

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

106th Legislative Day

8/1/2007

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills. Senate Bill 997, offered by Representative Cross, a Bill for an Act concerning courts. The Bill will be referred to the House Committee on Rules."

Speaker Turner: "We will now move to the regular Session. And with leave of the Body we will adopt the Quorum Roll Call for #1 (sic-First Special Session) for the regular Session. Leave is granted and a quorum is present for the regular Session. The Lady from Cook, Representative Currie, for a Motion."

Currie: "Thank you, Speaker. I move to suspend the posting require... the posting requirements so that the following Bills can be heard immediately: Senate Bills 766, 844, 858, 591, 770, 211, and 997."

Speaker Turner: "The Lady asks leave to suspend the posting requirements on the prementioned Bills. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the posting requirements are suspended. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 635, offered by Representative Hoffman. House Resolution 336, offered by Representative D'Amico. House Resolution 637, offered by Representative Rita. House Resolution 638, offered by Representative Pihos. And House Resolution 640, offered by Representative Crespo."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the

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'ayes' have it. And the Agreed Resolutions are adopted. On page 2 of the Calendar, Representative Coulson, we have House Bill 119. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 119 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

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

Coulson: "Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill and amends it to relate to the Early Intervention Systems Act. And I'd appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment #2 to House Bill 119?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. On page 5 of the Calendar, under the Order of House Bills-Second Reading, we have House Bill 3866. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3866, a Bill for an Act making appropriations, has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "House Bill 3866, a Bill for an Act making appropriations. Third Reading of this House Bill."

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Speaker Turner: "The Gentleman from Montgomery, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I think we all recognize that we are now in August and that the temporary budget that we passed about a month ago has expired. So this is a shell Bill, an appropriations shell Bill, that I would ask for you to join me in sending over to the Senate, so that they can pass... so that they can read it today on First Reading and the Bill could be available, at least procedurally, on Friday for a final vote. So, this is more of an effort to do some of the housekeeping and procedural things that we need to do in order to come to a final budget. It's a shell Bill. I'd ask for your support and be happy to answer any questions."

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

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

Speaker Turner: "Indicates he will."

Mulligan: "Representative Hannig, is the intention that this is a shell Bill and that the Senate will drop in some type of appropriation budget Bill and it would come back to us for a final look?"

Hannig: "That's correct, Representative. So, the thought is that we'll have, in a best case scenario, we'll have an agreement by Friday when this Bill could be read for the third time. It could be amended and sent back to us for a concurrence."

Mulligan: "Representative, I think the goal of all of us is to finish a budget that is reasonable for the people of

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Illinois and be out of here and get ready for the next Session. My only concern is, and I will voice it now because I would hope that this will be a consideration, I have not heard really good things going on on the other side with the Human Service appropriation budget. My concern is that because there isn't as much new money as the Governor predicted there would be and the desire of many to fund education, that Human Services, which is normally a large budget, is kind of being decimated to move money into education. I would hope that any Bill that comes back here that both Representative Feigenholtz and myself could take a look at and make sure the Human Service appropriations is being treated fairly and that many of the constituents that we've represented for a long time will not have their budgets cut where they can no longer function without a supplemental in the middle of the year or something bad happening. So, although I agree with the idea of passing the Bill over because there aren't enough vehicles and we need to hopefully get moving on this, I would like to voice those concerns on the record and hope that everyone will take a look at what happens ultimately."

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: "Indicates he will."

Black: "Representative, I'm confused as the intent of this shell Bill."

Hannig: "Okay."

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Black: "Is it your intent that it go to the Senate and then come back to us Friday in the form of another 30-day budget or the potential for a 12-month budget?"

Hannig: "Well, thank you, Representative Black, for asking that question. My hope would be that we would have a 12-month budget. So, the plan would be that we would... we... we need to get some vehicles in the Senate, they have to be read three (3) times under the Constitution. We can send this over today, they could read it for the first time today. Obviously, it could be available to come back as early as Friday. And I think the intention that the four (4) Leaders... that the road that they're working on is to try to find a 12-month budget for us to adopt and adjourn."

Black: "Well, that would be a wonderful thing to do since we're already in the second month of the fiscal year. It'd be nice if we could maybe get a 12-month budget fixed before December. So, I just want a clarification on where we were headed. Another 30-day budget, while it may be necessary if we can't reach an agreement, that doesn't solve the problem."

Hannig: "I agree."

Black: "A 12-month budget solves the problem."

Hannig: "I agree, Representative Black."

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

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

Speaker Turner: "Indicates he will."

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Eddy: "Representative, the point has already been made, but on the record just to make sure we understand the intent, would it... would it be fair to characterize support for this as the support for the concept and possibly not the final Bill?"

Hannig: "Yes. We were just simply moving the process along, you might say, Representative, so that we could get a vehicle in the Senate and meet the constitutional requirement at three (3)... being read on three (3) separate days. Now, we could wait 'til we have an agreement, but we then would need a vehicle we may find ourselves sitting around counting the days off 'til we could get to that point."

Eddy: "And... and some of the real pressure dates that've been noted regarding the distribution of state aid if an August 8 or 9 deadline isn't met then the possibility of those funds being processed in a timely fashion, the school districts might be impaired. This is more of being able to move the process so that if a... an agreement can be made that those target dates will be honored and the money would be there in time."

Hannig: "Yes. Representative, I think that the four (4) Leaders would say that they've made some progress. They're not there yet. But they feel confident enough that we could... that they ask us to send this budget over to the Senate and begin the process of beginning to try to pull this final thing together... this final budget together."

Eddy: "This... this isn't a vote on the rumors or the... or the possibilities or where the revenue is coming from or the dollar amounts or the millions for this. This is... this is a vote for having a vehicle available for a movement..."

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Hannig: "Right."

Eddy: "...in time should that occur. And on that basis, I intend to support it based on the idea that this is a concept, but obviously, whatever the final version of this that may come back, if it doesn't contain the education or the human services that we would feel are adequate or are agreed upon, we obviously would take a different vote at that time."

Hannig: "I understand that..."

Eddy: "Okay."

Hannig: "...as well, Representative."

Eddy: "Right."

Hannig: "And certainly we're not suggesting that if you vote on this Bill today that you're committed to the final budget."

Eddy: "Thank you very much."

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

Reis: "Inquiry of the chair. Will this take 71 votes to pass?"

Speaker Turner: "Yes, it will."

Reis: "Thank you."

Speaker Turner: "Representative Reis... Representative Reis, you will only need 60 on this... 60 votes. Yeah. So, you wanna vote 'no'? Representative Hannig to close."

Hannig: "Well, again, thank you, Mr. Speaker and Members of the House. The Leaders have met on a number of occasions now. There is not a final budget that we could vote on today, but they have made some progress and they've asked us to begin the process of moving a Bill to the Senate so that it will be positioned by Friday so that we can at least have that option available to us to pass a 12-month budget at... as

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early as Friday. So, that's what this is about, moving the process along. We'll have a final opportunity for a concurrence vote before any Bill would go to the Governor's desk. So, I would simply ask that you join me in sending this Bill to the Senate and I'd ask for your 'yes' vote."

Speaker Turner: "Representative Reis, the Chair stands corrected again. This Bill will need 71 votes to pass. We'll need you. On that question, the Gentleman from Vermilion, Representative Black, who spoke in debate."

Black: "Mr. Speaker, I had the inquiry of the Chair. I thought the Chair was wrong on the number of votes. I don't know why this shell Bill had an effective date in it, but the effective date has passed. Therefore, the only effective date can be immediate. Therefore, under the House Rules it requires 71 votes, which you have ruled. Correct?"

Speaker Turner: "Is your cell phone connected to mine?"

Black: "I don't even have a cell phone. We don't have any towers downstate."

Speaker Turner: "We're talking to the same lawyer."

Black: "All right."

Speaker Turner: "You're correct. So, the question is, 'Shall the House pass House Bill 3866?' 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? The Clerk shall take the record. On this question, there are 86 voting 'aye', 16 voting 'no', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Resolutions on

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page 14, we have House Joint Resolution 75. Representative Washington."

Washington: "Thank you, Mr. Chairman. Mr. Chairman, House Joint Resolution 75 is a change in my district where a highway that is totally decayed, only 2.3 miles long, and we wish to change the name to Bobby Thompson, who was the first African-American mayor in Lake County. And I ask for favorable approval. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Joint Resolution 75... adopt House Joint Resolution 75?' 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? The Clerk shall take the record. On this question, there are 105 voting 'aye', 0 'noes', 0 'presents. And this Resolution, having received the Constitutional Majority, is hereby declared passed. On the Order of Resolutions, we have House Resolution 153. Representative Mary Flowers. Is the Lady in the chamber? On the Order of Resolutions, we have House... on page 15 of the Calendar, we have House Resolution 535. Representative Brady."

Brady: "Yes, Mr. Speaker, thank you very much. House Resolution 535 is proclaiming Adlai Stevenson Day on February 5 in State of Illinois."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Resolution 535?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the

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Resolution is adopted. Page 16 of the Calendar, Representative Brauer, we have House Resolution 577."

Brauer: "Thank you, Mr. Speaker. 577 just verily simply states that the State of Illinois should include it in their budget the veterans' tuition. This has been done up to about two (2) years ago. And what it does, it encourages the passage of Bill Black's House Bill 479. Right now, it's sitting in... in a Senate... in the Rules Committee. And I will answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Resolution 577?' 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? The Clerk shall take the record. On this question, there are 105 voting 'aye', 0 'noes', 0 'presents'. And this Resolution, having received the Constitutional Majority, is hereby declared passed. On page 16 of the Calendar, we have House Resolution 587. Representative Dugan."

Dugan: "Thank you, Speaker. This Resolution deals with procurement policies in the state. There's been some issues that have been brought up by businesses throughout the state, really, in a lot of different districts. And so, it's just to create a task force to look into the procurement policies and the encouragement of using Illinois businesses. I'll answer any questions and would like an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Resolution 587... shall the House adopt

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House Resolution 587?' 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? Durkin. The Clerk shall take the record. On this question, there are 104 voting 'aye', 1 voting 'no', 0 'presents'. And this Resolution, having received the Constitutional Majority, is hereby declared passed. On the Order of Resolutions, we have House Resolution 602. Representative Cole."

Cole: "Thank you, Mr. Speaker. House Resolution 602 urges the U.S. Congress to support and pass the Great Lakes Water Protection Act in an effort to clean up the Great Lakes."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass... shall the House adopt House Resolution 602?' 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? The Clerk shall take the record. On this question, there are 105 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Resolutions, we have House Resolution 622. Representative Ford. Read the Resolution... No, Mr. Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. Today I offer House Resolution 622 to urge Congress to pass legislation allowing non-for-profit organizations and family members on the first and fifteenth day of each month to mail without charge letters and packages to service members in combat zones. I ask for an 'aye' vote."

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Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt House Resolution 622?' 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? Acevedo. The Clerk shall take the record. On this question, there are 105 voting 'aye', 0 'nays', 0 'presents'. And this Resolution, having received the Constitutional Majority, is hereby declared passed. Representative Colvin on Senate Joint Resolution 2, 16 of the Calendar."

Colvin: "Thank you, Mr. Speaker. Senate Joint Resolution 2 as amended reconstitutes the joint task force on the College Insurance Program that was created in the 94th General Assembly with Senate Joint Resolution 91. It simply was a task force originally formed to study the College Insurance Program for community college employees, as well as the feasibility of adding City College of Chicago employees to the program. In addition, the task force was charged with identifying ways to improve the financial solvency of the program. There's no known opposition. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Senate Joint Resolution 2?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion... All those... all those in favor should vote 'aye'; all those opposed say 'no'. In the opinion... The voting is now open. The Clerk shall take the record. On this question, there are 105 voting 'aye', 0 'noes', 0 'presents'. And this Resolution, having received the

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Constitutional Majority, is hereby declared passed. On page 16 of the Calendar, Representative Hannig, we have Senate Joint Resolution 40."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Resolution, which has already passed in the Senate, would urge the United States Government to continue buying the C-17 Globemasters that are manufactured by Lockheed Aircraft for the purposes of keeping jobs in the United States and supporting our military personnel. So, I'd move for the adoption of the Resolution."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Senate Joint Resolution 40?' 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? Representative Bost. The Clerk shall take the record. On this question, there are 105 voting 'aye', 0 'noes', 0 'presents'. And this Senate Joint Resolution 40, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, could you read the committee announcements."

Clerk Mahoney: "Committee announcements for today. Immediately following Session or at 4:45 p.m. the Telecommunications Committee will meet in Room C-1. Telecommunications will meet in Room C-1. Elementary & Secondary Education will meet in Room 114. Elementary & Secondary Education in Room 114. Higher Education will meet in Room D-1. Higher Education in D-1. The Aging Committee will meet in Room 122-B. Tomorrow afternoon at 2 p.m. the Executive Committee will meet in Room 118. Tomorrow at 2 p.m. Executive will

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meet in Room 118. Correction. All committee announcements for today are immediately following caucus, 4:45 p.m. or immediately following caucus."

Speaker Turner: "We're going to a... do a Death Resolution for former Member. Members will please stand. Representative Sommer on House Resolution 627. Read the Resolution, Mr. Clerk."

Clerk Mahoney: "House Resolution 627.

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of former State Representative John "Jay" C. Ackerman of Morton, who passed away on July 23, 2007; and

WHEREAS, Jay Ackerman served in the Illinois House of Representatives from 1979 to 1983 and from 1987 to 1999; during his time in the Capitol he worked with the Legislative Sportsmen's Caucus and helped to establish a State fish and wildlife area in Cass County; he helped bring reform to the Chicago school system, aided in welfare reform, supported the State's truth-in-sentencing law, voted for measures to help senior citizens, promoted agriculture and the preservation of the family farm; and chaired the House Public Utilities Committee; and

WHEREAS, Jay Ackerman was one of the few active farmers to serve in the General Assembly during his tenure; he was a strong supporter of the Second Amendment; he was known as someone who cared more about his constituents and representing the people of his district than being a politician; he was well-liked by all his colleagues and

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enjoyed socializing; he enjoyed singing "Crazy" and other songs by his favorite artist, Patsy Cline; and

WHEREAS, Jay Ackerman was an avid hunter and fisherman; he, his son, and his sons-in-law were the Winning Boat and Anglers at the July 19, 2007 Department of Natural Resources sponsored Sam Romano Lake Michigan Fishing Tournament in Winthrop Harbor; and

WHEREAS, Jay Ackerman was an accomplished softball player, known for playing in fast-pitch leagues across central Illinois for 40 years; he began by pitching against the barn door during his 4-H league days; he held the record for striking out 18 of 21 batters in 7 innings; he matched Eddie Feigner, the King and his Court, in a 4-to-4 tie game, with local media reporting that his pitches were jumping more than the King's; and

WHEREAS, Jay Ackerman started in politics due to his dissatisfaction with the limited opportunities young people had to play softball in his hometown; he ran for a seat on the Morton Park District Board and served from 1967 to 1975; he was influential in building the first ball diamonds at Lions Field in Morton; he later served on the Tazewell County board from 1972 to 1978; and

WHEREAS, Jay Ackerman was a United States Army veteran, serving two years as a medical technician; he was born on and farmed the Ackerman Centennial Farm in Morton; he attended Crandall School, a one-room school house located on the farm; he graduated from Morton High School where he lettered in football and track; and he attended agriculture classes at the University of Illinois; and

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WHEREAS, Jay Ackerman was a wonderful husband, father, grandfather, and brother; his passing will be deeply felt by all those who knew and loved him, especially his wife, Joann; his son, Doug (Christine); his daughters, Jody (Mark) Bugaieski, Amy (John) Lacy, and Wendy (Mike) Fox; his sister, Sally Walker; his grandchildren, Rick and Jed Lacy, Kiley and Brock Bugaieski, and Morgan and Hallie Fox; his six nephews; and his many friends, colleagues, former constituents and neighbors; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family and friends, the passing of former State Representative John C. "Jay" Ackerman; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of former State Representative John C. "Jay" Ackerman as a symbol of our sympathy."

Speaker Turner: "Representative Sommer."

Sommer: "Thank you, Mr. Speaker. It was just last week that my predecessor and dear friend of thirty (30) years died in a tragic accident on his family farm. There was an outpouring for support for Jay Ackerman. The hundreds who attended his wake, the many hundreds at his funeral. It was an unusual funeral. In my area, a funeral may last thirty (30) minutes, but if it's an extraordinary mass, it may be an hour. This funeral ran for two (2) hours. Each and every one of his grandchildren stood and spoke about their grandfather. And a number of us in the community had the opportunity to stand up and talk of this fine gentleman and

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share stories. For, in fact, it was a celebration of his life. This weekend I remember one of the news commentators saying... he just summed it up, Jay was a good ol' farm boy. As the Resolution said, Jay began his quest for fame in softball by pitching against the barn door. According to his older sister, he'd stand out there hour after hour and day after day throwing that fast softball. He pitched for forty (40) years throughout central Illinois and really that was the foundation of his political service, because so many people got to know him, not just as a pitcher but for... as a fine individual. But it was from, as the Resolution cites, his involvement with softball that he ran for a seat on the park board to give others the opportunity to participate in softball and recreation. There were no such facilities in our hometown, oh, a pretty rough ball diamond at the high school. Not only did Jay Ackerman run for that board and win, he saw to it that the first field was built. They had a plot of ground; they didn't have any money, so he and his farmer friends had got together and built a ball diamond with their farm equipment. That's the kind of person Jay Ackerman was. He had no further ambitions, but he was sought out by the community to run for county board, to serve, because everyone knew that he put others before himself and he just did what was right. Then the opportunity came in 1977 for someone to run for State Representative in our area and people approached Jay. I'm proud to say that he said, yeah, that he would run if I'd be his campaign manager, a task I took upon myself and did so for many, many years. Jay came to Springfield. You won't...

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those of you who are here remember Jay as one who sponsored outstanding legislation, one who took the floor and spoke often. But to remember him as a decent person, a team player, he was a star on the ball diamond, but he... he wasn't the star here. He knew that. He fulfilled his role, he was a farmer. So, on Agriculture Committee he spoke about ag issues and about land use and the property rights. And he was particularly interested in recreational opportunities, not only for the young but for everyone in this state and he promoted efforts so that Department of Conservation at that time and DNR to provide those opportunities to all the citizens of Illinois. He was a guy that had fun. Well, no, he was a guy who was fun. We're all admonished in our life to enjoy life and have fun. This man was fun, just being around him. You had fun because he was fun, whether it was on the ball diamond or here in the chamber or after hours or at a movie. Whatever, he was fun. When Jay came here he sat down there in that front row where Don Moffitt and Sid Mathias are right now. And they called it 'farmer's row'. Sitting down there were Jay Ackerman, his dear friend from McLean County, Gordy Ropp, who became director of Agriculture and this young whipper snapper from northern Illinois, Ron Wait, and they were 'farmer's row'. I just can't help but think that if Jay were yet here today he'd probably lean back and maybe elbow Ron Wait and say 'Ron, the real world's back home.' Jay never forgot that and the people back home never forgot Jay Ackerman, he always put them first. He always lived up to his responsibility to and for them and put it above any ambition he had. I'm lucky

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and some of you who were here during his tenure were lucky, too, we were lucky that we could call him our dear friend."

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

Leitch: "Thank you, Mr. Speaker. I, too, would like to express my appreciation and my respect for the life and service of our dear friend Jay Ackerman. As Representative Sommer described this was a very unique funeral which in so many ways reflected the uniqueness and the love felt in the community for Jay Ackerman. As Representative Sommer indicated it was a very lengthy funeral in the sense of the time on a clock but the feelings of love and the feelings that were pouring out from Representative Sommer, who spoke very eloquently, as well as others who told some of the funniest stories that one will ever hear and knowing Jay we all knew that they were true. And so I don't believe ever in my life have I ever been in a funeral... in a funeral where there was so much humor and so many true stories and everyone had these stories. From all walks of life in that community there were very, very funny Jay Ackerman stories but then at the same time was the grief and the love expressed by his grandchildren and by his family and the others who know him. Jay was a very unique individual and one who was admired by so many in his district. As Representative Sommer made reference he was not and made no attempt to be a star here and many were often confused here as to how Representative Sommer (sic-Representative Ackerman) could be so popular, so respected and continually get reelected by such margins in his district. And the

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answer really is quite a simple one, Jay was what he was. He was a simple, wonderful farmer, community servant, a person who loved and was devoted to his family, his church and who, above all, represented and reflected that district. His district didn't want him to come and pass Bill after Bill. His district respected the fact that they wanted to be, above all, left alone. So, it will be a long time before many of us who had the honor of serving with Jay Ackerman forget Jay Ackerman's example of devotion to family, community and to our state. Thank you Mr. Speaker."

Speaker Turner: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it was my honor and privilege to serve with Jay and as was mentioned here I got to sit in the front row when I was a freshman, in fact I sat there I believe it was ten (10) years in the center there, on the left of me was Jay and on the right was Gordy Ropp and yeah, we called it 'farmer row' and we got to visit a lot about farming just like Rich and Raymond and I do back here. But Jay was just a, ya know, ordinary simple person; a farmer, I guess kind of like myself, didn't get up and speak too much because we learned that we don't need a lot more laws on the books, we just want to put common sense in government and try to help people. I couldn't believe the... the visitation we had, I mean they were there five (5), six (6) hours on Thursday night and then I went back to the funeral on Friday. And as you heard about the funeral, I've never been to such a humorous funeral, but I think that's the way Jay would have wanted it to be, because Jay really had a zest and a thrill

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for life. And one of... one of the things they mentioned there, I knew he was a good pitcher but he had a 2.14 strike out record per inning. That means he struck out about twenty (20) people out of twenty-seven (27) batters every game. I mean that's what I understand is phenomenal in baseball. One of the things that Keith mentioned during the memorial was about how that he was truly a friend, a farmer, family and fun and all of those he really did a fantastic job. One of the things I just want to mention, Gordy Ropp got there with a driver and as Paul Harvey said 'let me tell you the rest of the story', I heard part of the story at the funeral, but then I heard the rest of it yesterday. Was... they were playing golf at The Rail and Jay got up there and hit the ball, but I guess he scuffed it or something and the next thing you know he threw the driver in the pond. Well, anyway, then they got through playing that day and they gave him a new driver, but knowing as frugal and as conservative as Jay is, he wasn't gonna let that driver go away. So at the end of the function, he took off his shirt and his pants and went into the pond, not only did he get about thirty (30) or forty (40) golf balls, he found a dri... he found a putter but he also got the driver back, but what I found out talking with former Representative Jim Rea yesterday, you know why he really went back to get the driver, because it was his son-in-law's new driver and that's why he couldn't go home without it. So, anyway, that's just a little of the humorous stories that were told at his funeral. But I just want to say in closing that our thoughts and prayers are with Joann and her whole family and we're certainly going to

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miss Jay because he certainly was a wonderful, wonderful Legislator, a family person and we're gonna miss him. Thank you."

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

Black: "Thank you, Mr. Speaker and Members of the House. There's very little I can add except what a good and decent man Jay Ackerman was and how much fun he was to be around. And in the last few weeks, I don't think I'm the only Member of the House that has said, if you've been here a while, it isn't as much fun as it used to be. I'm not sure I know why that is, well, as I sit here on the first of August, I have an idea, but when people like Jay Ackerman were here, it... you couldn't help but have fun. He had a remarkable sense of humor and probably had more common sense in his little finger than many Members of this chamber, and no insult is intended, will ever have. He was a hardworking man all his life, he loved agriculture and farming and he often remarked that when he came down here in the '70s, the mid-'70s, he could carry the statute books back to his office in the Stratton Building if he wanted to, if he wanted to look up something and then he'd wink at me and he said, 'I use them as paperweights. I don't think I've ever looked up anything in the statute book, don't even know how and don't want to learn.' But when he left he said, 'You know, you can no longer do that. You can't pick up the statute books and carry them back to your office.' He said, 'I doubt that you can even pick them up and carry them to somebody else's desk, unless you have a hernia protection belt on.' And

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that kind of summed up Jay's philosophy. 'Do we really need all of these laws?', he would often ask, and he had a lot of great downstate expressions that never did really catch on with some people. He would try to explain it. He loved that pond, but if you've lived along an interstate being constructed and you owned ground, you don't call it a pond, it's a borrow pit. And I remember one time we went to Jay's farm and former Leader Lee Daniels was with us and he kept asking Jay, 'Why do you call it a borrow pit? I don't understand that. You mean, like a wheelbarrow or wheelborrow?' Jay finally said, 'No, it's what's called a 'borrow pit' because when they built the interstate the contactors come by and offer you some slight remuneration (sic-remuneration), to Jay it was always slight remuneration (sic-remuneration). They would dig out dirt from your ground and move the dirt to make an overpass. So you would borrow the dirt from Jay's farm to build the abutment for the overpass and then it filled with water and it belonged to the landowner, in this case Jay, so it was a 'borrow pit'. And some of the stories he used to tell about trying to keep various critters out of the borrow pit were immensely funny. Not many people were ever attacked by geese, Jay was. He said if he hadn't run out of ammunition he wouldn't have been attacked by the geese, but he didn't take enough shells. I wonder sometimes, in some of the debates we've had, some of the common sense that Jay could bring to certain Bills that we've discussed over the last few years. He had a deep appreciation and understanding and love for farming because he always used to tell me, 'sitting

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next to Ron Wait makes you realize that if there were no farmers producing food Ron Wait wouldn't last a week.' In fact, one day... and another Gentleman who made this place a lot of fun... the late Representative Myron Olson from Dixon, who was one of the greatest practical jokers I've ever, ever been privileged to know, got several of us together and said, 'I want ten (10) bucks from each of you.' What for? 'Just give me ten (10) bucks and you'll find out.' This is when we had Pages when we were here in June and we had that could drive and we pooled our money and they were given instructions that every hour they were to go to a Dairy Queen, I don't remember even where it was, and bring back two Blizzards, one for Ron Wait and one for Jay Ackerman, not... and when they asked who it was from, they didn't know. And so Myron said, 'I'll bet you that Jay can go through five (5), but Ron Wait can go through ten (10).' So we had some side wagers and it was funny because when the Pages would deliver the Blizzards they would both look around to see who had delivered those, nobody would pay any attention to that, we would look the other way. Myron lost his bet that day, Jay only got through two (2), and I hope I don't embarrass Ron, but Ron... Ron would look around and finally would... you... you could tell he would look over to Jay and say, 'Jay, are you going to eat that?' and Jay would say, 'No, I've had all I can.' So Jay would take that... or Ron would take that one too. And I think before that joke was over Ron Wait had gone through about fourteen (14) Blizzards. The next week Myron Olson decided we would have a weight losing contest and when you weighed in you would

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each put in twenty dollars (\$20) and whoever lost the biggest amount of weight would get the twenty dollars (\$20) and I think there were about twelve (12) or fifteen (15) of us in that group. And Ron Wait weighed in nurse, I think Dorothy was her name at that time, and everybody weighed and we were all a little heavy, but Dorothy, when Ron got on the scale said, 'Representative, you might want to take of your shoes and your watch', and as Myron said, 'and especially your billfold and whatever else you can take off because you want to be as light as possible.' Well, Ron still came in to be the heaviest among the weight loss group but for the next two (2) weeks there were no Blizzards, no snacks, no food wrappers in the back of his car, so when we weighed in and Myron Olson, to show you what a jokester he was, Myron shows up in a hospital gown tied in the back with a pair of boxer shorts and I said, 'Well, that's not fair, we didn't weigh in that way and Ron was in there and Ron said 'well, what happened?' Myron said 'well, I stay at a certain motel', which is still here I won't mention the name, and he said 'well, I was robbed last night; they took everything. They took my shoes; they took all my clothes. I was left with the boxers I was in, this is it. The police were kind enough to get me this hospital gown so, you know, I'm here, I'm gonna weigh in.' Well, I... I thought, boy, that was terrible, you know, he could have gotten hurt. Ron, on the other hand, you know, got rid of his watch and billfold and shoes and stepped on the scale. Ron ended up winning and Myron was not happy about that and about five (5) minutes later Myron came out into the chamber, Ron was counting his

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money and Jay said, 'Where'd Myron get a suit, where did he get shoes, tie, everything? He's got everything on.' So Jay and I went over and said, 'Myron, how could you have gotten a suit that fits and all of that material... and all of that stuff in such a short period of time?' And Myron looked at us and looked at Jay... looked at Jay and said, 'Jay, I'm gonna tell you something. The Springfield Police Department, I've never seen them any better, they found all my clothes about five (5) minutes ago and brought them up to the nurse's office.' So, it finally dawned on us that he had not had his clothes stolen at all. And one last Jay Ackerman story. We were sitting together one afternoon and debate was going long, and I don't remember the issue, but Jay would often say, 'You know, some of this philosophical debate just doesn't really get to the matter at hand' and he had a down home saying and I'll never forget it and I've used it once or twice myself. He said, 'You know something, Bill, where I come from and down on the farm you gotta put the hay down where the goats can eat it.' And I grew up around my uncle who farmed and I said now that's one I haven't heard, you gotta put the hay down where the goats can eat it. He says if you don't... all this philosophical lingo way up here, if the goats can't reach it, and we were the goats, and you don't understand it, and you can't eat it, why would you pass it? He said put it down there the goats can eat it, put it in plain language and I'll vote for it and we could always count on Jay on days like today and days like we've had in the last month when forty-eight (48) people felt that they had to speak on some Resolution that

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ended up getting 118 votes, we could always count on Jay Ackerman to be recognized and say, 'Mr. Speaker, I move the previous question', what a remarkable man. To Joann and his family, my deepest condolences. Jay, I owe you an apology for not attending your wake or your funeral, I know you'll forgive me, I'm not sure I'll forgive myself for a while but having worked with you I know you would say, 'if you had business to do in Springfield, Bill, that's where you should have been.' But the problem is Jay, I'm sure you're looking down and saying, 'what you're doing there is not business. You're not putting the hay down where the goats can eat it', and sometimes you need people like Jay Ackerman to remind you that what we often do here isn't brain surgery or rocket scientist, maybe our constituents would be better off if it were. He never had an ego, he never had personality problems with anybody and maybe there's a lesson in that for all of us, if we could just borrow some of Jay Ackerman's common sense, put our egos on the back shelf, stop the posturing, stop the bickering and get down to work and pass a budget that's the best we can do for the people of Illinois and as Jay Ackerman would say, 'get it done and go home.' God bless you, Jay."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I, too, had the honor and privilege of serving with Jay Ackerman and spent many an evening attending events with him and always sought him out he was... I always referred to him as a walking encyclopedia, not that he carried books or files with him but he had just

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soaked up information. He had tremendous institutional knowledge. And it is a loss and certainly our condolences go to the family. Recently, a national candidate used a campaign slogan, the straight talk express. Well, that's what Jay Ackerman's whole life was, was just straight talk, plain talk, to the point as some have said. He was a no nonsense kind of a guy. When Jay came down here... a lot of people'll get elected and they come down here and they become a different person. The General Assembly did not change Jay, but I'll have to say Jay helped to change the General Assembly. The State of Illinois would be a better state if we had more people that had the characteristics of Jay. When it came to honesty, integrity and service Jay Ackerman set the bar very, very high. It's already been mentioned on... when we had the Majority he would move the previous question at an appropriate time. That was his frequent call to duty there at that point. Politicians have a tendency too talk to long and be very verbose, I attended one of his campaign fund raisers and printed right on that campaign invitation, inviting you all to come, but in biggest letters on that invitation it said 'no speeches', and that was Jay Ackerman. They didn't need him there to make speeches. His life, his word, his integrity, his character spoke volumes beyond what any speech could. We're a better state because we had the example that Jay Ackerman set. I'm thankful I had the privilege of serving with him, sitting in the basic area where he sat. We're gonna miss him, but we thank him for what he did and we appreciate his service. God bless Jay Ackerman. God bless his family."

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Speaker Turner: "The Chair would echo ditto to the remarks that was mentioned earlier having served with Jay and now Representative Sommer asks leave to add all the Members of the House to this Resolution and with that... that the House will adopt House Resolution 627. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Representative Brady for an announcement."

Brady: "Thank you, Mr. Speaker. I'd like to announce that the Republicans will have a caucus immediately following our adjournment in Room 118, prior to committees. The Republican Caucus in Room 118 immediately upon adjournment, prior to committees. Thank you."

Speaker Turner: "And now allowing perfunctory time for the Clerk...Clerk, Representative Currie moves that the House stands adjourned until Thursday, August 2, at the hour of 11 a.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 stands adjourned until August 2, at the hour of 11 a.m."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on August 01, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 844. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on August 01,

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2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 858. Representative Brosnahan, Chairperson from the Committee on Telecommunications, to which the following measure/s was/were referred, action taken on August 01, 2007, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 766. Representative Joyce, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on August 01, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 591. Referred to the House Committee on Rules is House Resolution 639, offered by Representative Mulligan. Introduction and reading of House Bills-First Reading. House Bill 4126, offered by Representative Durkin, a Bill for an Act concerning government. First Reading of this House Bill. Introduction and reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment-First Reading #28.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Sections 4.1, 4.2, 4.3, 4.4, 4.5, and 4.6 to Article III of the Illinois Constitution as follows:

ARTICLE III
SUFFRAGE AND ELECTIONS

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SECTION 4.1. RECALL PETITIONS; STATE OFFICERS

(a) Recall of an executive branch officer, as identified in Section 1 of Article V, a member of the General Assembly, or a supreme, appellate, or circuit judge is initiated by delivering to the Secretary of State a petition alleging reason for recall. Sufficiency of reason is not reviewable. After the initial petition is filed, proponents have 160 days to file signed petitions.

(b) A petition to recall an executive branch officer must be signed by electors of the State equal to at least 12% of the last vote for the office, with signatures from each of at least 5 counties equal to at least 1% of the last vote for the office in the county. A petition to recall a member of the General Assembly or a supreme, an appellate, or a circuit judge must be signed by electors of the district that elected the member or judge equal to at least 20% of the last vote for the office.

(c) The Secretary of State shall maintain a continuous count of the signatures certified to the Secretary.

SECTION 4.2. RECALL ELECTIONS; STATE OFFICERS

(a) An election to determine whether to recall an officer and, if appropriate, to elect a successor shall be called by the Governor and held not less than 60 days nor more than 80 days after the date of certification of sufficient signatures.

(b) A recall election may be conducted within 180 days after the date of certification of sufficient signatures in order that the election may be consolidated with the next regularly scheduled election occurring wholly or partially

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within the same jurisdiction in which the recall election is held, but only if the number of voters eligible to vote at that next regularly scheduled election equal at least 50% of all the voters eligible to vote at the recall election.

(c) If the majority vote on the question is to recall, the officer is removed and, if there is a candidate, the candidate who receives a plurality is the successor for the balance of the term. The officer subject to recall may not be a candidate.

SECTION 4.3. RECALL ELECTIONS; LAW IMPLEMENTING

The General Assembly, by law, shall provide for circulation, filing, and certification of petitions, nomination of candidates, and the recall election.

SECTION 4.4. RECALL; GOVERNOR'S OR SECRETARY'S DUTIES

If recall of the Governor or Secretary of State is initiated, the recall duties of that officer shall be performed by the Lieutenant Governor or Comptroller, respectively.

SECTION 4.5. RECALL; INITIATE ANEW

If an officer is not recalled at an election, then another recall may not be initiated against that officer until at least 6 months after the election.

SECTION 4.6. RECALL; LOCAL OFFICIALS BY LAW

Officers of units of local government and school districts who hold office either by election or by appointment to fill a vacancy in an elected office are not subject to Sections 4.1 through 4.5, but the General Assembly, by law, may provide for recall of those officers.

SCHEDULE

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This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. Reading of Senate Bills-Second Reading. Senate Bill 766, offered by Representative Howard, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Senate Bill 844, offered by Representative Osmond, a Bill for an Act concerning education. Second Reading of this Senate Bill. Senate Bill 858, offered by Representative Miller, a Bill for an Act concerning education. Second Reading of this Senate Bill. Senate Bill 591, offered by Representative Coulson, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. These Senate Bills will be held on the Order of Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."