

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

96th Legislative Day

February 13, 2002

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Crawford: "Let us pray as we lift our hearts before His throne. Most precious and eternal God, we graciously come before You. We come before Your throne. We honor You. We adore You. We lift up Your name. We give You all of the praise. For it is when we think of Your goodness and all that You've done for us, it is this day our soul that cries hallelujah. Thank God for being merciful toward us. So Father, I pray that You would continue to be merciful, so that we would walk in mercy. I pray, Father, that You would continue to be loving toward us, that we would walk in love. This we graciously and kindly ask in Your Son name, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance 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 Madigan: "Roll Call for Attendance, Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Bugielski is excused. He's making an excellent recovery and we do anticipate that he will be back with us next week."

Speaker Madigan: "Mr. Bost."

Bost: "Yes, Mr. Speaker. If the record would reflect that

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Representative Berns is excused today."

Speaker Madigan: "The Clerk shall take the... shoot, Mr. Clerk. The Clerk shall take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Resolution 651, offered by Representative Stephens; House Resolution 659, offered by Representative Bellock; House Resolution 661, offered by Representative Younge; House Resolution 662, offered by Representative Brunsvold; and House Joint Resolution 62, offered by Representative Barbara Flynn Currie. Message from the Governor. To the Honorable Members of the Illinois House of Representatives, 92nd General Assembly. Pursuant to the authority invested in the Governor by Article IV, Section 9(e) of the Illinois Constitution of 1970 and reaffirmed by the People of the State of Illinois by popular referendum in 1974 and conforming to the standard articulated by the Illinois Supreme Court that gubernatorial action be consistent with the fundamental purposes and the intent of the Bill, I hereby return the following House Bills with my specific recommendations for change: House Bill 2299, House Bill 3098, and House Bill 3247 with these specific recommendations for change these House Bills will have my approval. I respectfully request your concurrence, signed, George H. Ryan, Governor."

Speaker Madigan: "On page 2 of the Calendar on the Order of House Bills-Second Reading there appears House Bill 3641. Representative Julie Curry. Do you wish to move the Bill? The Lady indicates she does not wish to move the Bill. House Bill 3653. Mr. Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3653, a Bill for an Act concerning

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public bodies. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 3657. Mr. Hoffman. Mr. Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3657, a Bill for an Act in relation to vehicular offenses. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Madigan: "Third Reading. For what purpose does Representative May seek recognition?"

May: "Yes, Mr. Speaker. Point of personal privilege."

Speaker Madigan: "State your point."

May: "Since we were last in this chamber, there were two very famous birthdays of Illinois citizens. We all know Abraham Lincoln, but Representative Garrett also celebrated a birthday on Monday. So, I want you to stop by, wish her a happy birthday and we have cake in the front to celebrate. I... we think she's 29."

Speaker Madigan: "I thought it was 25. House Bill 3672. Mr. Hannig. Do you wish to move the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3672, a Bill for an Act relating to schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions Filed."

Speaker Madigan: "Third Reading. House Bill 3703. Representative O'Brien, 3703. The Lady indicates she does not wish to call the Bill. House Bill 3708. Mr. Saviano. Mr. Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3708, a Bill for an Act concerning dietetic and nutrition services. Second Reading of this House Bill. Amendment #1 was adopted in committee. No

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Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 3710. Mr. Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3710, a Bill for an Act in relation to forest preserve districts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 3729. Mr. Osterman. The Gentleman does not wish to call the Bill. House Bill 3776. Mr. Kenner. Mr. Kenner. House Bill 3938. Representative Flowers. Representative Flowers. Mr. Saviano. House Bill 3998. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3998, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Saviano. House Bill 3999. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3999, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Saviano. House Bill 4004. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4004, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 4007. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4007, a Bill for an Act concerning commemorative dates. Second Reading of this House Bill."

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No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Fowler. House Bill 4037. The Gentleman indicates he does not wish to call the Bill. Mr. Mautino. Mr. Clerk, read House Bill 4044."

Clerk Bolin: "House Bill 4044, a Bill for an Act concerning employment. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Acevedo. Is Mr. Acevedo in the chamber? Representative Howard. Is Representative Howard in the chamber? Mr. Giles, Mr. Giles. Is Mr. Giles in the chamber? Representative Coulson. The Lady indicates she does not wish to call the Bill. Representative Lindner. Did you wish to call House Bill 4110? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4108, a Bill for an Act concerning compensation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On the Order of House Bills-Third Reading there appears House Bill 3652. Representative O'Brien. Representative O'Brien. Mr. Parke on House Bill 3736. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3736, a Bill for an Act concerning the Illinois Economic and Fiscal Commission. Third Reading of this House Bill."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3736 is a technical and cleanup Bill for the Economic and Fiscal Commission. It amends the State Employee Group Insurance Act requiring CMS present the Economic and Fiscal Commission with the rate methodology

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used for insurance premiums under the Teachers' Retirement System. This language was inadvertently left out of the original Bill and acts as a technical cleanup. In addition, it changes August 1st to September 1st, excuse me, September 15th, the Commission's deadline for publishing a budget summary report of the most recently passed Senate Budget, State Budget. The Economic and Fiscal Commission is requesting that the change as a result of a budget data that is unavailable 'til after the August 1st deadline. The Commission would like to change this deadline in order to avoid any audit findings and future audits of the agency. I stand ready to answer any questions."

Speaker Madigan: "The Gentleman moves 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? Have all voted who wish? Mr. Clerk, would you record Mr. Black as 'yes'. And would someone bring a key to his desk. Have all voted who wish? Have all voted who wish? Three people have not voted. Two people have not voted. Has Mr. Novak voted and has Mr. Brunsvold voted? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority is hereby declared passed. Is Representative Flowers in the chamber? Representative Flowers. Mr. Acevedo. Is Mr. Acevedo in the chamber? Representative Howard, did you wish to call House Bill 4092? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4092, a Bill for an Act concerning HIV/Aids education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Madigan: "Third Reading. Representative Howard. House Bill 4103. Did you wish to call that Bill, 4103? Okay. The Lady indicates she does not wish to call that Bill. Is Mr. Giles in the chamber? Mr. Giles. Representative O'Brien, did you wish to call House Bill 3652? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill..."

Speaker Madigan: "Mr. Clerk."

Clerk Bolin: "House Bill 3652, a Bill for an act in relation to vehicles. Third Reading of this House Bill."

Speaker Madigan: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3652 would provide for an increase in the penalty for speeding in a construction work zone. It would add \$50 and that would be a fee that would be paid into a State Police Hire-back Fund. And it would allow the State Police then to... the Illinois Department of Transportation to hire back some off-duty State Police workers, so that they could sit at construction zones. Because we know that the biggest deterrent to speeding in a construction zone is seeing a police officer with his lights going and slowing down that traffic. And I would be happy to answer any questions."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Lady... yields."

Black: "Thank you. Representative, just... just for the record. There were... many parties had concerns about this Bill in its original form. And I just want to make certain. I sit on the Transportation Committee. And I know what the

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Amendment did. But just so those who are still not sure, the Amendment that you added makes this a hire-back proposal."

O'Brien: "Right."

Black: "And with that Amendment I am aware of no opposition to this Bill. Is that your understanding?"

O'Brien: "That's correct. The original Bill, although I can't understand why anybody would be opposed to my idea, but it did have a lot of opposition. This was worked through with all parties. There is no opposition. There is no mandate for having police sit at a work zone. This fund will create compensation to hire-back off-duty police officers. So the State Police are fine with it. IDOT is fine with it and certainly, the construction trades and the road workers are pleased with this Bill."

Black: "And is it your understanding that the State Police intends to use this hire-back provision, should this Bill become law, and I hope that it does. This will be a voluntary situation. It is not something where a district commander can tell an officer who just got off a shift, oh by the way you're going to work six hours on I-57 construction zone. This will be a voluntary hire-back procedure. Correct?"

O'Brien: "That's right. It's all voluntary."

Black: "All right. Thank... Thank you very much. I appreciate the work that you did on this Bill. And I think Members of the House need to know that 30 IDOT workers were killed last year in accidents. And I think more motorists than that were killed in highway construction zones. It was a tragic year. I think this Bill is a positive step in the right direction. I commend you for the Amendment that now has everybody on board and thank you for your perseverance

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in this issue."

O'Brien: "Thank you, Representative Black."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Mr. Kenner in the chamber? Mr. Kenner. Representative Flowers. Is Representative Flowers in the chamber? Mr. Acevedo. On page 3 of the Calendar, on the Order of Nonconcurrency there appears Senate Bill 119. The Chair recognizes Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that the House refuse to recede to House Amendment #1 Senate Bill 119 and send this Bill to conference. There's a technical correction that needs to be made. Thank you."

Speaker Madigan: "You've all heard the Gentleman's Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. Mr. Giles. Is Mr. Giles in the chamber? Ladies and Gentlemen, if the Chair could have your attention. If we could have your attention for just a few moments. All of you should have gotten a copy of this bulletin which reports the number of Bills which have already been approved for consideration by the Rules Committee and what we anticipate will be approved by the Rules Committee before we finish the business of the Rules Committee. You can see that we have an extraordinary number of Bills filed and assigned to standing committee. And we've just worked through a consideration where if each Bill were to reach the Calendar and then require ten

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minutes on the floor, we'd be able to consider about 372 Bills, rather than over the... rather than over the 1200 Bills which may be assigned to committee. I just bring this to your attention because what happens in the committees for the next two weeks will determine how many Bills are on the Calendar during those two weeks for floor consideration of Bills. This is a decision that will be made by all of us in the committees. If the committees don't restrain themselves, then all these Bills'll be up on the Calendar and you'll be struggling with the decision as to what Bills are considered and which ones are not. So, I just bring this to your attention, so that all of us can act reasonably and judiciously over the next several days. The Chair is prepared to adjourn until tomorrow at 11:30. Is there anything further to come before the Body, Mr. Parke? Representative Currie moves that the House stand adjourned until tomorrow at 11:30 a.m. Those in favor say 'aye'; those opposed say 'no'. The House does stand adjourned until 11:30 a.m. tomorrow. Thank you."