

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

74th Legislative Day

November 15, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend Thomas Walker of the Main Street Church of Living God in Decatur. Reverend Walker is the guest of Representative Julie Curry. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Rev. Thomas Walker: "Our Father, which art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day, our daily bread and forgive us of our debts as we forgive our debtors and lead us not into temptation, but deliver us from evil. Thine is the kingdom and the power, and the glory forever, Amen. Father, we thank You for this day. We ask that You bless the Speaker of the House. We ask that You bless these Representatives. We ask that You not allow us to gather here today in uniformity, but we ask that You allow us to gather together in unanimity that our hearts may be unified, that we may make our decisions today only that will be pleasing in Your sight, to whom be glory, to majesty and glory forever, Amen."

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

Lyons, E. - 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 Representatives Kenner and Slone are excused today."

Speaker Madigan: "Mr. Poe."

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

74th Legislative Day

November 15, 2001

Poe: "Mr. Speaker, let the record show that Representative Hultgren and Representative Parke are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 113 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on November 15, 2001, reported the same back with the following recommendation/s: 'to the Floor for consideration' Motions to accept on House Bill 1011 and House Bill 1696. Introduction of Resolutions. For assignment to the Rules Committee. House Resolution 527, offered by Representative Delgado; House Resolution 529, offered by Representative Stephens; House Resolution 534, offered by Representative Collins; House Resolution 535, offered by Representative Schoenberg; and House Joint Resolution 49, offered by Representative Hannig."

Speaker Madigan: "Mr. Smith, did you wish to move your Motion on House Bill 1011? Mr. Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. I would move for the acceptance of the Governor's Amendatory Veto. This is a very simple change that the Governor did at my request and Senator Shadid's request, the Senate Sponsor. I know of no opposition. I'd ask for a favorable Roll Call."

Speaker Madigan: "The Gentleman moves that the House accept the Governor's specific recommendations for change relative to House Bill 1011. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

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

74th Legislative Day

November 15, 2001

Black: "Representative, very quickly, the technical error that the Governor references in his Amendatory Veto message, what was the error in the Bill?"

Smith: "Well, Representative Black. We had put an Amendment on this Bill in the House to address some of the concerns of the agriculture community and after the passage and over the summer the attorney's for the City of Peoria and the County of Peoria decided that there was a slight difference in the interpretation of that. And so really, the only change in the Governor's Veto is replacing municipality with county, on page 3, line 19 of the Bill."

Black: "All right. Now, with that change in the underlying Bill, is your perception that this will allow a municipality to enforce its buffer zone, generally considered to be a mile and a half from the corporate limits? If that buffer zone takes in agricultural land, can that municipality now go out and exert its zoning rules and regulations on what has historically has been exempt, that being the agricultural land?"

Smith: "That was the intent of the legislation, was to avoid that, Representative Black. I should point out that this only applies to Peoria County and to the City of Peoria and this is a... is simply a codifying what they have been doing for a number of years through an intergovernmental agreement."

Black: "Now, All right. That intergovernmental agreement catches my eye. See if you can clarify this for me. Let's say a municipality enters into an intergovernmental agreement with a county. The municipality has a zoning ordinance, the county does not. Does this give the municipality any extraordinary powers to exert zoning outside its corporate limits into the county that does not have a zoning

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

74th Legislative Day

November 15, 2001

ordinance?"

Smith: "No, it does not."

Black: "All right, fine, thank you very much."

Speaker Madigan: "Mr. Smith moves that the House accept the Governor's specific recommendations for change. Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 people voting 'yes', 5 people voting 'no'. The House does accept the Governor's specific recommendations for change. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brunsvold. Is Mr. Brunsvold in the chamber? Is Dale Righter in the chamber? Do you wish to move your Motion on House Bill 3078? Mr. Righter."

Righter: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. I am presenting a Motion to override the Governor's Veto of House Bill 3078. As you recall from the spring, this legislation amends the Freedom of Information Act and allows the discovery upon the filing of a proper request, the amount of money that a local government may have paid out or taken in, in settling litigation. There's a problem in this state right now with the notion that local governments can settle cases using taxpayer money and not disclose those amounts to the public if they're asked to do so by the public. I think it's an important piece of legislation. This Bill passed the House 100 to 3 in the spring and passed the Senate 56 to 0 and I would ask for a favorable vote on this Motion. Thank you, Mr. Speaker."

Speaker Madigan: "The Gentleman moves to override the Governor. Is there any discussion? Is there anyone to defend the Governor? There being no discussion, the question is

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

74th Legislative Day

November 15, 2001

'Shall this Bill pass the Veto of the Governor notwithstanding?' The Motion requires 71 votes and this would be final action. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Black, did you wish to vote? Representative Mulligan. Does Representative Mulligan wish to vote? The Clerk shall take the record. On this question, there are 103 people voting 'yes', 10 people voting 'no'. The Motion having received the required Three-fifths Majority, the Motion to override prevails and the Bill is hereby declared passed, notwithstanding the Governor's Veto. The Chair recognizes Mr. Brunsvold on House Bill 1696."

Brunsvold: "Thank you, Mr. Speaker. This Bill sets some parameters for hiring of Conservation Police officers at four years. The Governor has made an exception that would say that you could hire a CPO with two years of college and three years of a police experience which mirrors the State Police requirements. So I would move to accept the Amendatory Veto."

Speaker Madigan: "The Gentleman moves to accept the Governor's specific recommendations for change. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, in the underlying Bill this was prospective legislation. There's nothing in the Governor's amendatory language that would mean if I currently serve as a Conservation Police officer and have for 20 years, I do not now have to go back and get a two-, or four-year degree, do I?"

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

74th Legislative Day

November 15, 2001

Brunsvold: "That's my understanding."

Black: "All right. So, it would only be those who are coming in..."

Brunsvold: "Yes."

Black: "...to the system..."

Brunsvold: "Right."

Black: "...prospectively."

Brunsvold: "New hires, yeah."

Black: "Thank you."

Speaker Madigan: "The question is, 'Shall the House accept the Governor's specific recommendations for change?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Does Mr. Novak wish to vote? The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill... rather the House does accept the Governor's specific recommendations for change. And this Bill, having received the required Constitutional Majority, is hereby declared passed. Mr. Lawfer, did we wish to do hemp again? No? Mr. Clerk."

Clerk Rossi: "Introduction and First Reading of Senate Bills. Senate Bill 88, offered by Representative Daniels, a Bill for an Act concerning telecommunications. First Reading of this Senate Bill."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Senate Joint Resolution #44 offered by Representative Currie."

SENATE JOINT RESOLUTION NO. 44

Be IT RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES

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

74th Legislative Day

November 15, 2001

CONCURRING HEREIN, that when the two Houses adjourn on Thursday, November 15, 2001, the Senate stands adjourned until Tuesday, November 27, 2001, at 12:00 noon; and the House of Representatives stands adjourned until Tuesday, November 27, 2001, at 1:00 p.m."

Speaker Madigan: "The Clerk has read the Adjournment Resolution.

Representative Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it, the Adjournment Resolution is adopted. The Chair is prepared to adjourn and accordingly accepts a Motion from Representative Currie that the House stand adjourned until Tuesday, November 27, 2001 at 1:00 p.m. providing Perfunctory time for the Clerk. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it, the Motion is adopted. The House does stand adjourned until Tuesday, November 27, 2001 at 1:00 p.m."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction - First Reading of House Bills. House Bill 3670, offered by Representative Hartke, a Bill for an Act concerning taxes. House Bill 3671, offered by Representative Julie Curry, a Bill for an Act concerning motor fuel. House Bill 3672, offered by Representative Hannig, a Bill for an Act relating to schools. House Bill 3673, offered by Representative Black, a Bill for an Act in relation to schools. House Bill 3674, offered by Representative Fritchey, a Bill for an Act concerning criminal law. House Bill 3675, offered by Representative McGuire, a Bill for an Act making appropriations. House Bill 3676, offered by Representative Yarbrough, a Bill for an Act concerning criminal law. House Bill 3677, offered by Representative Collins, a Bill for an Act concerning education. House Bill 3678, offered by Representative

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

74th Legislative Day

November 15, 2001

Collins, a Bill for an Act concerning recycling. House Bill 3679, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 3680, offered by Representative Black, a Bill for an Act in relation to public aid. House Bill 3681, offered by Representative Bill Mitchell, a Bill for an Act in relation to credit. House Bill 3682, offered by Representative Bassi, a Bill for an Act concerning government security procedures. First Reading of this House Bill. House Perfunctory Session will come to order. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on November 15, 2001, reported the same back with the following recommendation/s: 'to the Floor for consideration' House Resolution 522. Introduction - First Reading of House Bills. House Bill 3683, offered by Representative Acevedo, a Bill for an Act in relation to public aid. First Reading of this House Bill. Messages from the Governor. 'To the Honorable Members of the Illinois House of Representatives of the 92nd General Assembly. Pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby Veto and return the following Senate Bills. Senate Bill 74, Senate Bill 326 and Senate Bill 720. Pursuant to the authority vested in the Governor by Article IV of 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 standards articulated by the Illinois Supreme Court, the Gubernatory Act should be consistent with the fundamental purposes in the intent of the Bill. I hereby return the following Senate Bills with my specific recommendations for change. Senate Bill 28, Senate Bill



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

74th Legislative Day

November 15, 2001

175, Senate Bill 647, Senate Bill 653, Senate Bill 1046, Senate Bill 1493, with these specific recommendations for change, these Senate Bills will have my approval. I respectfully request your concurrence, sincerely, George H. Ryan, Governor.' Being no further business, the House Perfunctory Session now stands adjourned."