

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

119th Legislative Day

4/12/2006

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers, and we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Pastor Richard Baker with The Rock Christian Church in Sycamore, Illinois. Pastor Baker is the guest of Representative Hultgren."

Pastor Baker: "...nights lying down and this morning's rising up. For touching us with Your finger of love and giving us a mind that's fixed on You. We thank You for being better to us than we could've ever been to ourselves. This morning, dear God, we pray over the leaders of our state. We pray that we would always remember in every decision that we make that it's because of You. We pray for a sense of humility, a sense of fairness, a sense of doing what's right in Your sight, dear God. Finally, we pray for every employee in our Capitol, for all the people in the State of Illinois, and we thank You for bringing us to this place at this appointed time. In Your name we do pray, Amen."

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

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

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

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Currie: "Thank you, Speaker. Please let the record show that Representatives Acevedo, Delgado, Feigenholtz, Hamos, Jones, and Patterson are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Daniels, Representative Mathias, and Representative Black are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 109 people responding to the Attendance Roll Call, there is a quorum present. And let the record show that Representative Hamos is in the chamber. Let the record show that the quorum count is 110. The Chair recognizes Mr. Cross. Mr. Cross."

Cross: "Oh, Mr. Speaker, thank you very much. If I could, perhaps more for the benefit of our side and perhaps for the benefit of your side, we are trying to get a handle on scheduling for the next few weeks. And we have not been part of the budget process and we accept that, can handle that, but we'd like to have a bit of an understanding about the process itself. Many Members on our side of the aisle, I suspect on your side of the aisle as well, have speeches planned, have events planned, both political and state. Some have family time planned, some have vacation time planned. We, of course, will work as long as you want us to, as much as you need us to do get this done. But in the interest of setting a schedule for the next few weeks, perhaps the next month, it would help us to the extent that you can, give us an idea of what's going on. I know that next week we're in Tuesday and Wednesday. The Senate

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doesn't come back 'til the following Monday. But in the interest of fairness to all of us, and I... and as I said, both our side and your side, we'd like some understanding and some idea so we could plan our lives, our families' lives, our district lives, members in our district, people in our district, as to what we can expect over the next few weeks. Maybe your side of the aisle already knows what they're gonna do, they're not paying any attention. But... and that's nice that they know what's going on, but if you could tell us. Oh, they don't? So no one in the chamber knows what's going on."

Speaker Madigan: "Mr. Cross, your point is well taken. Could I respond?"

Cross: "Please. Please."

Speaker Madigan: "So, I believe that this has been distributed. And it would indicate that we plan to be in Session for two days next week, Tuesday and Wednesday, April 18 and April 19, and we also plan to be in Session for two days the following week, April 25 and April 26. And we are contemplating that we'll also be in Session the following week, which is a week that takes us into May. I'm not certain of the exact date, but it would be the very first days of May. So as... as we attempt to look forward, we are contemplating this... and we are contemplating being here in that first week of May."

Cross: "Is... is there a chance... and you're in those meetings with the Governor, I'm assuming he's there... that we may done the first week of May? And I'm... I'm just more from a schedule. I'm not trying to point... make any other comment about how it

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gets done or what happens or what's in it. Just merely from a scheduling standpoint, if you can give us some... some idea."

Speaker Madigan: "Correct. And I think the best way for me to say it is to say that it's my hope, shared by the Governor and Senator Jones, that that first week in May would be the last week."

Cross: "Okay."

Speaker Madigan: "That's our hope."

Cross: "First week of May. First week of May."

Speaker Madigan: "Would be the last week."

Cross: "First week of May would be the last week of Session."

Speaker Madigan: "Yes."

Cross: "Got it. All right. Thank you very much. Tell the Governor we all said 'hi' at those meetings if you would, please. We're excited that he's down here occasionally."

Speaker Madigan: "Tom, I'd like to share with you that we have spoken among ourselves about your absence and we would like to have you there."

Cross: "What... what about our former coalition partner?"

Speaker Madigan: "Right. That's what I'm getting to."

Cross: "I can't wait."

Speaker Madigan: "The Governor would particularly like to have Senator Watson in the meetings. He seemed to enjoy his time with Senator Watson."

Cross: "I... I recall those meetings. I miss them. And they... they were special. And I... the interaction between the Governor and Senator Watson was... was a treat to watch, as you... as you remember."

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Speaker Madigan: "Yeah."

Cross: "I can tell you're getting a little emotional about it.
I..."

Speaker Madigan: "Yeah, right."

Cross: "Mr. Speaker, I'm sorry, I didn't mean to bring up a
sensitive topic. But please... please give our regards to the
Governor and we wish you well in the next few weeks."

Speaker Madigan: "Could I... could I... concerning scheduling, could
I add further that our desire is to be in for a short time
today and then adjourn for a Democratic Caucus, and if you
wish to have a caucus... a Republican Caucus. So..."

Cross: "No."

Speaker Madigan: "...we're contemplating a very short day."

Cross: "All right. Thank you."

Speaker Madigan: "Thank you. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative McKeon,
Chairperson from the Committee on Labor, to which the
following measure/s was/were referred, action taken on April
12, 2006, reported the same back with the following
recommendation/s: 'recommends be adopted' House Joint
Resolution 107. Representative Osterman, Chairperson from
the Committee on Local Government, to which the following
measure/s was/were referred, action taken on April 12, 2006,
reported the same back with the following recommendation/s:
'do pass as amended Standard Debate' Senate Bill 2872.
Representative Fritchey, Chairperson from the Committee on
Judiciary I - Civil Law, to which the following measure/s
was/were referred, action taken on April 12, 2006, reported
the same back with the following recommendation/s:

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'recommends be adopted' a Motion to Concur with Senate Amendment #3 to House Bill 4357; 'do pass as amended Short Debate' Senate Bill 3086. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on April 12, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2726. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 12, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' and referred to the Order of Resolutions is House Joint Resolution 121; 'recommends be adopted' and referred to the floor Amendment #4 to Senate Bill 1625 and Amendment #1 to Senate Bill 2673. Referred to the House Committee on Rules is House Resolution 1194, offered by Representative Jakobsson. House Resolution 1197, offered by Representative Chapa LaVia. And House Joint Resolution 123, offered by Representative Flowers."

Speaker Madigan: "Mr. Lang. Mr. Lang. Mr. Clerk, what is the status of Senate Bill 2487? I believe the Bill is on the Order of Second Reading and is on page 6 of the Calendar."

Clerk Mahoney: "Senate Bill 2487 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was referred to the Rules Committee. No Motions filed."

Speaker Madigan: "Mr. Lang, did you hear the report from the Clerk that an Amendment is not..."

Lang: "I thought it wa..."

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Speaker Madigan: "Mr. Lang."

Lang: "All right."

Speaker Madigan: "Mr. Lang."

Lang: "I'm sorry, Mr. Speaker. I thought the Bill... the Amendment was on the floor already. I must be mistaken, and therefore, we'll just wait. Thank you."

Speaker Madigan: "Thank you. Mr. Clerk, on page 2 of the Calendar, on the Order of House Bills-Third Reading, there appears House Bill 1814. The Chair recognizes Representative Gordon. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1814, a Bill for an Act concerning pensions. Third Reading of this House Bill."

Gordon: "Mr. Clerk, can we take this back to Second Reading, please?"

Speaker Madigan: "The Lady has requested that the Bill be put on the Order of Second Reading. Mr. Clerk, put the Bill on the Order of Second Reading. On page 3 of the Calendar, on the Order of Senate Bills-Third Reading, there appears Senate Bill 1682. Mr. Tryon. Mr. Tryon."

Tryon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am pleased to present for your consideration Senate Bill 1682. This Bill represents 14 months of bipartisan work to examine issues that relate to referenda in tax cap counties. It provides for a consolidated form of questions to be presented to the voters that build on the fundamentals of the tax cap, which is dollars, CPI, and voter empowerment. In essence, it's a truth in taxation Bill. It combines two Bills that came out of this chamber last year unanimously, House Bill 3602, which closed

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loopholes in rate manipulations that some districts had take advantage of, and it also includes House Bill 1041, which equates all referendum to be presented to the voters and what it will cost for... for a hundred thousand dollar residence. We think that these... this new approach to referenda will make it easier for voters to understand exactly what's contained in the proposition and how much it will cost them. And it will make it easier for taxing districts to ask for smaller amounts of revenue for longer periods of time and fixing the loopholes that have existed since the inception of the tax cap that has allowed for over almost \$400 million more to be collected in some taxing districts than what was advertised in referendums. In short, it makes good government policy to take the current form of propositions and equate it to the property tax cap law. And I think it'll be supported widely and unanimously almost through... through all the organizations. The organizations that have agreed and have lended its supports: the Illinois Manufacturing Association, the Illinois Association of County Clerks and Recorders, Illinois State Chamber, Illinois Federation of Teachers, the School Management Alliance, SCOPE, LEND, ED-RED, the High School District Organization of Illinois, and the Large Unit District Association of Illinois. So, I would certainly entertain any questions that you may have."

Speaker Madigan: "Mr. Clerk, read this Bill for a third time."

Clerk Mahoney: "Senate Bill 1682, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

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Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Has Representative Soto voted? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Feigenholtz in the chamber? The Clerk informs that Chair that Representative Feigenholtz is not in the chamber. Senate Bill 2841. Mr. Reitz. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2841, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 2841 is an initiative of the Department of Agriculture. It just makes changes to the Meat and Poultry Act to bring it up to date to clear up some definitions for the USDA and the Depart... the U.S. Department of Agriculture. It also adds that in Type II plants that... adds a 'not inspected' to make sure that the public is aware that those have not... they're not for sale and not inspected. And it also... the third portion states that they will... the facility will make the payment of the license fee and applicable late fee if it's not made in full, that operations will be continued until they do pay. So those are the three changes. I'd be happy to answer any questions."

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

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, there's an Amendment in Rules. Are you not gonna call that Amendment or are you going to wait for something to do with that Amendment?"

Reitz: "No. No. Not... the Amendment did not get out of Rules. The department is comfortable with the way it is now and they're going to look at addressing this again and trying to clarify what they need with that Amendment, do that in the future."

Parke: "So you're just gonna... you're calling the Bill as is and that Amendment is not going to be used."

Reitz: "Correct."

Parke: "Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Mr. Granberg in the chamber? Mr. Clerk, do you have Agreed Resolutions?"

Clerk Mahoney: "Agreed Resolutions. House Resolution 1192, offered by Representative John Bradley, House Resolution 1193, offered by Representative Yarbrough, House Resolution

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1195, offered by Representative Sacia, House Resolution 1196, offered by Representative Sacia."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolutions are adopted. Mr. Clerk, do you have an Adjournment Resolution?"

Clerk Mahoney: "Senate Joint Resolution 89.

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Tuesday, April 11, 2006, the Senate stands adjourned until Tuesday, April 18, 2006, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Thursday, April 20, 2006, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Tuesday, April 25, 2006, at 12:00 noon; and the House of Representatives stands adjourned until Wednesday, April 12, 2006, at 1:00 p.m., and when it adjourns on that day, it stands adjourned until Tuesday, April 18, 2006, at 1:00 p.m."

Speaker Madigan: "The Clerk has read the Adjournment Resolution. The Chair recognizes Mr. Reis."

Representative Reis: "Thank you very much, Mr. Speaker. Point of personal privilege."

Speaker Madigan: "Is it on the Adjournment Resolution?"

Representative Reis: "No."

Speaker Madigan: "Let me do the Adjournment Resolution and then I'll come right back to you. The question before the Body concerns the Adjournment Resolution. Representative Currie

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moves that the House adopt the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Is it Mr. Reis? I'm sorry. Mr. Reis."

Representative Reis: "Thank you, Mr. Speaker. point of personal privilege, again."

Speaker Madigan: "State... state your point."

Representative Reis: "I just wanna give the House the results of the first annual Capital Classic Gun Shoot that was held last week. My good friend Brandon Phelps edged me out by twelve-one hundredths of a second on a seven-target shoot. The Republicans were edged out by the Democrats fifty... the Democrats had 59.84 average and the Republicans had 58.75. I'd like to point out that a couple of our former law enforcement officials, Representative Sacia and Representative Saviano, didn't do too well. But we're gonna count 'em in the average. We had more Republicans shoot than... than Democrats. And Brandon, I hope we can have a rematch sometime. And I invite people to come out. It's really a good way to get a real good training on the proper handling of a handgun and have some good, fun, safe shooting in the... in the process. Also, the House edged out the Senate 62 to 47 average. So, the House is a better shot. So, thank you, Mr. Speaker, and I invite everybody to come out and do this next time."

Speaker Madigan: "For the purpose of an announcement, the Chair recognizes Mr. Lyons."

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Lyons: "Thank you, Speaker. Democrats, we will be caucusing immediately after Session in Room 114. Caucus immediately after Session in Room 114, Democrats."

Speaker Madigan: "Is there anything further to come before the Body? There being nothing further, Mr. Lyons has announced the Democratic Caucus immediately in Room 118. So.. 114, 114. So, Democrats, please go to Room 114 immediately after adjournment. Representative Currie moves that the House stand adjourned until Tuesday, April 18, at 1 p.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Tuesday, April 18, at 1 p.m., providing perfunctory time for the Clerk."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 5782, offered by Representative Coulson, a Bill for an Act in making appropriations. First Reading of this House Bill. There being no further business, the House Perfunctory Session will stand adjourned."