe you need to correct that and say..."

Speaker Turner: "Concur."

Black: "...shall the House 'concur' with Senate Amendment #1."

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

136th Legislative Day

5/28/2004

Speaker Turner: "You're correct. 'Shall the House concur with Senate Amendment #1 to House Bill 649?' All those in favor should say 'aye'; all those op... 'Shall the House concur in Senate Amendment #1 to House Bill 60... 649?' 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 112 voting 'aye', 2 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 649. Further Amendments? Representative Molaro on Senate Amendment #4 to House Bill 649."

Molaro: "Yes. I... I had spoke on this earlier and then we divided the question, so we were at a point where I was asking if there was any questions on Senate Amendment 1 and 4. We divided 1, now 4 is left. And I stand to answer any questions about Senate Amendment #4."

Speaker Turner: "The Gentleman from DeKalb, Representative Pritchard, on Amendment #4."

Pritchard: "Yes, Mr. Speaker, would the Representative yield?"

Speaker Turner: "He indicates he will."

Pritchard: "Yes, Representative Molaro, is it correct to say that this Amendment would prevent and make unlawful any person to possess, to import, to export from the state, to sell, buy, give away, hold or accept any horse with the intent of slaughtering that horse that the person might know or have reason to know that that's the intent?"

Molaro: "Yes, Sir."

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

136th Legislative Day

5/28/2004

Pritchard: "I'm... I'm not an attorney, so I ask for some help here. Can a state legally pass a law affecting interstate commerce?"

Molaro: "I... I've been informed and I read the law, but I don't have it here, that this was the exact same language that the Sponsors of this Bill, who gave me the language, took it from the California law that's been in effect for the last 6 years."

Pritchard: "But my question is, can a state make a law impacting interstate commerce? That somebody might do it, that doesn't make it lawful."

Molaro: "Well, I don't know if that has to do with this Bill, but the answer is no, they shouldn't be able to do that. However, when California passed the same language, there was a lawsuit and they said, in this particular case with this language, this is... this is legal. Now, I don't know what any other court would do. I'd ask the legal..."

Pritchard: "So... so, didn't Texas do the same thing? Didn't they pass a law and didn't the courts hold that unconstitutional?"

Molaro: "I thought it was just on the slaughter plant, but I'm not sure what they did in Texas."

Pritchard: "Well, this would certainly seem to be in conflict with the Interstate Commerce Clause of our Constitution. How would this... what kind of impact would this have upon the employees of this plant?"

Molaro: "Well, I've been told by other slaughter plants that I have called that it wouldn't take much money to convert

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

136th Legislative Day

5/28/2004

this plant to a pig or a cattle plant that it was in the late '70s or in '80s. If they did that, it may be... they'd be employing the same amount of people. So, in my opinion, there wouldn't be any loss of jobs. I believe they spent about \$3 million to build this plant. Now, I believe that if they didn't get it... they didn't get a permit to do a horse slaughter plant, they'd get a permit to a pig or a cattle slaughter, which they were doing 15, 20 years ago in that particular area."

Pritchard: "Just to correct the record, it was over \$4 million to build this plant. It was designed specifically for the slaughter of horses and, I'm told, cannot be converted very easily to any other kind of slaughter. But, Mr... Representative, are there... how many horse slaughter facilities are there in the State of Illinois?"

Molaro: "None, besides this one that's gonna open."

Pritchard: "And where is this one plant?"

Molaro: "It's... it's in DeKalb."

Pritchard: "It's in DeKalb, it's in my district. This Bill also... or this Amendment also talks about... well, I guess it's this Bill also talks about horses as symbols, as an icon of the spirit of this country. Is the purpose of this Bill to protect horses as a symbol?"

Molaro: "Yeah, that's part of it. Yes, Sir."

Pritchard: "Are you aware that the United... United States Supreme Court ruled in 1990 that it's unconstitutional, under the First Amendment, to ban an activity because the mere destruction or disfigurement of that physical

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

136th Legislative Day

5/28/2004

manifestation of the symbol without war does not diminish or otherwise affect the symbol itself in any way?"

Molaro: "Yes."

Pritchard: "So, again, this Amendment and this law appears to be in violation of our Constitution. Finally, this Bill talks about the horses in American heritage. Is it another heritage of America to respect differences in dietary preferences?"

Molaro: "I'm sorry, Representative, I couldn't see you or hear it."

Pritchard: "My question is, isn't it an American heritage that we respect differences in dietary preferences?"

Molaro: "Yes. Yes, that's true."

Pritchard: "So, in other words, we're affecting, in this Bill, the moral right of individuals to choose what kind of foods they consume?"

Molaro: "I think current law, you already cannot sell horsemeat, is what I'm being told. But I guess consuming... you could certainly consume, I guess, whatever you'd like."

Pritchard: "Mr. Speaker, to the Bill. Representative Fritchey made an impassioned plea to this Body last week that we should all take great caution to carry legislation that affects another Representative's district. He encouraged us to think about the residents, the families that are affected by the legislation. This Bill certainly affects my district. It affects my constituents who are looking for work, for good jobs to support their families, to send their kids to school, to buy health insurance and to work

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

136th Legislative Day

5/28/2004

towards personal goals and dreams. This Bill affects the desires of citizens to broaden the tax base in my district, to hold down homeowner property taxes for schools, to affect manufacturing jobs that add to the vitality of any community. Illinois does not have a surplus of manufacturers. It can't afford to turn its back on any business that buys over \$8 million in goods and services every single year, that pays \$1.1 million in payroll taxes and payroll payments to workers every year and that gives approximately \$90 thousand in property taxes to local schools and other units of local government. I don't fault the fine Representative from Chicago for doing this, I really don't. But as Representative Fritchey predicted, one day a Legislator may carry a Bill that affects no one other than you and your district. You may not care about this Bill or the people affected in my district, but I do. And as Representative Fritchey said, you're going to care if legislation is introduced that affects your district. The distinguished Legislator from Chicago asked the House to be with him last week. We did. I did. Now I ask Representative Fritchey and each one of you to stand with me in opposition to this Amendment. The proponents have interjected emotion into this debate, as Representative Morrow alluded to a moment ago. They have invited Bo Derek to influence Legislators and our Governor, so I will introduce a little emotion of my own. You all remember my predecessor, Dave Wirsing. One of the last things that Dave Wirsing asked this Body to do is vote 'no' on this

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

136th Legislative Day

5/28/2004

Bill that affected only his district. If you are going to subject yourselves to emotion, I would ask you to remember that sentiment in your respect for that Legislator and vote 'no'. This Bill may receive consid... concurrence, Mr. Speaker, it's certainly an emotional issue. You may respect horses, I certainly respect horses, but this Bill interferes with interstate commerce. It bans free speech, clearly it's unconstitutional. I'm asking you to respect individual choice about what an individual chooses to eat. I'm asking you to respect the Constitution of the United States, the laws of this land and the rulings of the Supreme Court. Vote 'no' for concurrence on Amendment 4."

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

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, two weeks ago a very distinguished Legislator in this Body came to me and personally asked me to go to the pressroom and watch a video that was being shown by a Mr. Steve Hinde. I went to the pressroom. I watched the video that dealt with the slaughter of horses. When the video was over, Mr. Hinde said that there isn't one Representative or Senator, and I'm gonna have to paraphrase this, who has that part of a man's anatomy that determines manliness that will stand and take issue with me. I raised my hand, I assured him I had that manliness and I would take issue with him. For the next 15 minutes, Ladies and Gentlemen, we debated whether or not we agreed with the humane disposition of horses. Ironically, we agreed that a

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

136th Legislative Day

5/28/2004

horse can be humanely disposed of. Two weeks ago in this Body, Dr. David Miller, Representative Dr. Miller, asked for support for his district on a Bill. And I think I quote the distinguished Representative from Vermilion who said, 'The Bill stunk.' But I supported Dr. Miller, as many of you did in this Body, and it hurt me to do it because there's not a man in this Body, not a woman in this Body I... I respect more than the Stephen Douglas of our times, Mr. Bill Black. But... but, not for one minute, not for one minute did I feel any pang of guilt for voting 'yes' for that Bill because Dr. Miller asked for it, #1, it affected his district, #2, EPA was against it, but it was not a groundwater issue, it was just they were philosophically opposed. And the only right thing to do was to stand with Dr. Miller, and I'm proud to say I did it. Now, Ladies and Gentlemen, this Amendment, more than any Amendment or any Bill I have seen, and I recognize I've only been here a short two years, but I have never seen anything slap Illinois agriculture in the face more than this Bill does. This is not necessarily a stra... a slap strictly to Bob Pritchard's district, it's to all of us that represent agriculture. Stand with Representative Dan Reitz, Representative Mike Bost, Representative... I'm starting to forget 'em, Winters, Brauer, Poe, Wait, all of us that represent agriculture. Ladies and Gentlemen, this Bill... and no one could have said it more eloquently than the distinguished Representative Morrow. We don't have a Bo Derek, all we have is Bob Pritchard. But... sorry, Bob,

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

136th Legislative Day

5/28/2004

it's your district. But this Bill truly... read the Bill, Ladies and Gentlemen. One of the things it says in this Bill is it says livestock does not include horses. The General Assembly has decided that livestock is not a horse. Who in the 'h' do we think we are? Every farmer for years has called a horse livestock, but this Bill specifically states, this Amendment specifically states that a horse is not livestock. Many of you have received faxes, you've received e-mails, you've received letters telling you how horrible it would be to slaughter horses. Each one of us represent 105,248 people. Think of it for just a moment, Ladies and Gentlemen. Even if you've got 248 and most of them don't even come from your district, we, as Representative Morrow said, are sent down here to represent our district, not to do what Bo Derek tells us to do. This Amendment is a slap to Illinois agriculture. Ladies and Gentlemen, two weeks ago Representative Mike Bost stood in this Body and he spoke on behalf of a deceased Senator and he talked about moral courage. Stand up for what's right. I saw a perfect example last week of moral courage when Representative Lou Lang stood in this Body and spoke about something that you would never expect Lou Lang to speak about. He spoke on something that would have truly supported the other side of the aisle. It took moral courage to do that. I call upon you, Ladies and Gentlemen, to dig deep for that moral courage. And Mr. Speaker, if I may... Mr. Speaker, if I may ask, if this does reach a Constitutional Majority, I ask for verification on the

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

136th Legislative Day

5/28/2004

Amendment. Ladies and Gentlemen, we have been told that a horse is a companion animal and those that support this Amendment would tell you that other animals are not companion animals. I want you to attend the county fair and you walk up to a 10-year-old young lady, a 14-year-old young man leading their steer or their lamb that they literally love and you tell them that that isn't a companion animal, 'cause to them it is a companion animal. But to each and every animal in the agriculture industry, sooner or later it must go to the big Cavel plant in the sky. It has to happen, be it a lamb, be it a hog, be it a steer, be it a horse. Ladies and Gentlemen, if this Bill were to pass, we have up to 15 thousand horses a year that must be disposed of. Illinois has 250 thousand horses, 15 thousand a year must be disposed of. In this legislation, let me read this to you, it states, 'provides that no downed animal shall be sent to a stockyard auction or other facility where its impaired mobility may result in suffering, provides that an injured animal other than those of the equine genus', in other words, a horse, 'may be sent directly to a slaughter facility'. Okay, Ladies and Gentlemen, what do we do with a crippled horse? Let it lay there and suffer? Think about what we're doing. This is legislation that is anti-agriculture. Stand with Illinois agriculture, Ladies and Gentlemen, defeat this Bill. Find that moral courage that Representative Bost spoke so eloquently about. Ladies and Gentlemen, I plead with you, I implore you, I beseech you, I'll even beg you to vote

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

136th Legislative Day

5/28/2004

'no' on this Bill. This is a terrible Amendment and you must stand with Illinois agriculture and defeat Amendment 4. Thank you."

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

Black: "Thank you very much, Mr. Speaker. To the Amendment. First, let me thank my, I think, thank my good friend from Winnebago. If, indeed, I am to be compared to Stephen A. Douglas, I may have to move across the aisle so I can sit under his picture rather than under the picture of Abraham Lincoln. But be that as it may, Ladies and Gentlemen of the House, the Sponsor of the Amendment is an honorable Gentleman. He and I disagree, as honorable people can often disagree, on whether this Bill should be before us today. I thought we had an agreement that we would not see it again. He feels just as strongly that he kept his word on the Bill that was on Postponed Consideration, and I'll accept him for saying that. That's his... that's his view, I have a different view, but I still respect the Gentleman. I consider him to be a friend and a colleague worthy of respect. Ladies and Gentlemen of the House, if you would just stop and think for a second... and I don't mean to step on anyone's toes, I am not a prude. I did not go see the actress, Bo Derek, when she was here. I have nothing against her. I... I saw the movie 10, but that was many, many years ago. And her appearance in Springfield reminded me of my days in my fraternity house at college when I was

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

136th Legislative Day

5/28/2004

18 or 19 years old, and I must admit going back that far is a... an exercise that often makes you feel very good. Those were remarkable days when we were all young and it was a different era. But I must express to you... and again, I do not mean to demean any of you who were there. But I must express to you, this is 2004. Women are a ever... are an ever increasing segment of this Body, and in all political bodies, and I found it somewhat odd that in 2004 a celebrity could come to Springfield to lobby and would sign her autograph on pictures displaying her partially nude while reclining on the back of a horse and the other picture showed her riding off into the sunset bare-breasted and people would collect those and be very happy that they have them. I would have cherished such a picture when I was 19 years old and living in a fraternity house. But I'll tell ya this, in 2004 I'd better not bring that picture home. In 2004, I don't think I should take it around to the Conference of Women Legislators and see what they thought about it. But let's... let's just be honest, something that we've all known for as long as most of us have been alive. Ladies and Gentlemen, sex sells. We are bombarded with it on television, we are bombarded with it in the print media. Attractive women partially clad are used to sell everything from cars to dent... toothpaste, to wearing apparel, to you name it. Sobeit. It's interesting to note that right after her appearance, the Senate, that august Body of senior citizens, were so smitten with her appearance that they immediately fell over themselves to

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

136th Legislative Day

5/28/2004

pass this Bill, hoping that Ms. Derek might personally thank them by note or phone call. As my good friend, Representative Pritchard, has said so eloquently, there's been a lot of rhetoric on this issue and it is an emotional issue. Some of the rhetoric even appeared in print from one of the Chicago papers saying that people raise horses for slaughter. If you've ever had a horse, my wife had her own horse, I can assure you, you can't even break even if you raise a horse for slaughter. A horse is an expensive proposition. I think what we need to do, and I'll not belabor the point, I think Representative Pritchard and Representative Sacia has said it more eloquently than anybody possibly can, you will have to search your soul as to how you're going to vote on this. Yes, we've all had e-mails, we've all had letters. Some of mine have been threatening, some have used very colorful four-letter words to describe me, but very few of those were from my district. I... I particularly like the dozens I got from the country of Spain where bullfighting is the national sport. I thought that was a little contradiction in terms. But what I would like you to think about when all is said and done today, if you reach for that 'green' button on this Amendment, I just want you to stop for just a second and think, I'm pushing this 'green' button, I am putting 40 people out of work. I am taking a legal, regulated and inspected plant, operating under license from the United States Department of Agriculture, in a legal enterprise, and I'm putting that plant out of business. Nobody is

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

136th Legislative Day

5/28/2004

asking you to endorse what they do, nobody is asking you to embrace what they do, but I'll leave you with this thought. If it's very, very easy to push a 'green' button and put people out of work and put a legal, regulated and inspected business out of business this time, how easy will it be the next time and the time after that and the time after that? I've heard talk all Session about jobs, attracting, retaining, creating. You may not like what they do in that plant, you may not wanna join the crew on the garbage truck, you may not wanna join Ed Norton as he traveled through the sewers of New York, but all of those jobs have a dignity because they're honest work. And with one push of the 'green' button, you can tell 40 families, go find another way to make a living. As Representative Pritchard said, we've heard on the floor many times in the last two weeks, don't adversely impact my district unless there's an overriding reason. There is no boycott against this plant, there is no union problem, there is no IEPA action, there is no lawsuit in court. This plant is preparing to do what it has spent \$4 million..."

Speaker Turner: "Bring your remarks to a close."

Black: "Thank you very much, Mr. Speaker. The plant is merely attempting to do what it has spent several million dollars in doing after it burned to the ground in a fire. When all is said and done, I join Representative Pritchard, I join 40 families and say, I may not like what you do, but you have a right to do it. I will not put you out of work. I intend to vote 'no'."

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

136th Legislative Day

5/28/2004

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

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

Speaker Turner: "He indicates he will."

Aguilar: "I must commend Representative Morrow on the issues that he brought up regarding our community issues that really affect the people of the state. Now, to withdraw my support on the Amendment... and at first because some disturbing information reached my, ya know, my... my... got my attention on the working condition on... working conditions of people who maintain and take care of these horses, particularly Arlington Heights. And before we address the issues on horses, I think we should address first on conditions... on issues that affect people, human beings, before we go out and support animal rights and issues like this. So, I, with all due respect, Representative Molaro, I'm withdrawing my support on this Amendment until we get our priorities right. Thank you very much."

Speaker Turner: "The Lady from Cook, Representative Coulson, for what reason do you rise?"

Coulson: "Will the... will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Coulson: "Rep... Representative Molaro, could you tell us who supports this Bill?"

Molaro: "In support of this Bill is Thoroughbred Breeders Association, Thoroughbred Harness, Horse... I'm sorry, Harness Horsemen's Association, Horsemen's Belovent... Benevolent Protective Association, the Illinois Hooved

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

136th Legislative Day

5/28/2004

Animal Humane Assoo... Association and... and a bunch of others that I won't read, but more importantly, it's supported by the Illinois Department of Agriculture. So, our Department of Agriculture in the State of Illinois does support this Bill."

Coulson: "And... and I thank you for that answer. I just wa... to the Bill. I wanna say that many of us need to represent our districts. We've not been influenced by Bo Derek, we've not been influenced by phone calls. We have been influenced and should be influenced by the people of our district who make decisions and want us to vote in particular ways. I would hope and pray that everyone on this floor would respect people's votes for their districts as they should. And I'd appreciate a 'yes' vote. Thank you."

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

Fritchey: "Thank you, Speaker. To the Bill, and more appropriately, to integrity. Representative Pritchard, you and I don't know each other that well, and I understand while I was off the floor you kindly talked about my comments about respecting Legislators who are trying to do things for their district. And while you and I may disagree whether this is an issue solely for your district, about an hour and a half ago I tried to make as good a plea as I'm capable of making for an issue of my district. You voted 'no'. Last week, my seatmate, Dr. Miller, made a very impassioned plea for an issue that was uniquely

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

136th Legislative Day

5/28/2004

located in his district and talked about the local importance and economic development for his district, and you voted 'no'. I respect your efforts, but I would remind everybody that this is a long time that you're down here for and you gotta think about the actions that you take affecting other people's legislative districts because those may come back and... to roost in your own district one day. We asked that you respect efforts in my district, you didn't wanna do it, that's okay. But please, then, don't turn around and ask for that same courtesy that you were not willing to extend to us. Thank you."

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

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

Speaker Turner: "He indicates he will."

Brauer: "Well, you know, tourism is big here in Springfield and I guess I wanna thank the Representative for doing anything that he can to bring in people to our district. That is greatly appreciated. It's very important for our economic well-being. In fact, I was so impressed that he brought Bo Derek in, I asked my daughter, I says, 'Do you wanna come to the Capitol today and meet Bo Derek? Do you know who Bo Derek is,' to which she replied, 'Never met him.' I think it's important when we look at this, I think it's important that we understand really what has happened since that Carvel (sic-Cavel) plant has closed. When I found out this Bill was gonna be called the first time, I called up the Department of Agriculture and I said, 'Can you tell me

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

136th Legislative Day

5/28/2004

what's happened to the complaints on humane treatment of horses since this plant has closed?' He's told me since Carvell (sic-Cavel) plant has closed, the Department of Agriculture's complaints on human treatment to horses has doubled. Now, this is a Bill about humane treatment of animals, and yet we're saying the humane treatment of animals we should vote for this Bill. But when you look at the Department of Agriculture and you look what has happened out there, these complaints have doubled. That is not humane treatment of animals when we don't take care of 'em in the proper way. Thank you."

Speaker Turner: "The Lady from Cook, Representative Jones, for what reason do you rise?"

Jones, L.: "Thank you, Mr. Speaker. I move the previous question."

Speaker Turner: "The Lady moves the previous question. The previous question is put. Representative Molaro to close on House Bill 649, Senate Amendment 4."

Molaro: "Thank you, Mr. Speaker. And I'll take just a few minutes and if we can keep it down for a minute, I just wanna say a few personal things then we'll go to the Bill. You know, I'm sorry some of these things were meant back and forth, especially between the two Gentlemen that are talking now. Hopefully, they will work this out. I said when we started that there were gonna be a lot of things said about this Bill that weren't really have anything to do with this Bill. So, I have to say of about nine things that were said, including Representative Morrow... who could

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

136th Legislative Day

5/28/2004

disagree with what he said? Who could disagree with what Representative Aguilar said? Who could disagree with some of the things doc... Representative Black and everybody else said? They just happen not to have anything to do with the particular thing of this Bill. I wanna get right to the Bill. And by the way, I have to say, Representative Sacia, if you'd been here about 15, 20 years ago, he would be... his reputation would be rivaling Representative Black's as one of the better orators here in this Body. You did a terrific job. But I have to say a few things that are absolutely correct so we get back to the Bill and not everything else that was said. As true as they were, I wanna get back to the Bill. The Bill will, if passed, stop the plant in DeKalb that was spent 4 million from opening as a horse slaughter plant for human consumption. They would have to do anything else. If you go to that plant and you look at it, you will walk in there and the first thing you'll say is, this is an animal slaughter plant. You have no idea it's a horse plant. It could easily be changed over. I would never stop that from happening, they'll be 40 employees, and I daresay, if this Bill were to pass, if you go there a year from now, they'll be 40 employees. They'll just be killing... slaughtering cattle and pigs, which we have slaughtered for the last hundred years in this state and will continue to slaughter. There will be no loss of jobs, there will be no closure of that plant. There will be no economic problems in DeKalb. Point #2. Someone said, 'What are we gonna do about these

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

136th Legislative Day

5/28/2004

horses if we can't bring 'em there?' Ladies and Gentlemen, this plant has been closed for three years. There are no other plants like this in 49 other states. We drive around. How many horses have you seen just... just laying across I-55? People call rendering plants. When your horse dies, you bury 'em or you call a rendering plant. It costs a hundred or two hundred bucks. We've been doing this for a hundred years in this state. For the last three years, when this plant has been burned down, and in 49 other states they've been calling renderers. They pick up the horse, they take 'em. They make glue, they do other things. What they don't do is hang 'em, bleed 'em, slaughter 'em for human consumption. That's what we're trying to stop. There are no horses being inhumanely treated because this plant has been closed. It's closed. There are no problems occurring in this state. The Department of Agriculture is 100 percent behind this Bill because they know there's no humanity and there is no slaughtering going on and there is no problem as far as the other horses laying around. Forty-nine states do not have this and 49 states do very well. California, the most populous state for horses, save Texas, passed this Bill six years ago and there hasn't been one problem. As a matter of fact, it was by referendum, and of the thousands of referendum, this one passed by the highest vote. Now, the one main thing that I want everybody to understand is this. Cattle and pigs are bred to be slaughtered. Let me repeat that, cattle and pigs are bred to be slaughtered. Horses

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

136th Legislative Day

5/28/2004

aren't. They go all their lives. We breed 'em. We know what they are, we know what we do. We don't breed horses to be slaughtered. We use 'em as not only companion animals, but animals that serve us, the mounted police, infrastructure projects. As a matter of fact, in Afghanistan today, as we're talking, the Special Forces are on the backs of horses looking for Bin Laden. If we went and told those soldiers or those policemen that at the end of their lives their horses could be slaughtered, hung and bled for human consumption, they would say, where is that happening, please don't do that to these animals. They weren't bred to be slaughtered. If you wanna go around.. and Representative Black was right when he said, we don't breed 'em to be slaughtered. It's not right, it's not fair..."

Speaker Turner: "Would the Gentleman bring your remarks to a close."

Molaro: "All right. We'll end by saying this, there were 38 Senators that voted for this. I would tell you this right now, for those of you who wanna vote 'yes', the people who are for this Bill in your districts, you would make a lot of friends 'cause they know two things that I know. In a year or two from now, if this were to pass, that plant would be opening and it would be up and running in DeKalb. You would not have horses laying all over the place. That's... those... that's a red herring. And what you would be able to do is you would be able to say, 'I stood in the General Assembly, even though there were a lot of speeches

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

136th Legislative Day

5/28/2004

with a lot of good things said, nothing to do with this Bill, that I voted for this Bill because I believe horses aren't bred for slaughter and we should have integrity and not slaughter 'em at the end of their lives for human consumption.' You will be glad you voted for this Bill. You can tell your children and grandchildren that you stood up for something. And I'd expect an 'aye' vote and ask for an 'aye' vote. Thank you."

Speaker Turner: "The... Representative Jones moved the previous question earlier. There are two Members whose names was mentioned in debate that would like to have a rebuttal to that. I will recognize them since their names was mentioned, but keep in mind that we have closed the debate on this issue. The Gentleman from Winnebago, Representative Sacia."

Sacia: "I'll be very brief, Mr. Speaker. We've been told now that the Department of Agriculture endorses this Amendment. I just wanna ask the question, if it is, in fact, fact that the reason that they endorse it is because Bo Derek asked the Governor to ask the Director of Agriculture to do it, then all I can say is that is a horrific shame. Director Hartke is a man of unbelievable integrity. This Amendment smacks in the face of everything agriculture stands for and if that's, in fact, what happened..."

Speaker Turner: "Representative..."

Sacia: "...and I don't know if it can be verified or not, but it's a shame."

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

136th Legislative Day

5/28/2004

Speaker Turner: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you. Ladies and Gentlemen, I rise before you very embarrassed. I've already spoken to Representative Pritchard. I made reference to comments that I was told the Representative made while I was off the floor and, very inadvertently, his comments were misconstrued to me. My response publicly to this Body somewhat impugned the character of Representative Pritchard and I'm sorry that I did that because I was wrong and I'm embarrassed. I told him that and I relayed it to him. I guess the lesson to be learned here is mine, that we need to tread very carefully. I reacted in a way that I thought the man had been hypocritical and he had not. I was wrong in my statements. He was a Gentleman in accepting my apology and I appreciate that, but since my comments were made publicly, I believe that apology needed to be made publicly as well. He's a good and honorable man and he made a very valid point. I apologize that I took it out of order. Thank you, Sir."

Speaker Turner: "I would like to remind the Members that a request for verification has been made on this Bill and that each Member should punch his own button and should be in his seat. The question is, 'Shall the House concur on Senate Amendment #4 to House Bill 649?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there...

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

136th Legislative Day

5/28/2004

on this question, there are 51 'ayes', 60 'noes', and 5 voting 'present'. This Bill does not receive the Constitutional Majority, and therefore, the Amendment fails. At this time we're going to proceed to go to committee. The Gentleman from Madison, Representative Davis, for what reason do you rise?"

Davis, S: "Yes. Thank you, Mr. Speaker. I... I would move to suspend the posting requirements on Amend... House Amendment 3 to Senate Bill 2241."

Speaker Turner: "The Gentleman ask leave to remove the posting requirements on Senate Bill 2241. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. And leave is given. Mr... Mr. Clerk, committee announcements."

Clerk Mahoney: "Committee announcements."

Speaker Turner: "If the Body would please listen to the announcements."

Clerk Mahoney: "The following committees will meet immediately in the said rooms. Election and Campaign Reform, Room 118. Elementary and Secondary Education in Room 114. Transportation and Motor Vehicles in C-1. Judiciary I Committee will meet in D-1. Election and Campaign Reform in Room 118. Elementary and Secondary Education in Room 114. Transportation Motor Vehicles in Room C-1. Judiciary I in Room D-1. These meetings will start immediately."

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

Parke: "Inquiry of the Chair."

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

136th Legislative Day

5/28/2004

Speaker Turner: "State..."

Parke: "Can you give us a time to be back on the floor?"

Speaker Turner: "2:30."

Parke: "Thank you very much, 2:30 it is."

Speaker Turner: "The House will stand in recess. Committees will start immediately and the House will reconvene at 2:30 p.m. today. 2:30 the House will reconvene."

Speaker Turner: "The House will come to order. The Members should return to the floor immediately. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Fritchey, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measure/s was/were referred, action taken on Friday, May 28, 2004, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #3 to Senate Bill 2241. Representative Giles, Chairperson from the Committee on Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on Friday, May 28, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 3000. Representative Lyons, Chairperson from the Committee on Transportation and Motor Vehicles, to which the following measure/s was/were referred, action taken on Friday, May 28, 2004, reported the same back with the following recommendation/s: recommends 'be adopted' a Motion to concur with Senate Amendments 1, 2 and 5 to House Bill 2587. Representative Boland, Chairperson from the Committee on Elections and

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

136th Legislative Day

5/28/2004

Campaign Reform, to which the following measure/s was/were referred, action taken on Friday, May 28, 2004, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #4 to Senate Bill 955."

Speaker Turner: "On Supplemental Calendar #2, we have Senate... Senate Bill 3000. Representative Giles on Senate Bill 3000. I'm sorry, House Bill 3000. It's Senate Bill 3000."

Clerk Mahoney: "Senate Bill 3000, a Bill for an Act concerning education, which may be referred to as the Education Reform and Accountability Act of 2004. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Read the Bill again, Mr. Clerk. Move the Bill to Third Reading. On the Order of Concurrences, page 16, we have House Bill 2587. Representative Lou Jones."

Jones: "Thank you, Mr. Speaker, Members of the House. I concur on Senate Amendments 1, 2 and 5 of House Bill 2587. Amendment 1 becomes the Bill, but reinserts the provisions of the underlying Bill. It also... it also projects for the West Central Transit Districts in Scott and Morgan Counties. Also for community college and coordination projects in Danville and Champaign Urbana funding subject to bond fund appropriations. Senate Bill 2.. the Am... Senate Bill, Amendment 2 states that the establishment of the Illinois Transit Ridership and Economic Development Pilot Program... Project Program is subject to appropriations rather than subject to bonding funding appropriation. This

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

136th Legislative Day

5/28/2004

change is needed due to the fact that the appropriate... appropriation will be used for service purposes. Amendment #5 permits that the public transportation to fund each year rather than only FY2005, various transportation projects that are subject to appropriations. It deletes specific bus schedules for various specific purposes in the Art... Altgeld Gardens, Pilsen and Lawndale Neighborhoods. Also Amendment 5 adds that subject to appropriations, two demonstration projects for the Chicago Transit Authority shall be established to increase service to underserved communities and neighborhoods such as, but not limited to, Altgeld Gardens, Pilsen and Lawndale."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt... or concur with Senate Amendments 1,2 and 5 to House Bill 2587?' 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 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Thank you, Mr. Speaker. For the record, I would like to be recorded as an 'aye' vote on that last Bill, 21... 2587."

Speaker Turner: "And the record will so reflect. On page 7 of the Calendar, we have Senate Bill 334. Representative

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

136th Legislative Day

5/28/2004

Dunn. It's on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 334 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Dunn, has been approved for consideration."

Speaker Turner: "The Gentleman from Will, Representative Dunn."

Dunn: "I ask that we do adopt Floor Amendment 2 to Senate Bill 334. This Bill is my Parking Lot Property Tax Bill. It has nothing to do with mobile homes. And Roger Eddy is no longer a cosponsor of it. This is a Bill that was previously described last week. Representative Franks, thank you for finding a technical problem with my Bill and helping to make it better. This is a narrow... narrow legislation. It affects a problem in my district. It allows religious institutions to continue leasing their parking lots to metro to mass transit protection agencies for the free daily parking of commuters. And I request an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House adopt Floor Amendment 2 to Senate Bill 334?' All those in favor should say 'aye'; all those opposed say 'no'. Opinion of the Chair is the 'ayes' have it. And Amendment 2 is adopted. Further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 334, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

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

136th Legislative Day

5/28/2004

Speaker Turner: "The Gentleman from Will, Representative Dunn."

Dunn: "The Amendment is the Bill. And I request an 'aye' vote."

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

Franks: "A parliamentary inquiry, Mr. Speaker."

Speaker Turner: "State your parliamentary inquiry."

Franks: "Was House Amendment #1 ever adopted or was only House Amendment #2?"

Speaker Turner: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #1 was referred to Rules. Floor Amendment #2 was adopted."

Franks: "So, all we... all we're dealing... House Amendment #2 becomes the Bill, correct?"

Speaker Turner: "That's correct."

Franks: "Thank you."

Speaker Turner: "The Lady from Peoria, Representative Slone, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Slone: "Representative Dunn, I think this is probably a related question, but does this Bill any longer have anything to do with manufactured homes or mobile homes?"

Dunn: "No, it doesn't. That's just a vehicle we attached it to."

Slone: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 334?' All those in favor

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

136th Legislative Day

5/28/2004

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 115 voting 'aye', 0 'noes' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 10 of the Calendar, Senate Bills-Second Reading, we have Senate Bill 2404. Representative Parke. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2404 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments have been approved for consideration."

Speaker Turner: "Out of the record. The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. I... my... I hit my button on 2587 and it did not record me. I would like to be recorded as a 'yes' on that Bill."

Speaker Turner: "The record will so reflect."

Parke: "Thank you."

Speaker Turner: "Mr. Clerk, Resolutions. House Resolution 1025, it's on the Supplemental Calendar #2. Representative Giles. Read the Resolution, Mr. Clerk."

Clerk Mahoney: "House Resolution 1025 mourns the death of Vermont (sic-Vernon) Jarrett, former columnist with the Chicago Sun-Times, the Chicago Tribune, and the Chicago Defender."

Speaker Turner: "The Gentleman from Cook, Representative Giles, on House Resolution 1025."

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

136th Legislative Day

5/28/2004

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a... a Resolution in which I'm sure many Members would be... would love to give some comments on. We're here to honor a..."

Speaker Turner: "This is a Death Resolution, Members."

Giles: "...we're here to honor a gentleman by the name of Mr. Vernon Jarrett. Many Members here can give you all sorts of stories, personal stories and personal dealings that they've had with Mr... with Mr. Jarrett that could truly educate you, enlighten you and delight you. This is truly a leader in the African-American community He was a journalist that... that many walks of life got a chance to hear about. Definitely he had columns in the Sun-Times, Chicago Tribune, the Chicago Daily Defender. Mr. Jarrett, was a gentleman that... he was just a wealth of knowledge, a wealth of... of education as... a gentleman just walking... he was a walking knowledge base and he's always... he always promoted individuals, especially young people, always promoted them to be all that they can be. And I know many of the stories and the events that... that he stood for proceeded me in my endeavours in life. He was truly on the front line of... of giving people knowledge and opportunity to be all that they can be. And he's truly gonna be a gentleman that we will miss. And I can leave some of the remarks with some of the Members who knew him more dearly."

Speaker Turner: "The Lady from Cook, Representative Davis, for what reason do you rise?"

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

136th Legislative Day

5/28/2004

Davis, M.: "Thank you, Mr. Speaker. I would like to say that... I'm proud to say that I knew Vernon Jarrett very, very well. Mr. Jarrett was from Paris, Tennessee. He came to Chicago in the early '40s. He's from a very... a rural background. His father was a school principal, his mother was a teacher and his great-grandparents were slaves. And he really enjoyed telling the stories of how his grandparents learned to read when it was against the law. He also tells the story of... in college he was a great football star and expected to be called into the pros. Until his brother, who was his college English Professor, flunked him in English, which meant he could no longer play football. And that's how his writing career began, because he excelled in English and writing. He had a television show on Channel 7. He was the host of a Sunday morning show, and at every show he'd have a young intern with him so that African-American intern would have an opportunity to learn what it means to be a host on a major television show, a major media. Vernon Jarrett wrote for the Chicago Sun-Times, the Chicago Defender, the Chicago Tribune. He was a very principled person. When I was running for office in, oh I guess after Harold Washington died, the new Mayor decided he wanted his own candidate. The new... and the candidate was a good friend of Vernon Jarrett's. And Vernon said, 'Monique, even though this lady is a good friend of ours, in principal I have to continue to support you because you are the one Harold Washington endorsed.' Vernon Jarrett had... or started a program called AXO with

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

136th Legislative Day

5/28/2004

the NAACP. It's a program in which children, our young people, African Americans, are celebrated for academic achievement or for musical talent. Vernon felt that as we celebrate athletes and if ath... as athletes get all of these applauses and they're heroes, we must learn to do the same with our academic achievers. Vernon Jarrett, in my opinion, was one of the greatest Chicagoans that we'll ever see. He loved America and he loved all people, but he challenged African Americans to be the very best they could be in whatever fields they chose. He asked that each of us seek excellence and remain principle to people. Thank you, Mr. Speaker."

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

Colvin: "Thank you, Mr. Speaker. Growing up in Chicago, on the Southside of Chicago, and being involved in politics and always having... having an affinity for politics, most of us here who come from the City of Chicago know that politics is more than just an occupation, it's a way of life for many of us. And the term 'political junky' I'm sure at some point was coined in the City of Chicago. But if you grow up in the City of Chicago and you follow politics, in particular politics with African Americans, there were always three things that you did. In the morning you woke up and you opened up your door and you got your copy of the Chicago Defender, and then you turned on your radio and you listened to see what Cliff Kelly was talking about, and then you turn on the television to check Channel 7 to see

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

136th Legislative Day

5/28/2004

what was on the news. And in each of those medias you would always hear from our good friend. I was very fortunate to know him personally and have many, many conversations with him. As a kid.. he had a summer home in a little subdivision right outside of Lake Geneva at a place called Lake Ivanhoe, and a friend of mine who's... former colleague to many of you, Todd Stroger, his parents had a home right across the street from Vernon Jarrett in this little subdivision. And my friend, Todd Stroger, and his dad, the County Board President, John Stroger, and Vernon Jarrett would often get together and have tremendous arguments over happenings of politics, in particular politics with African Americans all over the country. And as little boys, I would be astounded at the veracity in which they would argue and the heated discussions they would have. And they would get to the point were you would think one was about to punch the other one out, and at that point they would decide to open up a can of beer and maybe a bottle of Jack Daniels and spend the rest of the night just playing the dozens. But that's the kind of person Vernon Jarrett was. Vernon Jarrett cared an awful lot about the plight of African Americans and the City of Chicago and across this country. There's no corner in the United States you can go where his name doesn't resonate with those of us who are committed to improving the lives of people through the political process. He was a institution in the City of Chicago. He's probably given lectures at every college in the City of Chicago, and if

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

136th Legislative Day

5/28/2004

not the state. I can remember him many times coming into the campus of Chicago State to participate in some debate. And always his message was not heated rhetoric, but taking some action and taking some constructive action to improve things, if not in the country, but simply in your own neighborhood. He's gonna be missed dearly by all of us who try to improve ourselves by taking wisdom from those who come before us. He was my friend and a mentor and I'll miss him dearly."

Speaker Turner: "The Lady from Cook, Representative Lou Jones."

Jones: "I rise to one very, very good friend. I was very fortunate three weeks ago to be in church with Vernon. We attended the same church. And when I... we talked a lot of politics. Alderman Dorothy Tillman, the Third Ward, and Vernon and I used to sit around a lot. Last summer we used to sit at her house in the summer time in the evening and Vernon would just tell us about politics 25, 30, and 35 years ago. He always considered himself and Dorothy and also myself, he labeled us 'independent Democrats'. When I decided... when I... when I decided that when Harold Washington called me at 1 o'clock in the morning and asked me to run against Larry Bullock for the seat that I have now, which was 18 years ago. Vernon was the second person that I called and I woke him up. And he said, 'Do you really want to do that?' And I said, 'Well I don't know.' I said, 'What do you think?' He said, 'It's too early in the morning, call me back tomorrow after 9 o'clock.' So, I called him back the next morning and Vernon told me to run

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

136th Legislative Day

5/28/2004

for the seat and also told me he would chair my campaign committee. And he did that up until the past and he was still the chairman of my campaign committee. When I lost my daughter 10 years ago he was one of the first people to come to my house at 2 o'clock in the morning to sit with me and try to explain to me why she died. I sit beside him in church, we sit in the same two seats every Sun... and when... every Sunday. And Vernon fought cancer, had been fighting cancer for 6 years. And he fought it, he fought it all the way to the end. I will miss talking to him. I will miss being with him. And may he rest in peace."

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

Collins: "Vernon Jarrett always wanted black people to be in the media in a positive way. He portrayed them in weddings, funerals, baby christenings, graduation, marriage and good news. He was a historian. He wrote about Thurgood Marshall, Malcolm X, poets and other writers. He insisted that African Americans be in the major media in Illinois."

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

Giles: "Thank you, Mr. Speaker. I know there's other Members that know Vernon Jarrett, but we asked that all Black Caucus Members be added to this House Resolution and... and of course, all Members to be added to this Resolution at this time."

Speaker Turner: "The Gentleman moves that the House adopts House Resolution 1025. All those in favor should say

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

136th Legislative Day

5/28/2004

'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. The Veto Schedule is being passed around as we speak. The Veto Schedule is being passed around now. The Lady from Kane, Representative Lindner, for what reason do you rise? Representative Lindner. Representative Lindner, for an announcement. Representative Brady, I apologize, Represent... the Gentleman from McLean, Representative Brady."

Brady: "Thank you very much, Mr. Speaker. Republican Members, there will be a caucus immediately after adjournment in Room 118. A very short caucus immediately after adjournment. Thank you."

Speaker Turner: "The Gentleman from Cook, Speaker Michael Madigan."

Madigan: "Ladies and Gentlemen, if we could have your attention for just one or two minutes, relative to schedule. The people that work on the preparation of the budget, that are known as the 'budgeteers', are hard at work and they are making significant progress. They will work through the weekend, however, there are significant issues which are not yet resolved. And I would not want to offer a prognosis as to when or if they will be resolved. And so, my purpose now is simply to advise all of you that when we return on Sunday, simply for preparation purposes, you ought to be prepared to stay here through Thursday or Friday of next week. So, again, we are making progress, but there are significant differences and significant

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

136th Legislative Day

5/28/2004

issues. Simply in terms of the amount of clothes you bring with you why I would think in terms of Thursday or Friday of next week. Thank you."

Speaker Turner: "Allowing Perfunctory time for the Clerk, Representative Currie moves that the House stands adjourned until Sunday, May 30th, at the hour of 4 p.m. Sunday, May 30th, at 4 p.m. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned until Sunday, May 30th, at the hour 4 p.m. Drive safely and enjoy your weekend. Enjoy your day."