

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

48th Legislative Day

4/16/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We'll ask all of the Members to turn off their cell phones, their pagers, and their computers. 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."

Pastor Crawford: "Let us pray. Precious and eternal God, we come so humbly before You in the spirit of Your word that instructs us that if we seek we shall find, if we knock the door shall be opened, that if we ask that it shall be given unto us. So, Father, this is this day that we come before you asking that the strength of God, that it sustains us, that the power of God, that it preserves us, and that the hand of God, that it protects us. We pray that the way of Your spirit would direct us. So, we ask that the grace of God and the power of Your almighty spirit would be with us this day and forever more. This we ask in Your Son's name. Amen."

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

Washington - 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 Hoffman and Slone are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Repr... Representative Mathias is excused today."

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

Clerk Rossi: "Committee Reports. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 564, Senate Bill 805, Senate Bill 891, Senate Bill 902, Senate Bill 1038, Senate Bill 1039, Senate Bill 1333, Senate Bill 1368, Senate Bill 1369; 'do pass as amended Short Debate' Senate Bill 566 and Senate Bill 684. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 40, Senate Bill 76, Senate Bill 1079, Senate Bill 1109, Senate Bill 1332, Senate Bill 1366. Representative Fritchey, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 50,

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Senate Bill 52, Senate Bill 149, Senate Bill 180, Senate Bill 278, Senate Bill 291, Senate Bill 1751, Senate Bill 1869; 'do pass as amended Short Debate' Senate Bill 688. Representative McKeon, Chairperson from the Committee on Labor, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 2. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass as amended Short Debate' Senate Bill 886. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass as amended Short Debate' Senate Bill 105, Senate Bill 385, Senate Bill 386; 'recommends be adopted' Floor Amendment #1 to House Bill 2231. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 185, Senate Bill 229, Senate Bill 383, Senate Bill 1204, Senate Bill 1789; 'do pass Standard Debate' Senate Bill 1383; 'do pass as amended Short Debate' Senate Bill 690 and Senate Bill 715. Representative Holbrook,

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Chairperson from the Committee on Environment & Ener... Energy, to which the following measures were referred, action taken on Tuesday, April 15, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 268; 'do pass as amended Short Debate' Senate Bill 361. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measures were referred, action taken on Wednesday, April 16, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 270, Senate Bill 293, Senate Bill 496, Senate Bill 606, Senate Bill 1118; 'do pass as amended Short Debate' Senate Bill 170 and Senate Bill 417. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measures were referred, action taken on Wednesday, April 16, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 200 and Senate Bill 809. Representative McGuire, Chairperson from the Committee on Aging, to which the following measures were referred, action taken on Wednesday, April 16, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 633 and Senate Bill 1067. Representative O'Brien, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measures were referred, action taken on Wednesday, April 16, 2003, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 15, Senate Bill 406, Senate Bill 629, Senate

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Bill 1154; 'do pass as amended Short Debate' Senate Bill 686 and Senate Bill 1053."

Speaker Madigan: "The Chair recognizes Mr. Daniels."

Daniels: "A point of personal privilege. Mr. Speaker, with your permission, Sir, I'd like to introduce some great people from the 46th Legislative District. On their senior bus trip down here to visit everybody in the Capitol and see the General Assembly in action. Please welcome the seniors from the 46th Legislative District up in the gallery."

Speaker Madigan: "Mr. Osterman."

Osterman: "...personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Osterman: "Yesterday, Ladies and Gentlemen of the House, it was 4-H day here in the Capitol. And on May 6th it's gonna be 4-P day here in the state capital when the House plays the Senate in softball. And Senator Del Valle can tell his colleagues that. But there's gonna be a Senate/House softball game on Tuesday, May 6th. And anyone that wants to participate in that should bring your shoes or cleats down... well, we're back in Session 'cause we are gonna have a few practices prior to that game. So, everybody's welcome to come out. And lastly, Representative McCarthy's gonna have a special tryout for any former Senators that are willing to play on the House team. So, thank you."

Speaker Madigan: "Mr. Clerk, read House Resolution 201."

Clerk Rossi: "House Resolution 201, offered by Representative Joyce."

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WHEREAS, The members of the House of Representatives congratulate University of Illinois senior Matt Lackey from Moline on winning the 165 lb Weight Class National NCAA Wrestling Title; and

WHEREAS, Matt Lackey finished third in 2001, second in 2002, and has now become the NCAA champion at 165 pounds; his 6-3 win over the second-seed Troy Letters of Lehigh helped lead Illi... helped lead the Illini to their seventh Top-10 finish under Hea... Head Coach Mark Johnson; and

WHEREAS, The Illinois squad under the leadership of Head Coach Mark Johnson and team captain Matt Lackey scored 53 points and finished ninth... ninth in the nation in 2003; and

WHEREAS, Matt Lackey finishes the season with an unblemished 38-0 record and 120-14 mark for his career; with 120 wins, he is tied for fourth on the school's all-time win list; and

WHEREAS, Matt Lackey is a favorite son of Illinois and will be competing to bring home the Olympic Gold to our State; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Mack... Matt Lackey on winning the National Championship and wishing him well in all of his future

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endeavors especially at the Olympic Trials; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Head Coach Mark Johnson and NCAA Champion Matt Lackey with our respect and esteem."

Speaker Madigan: "The Chair recognizes Mr. Joyce."

Joyce: "Thank you, M... Mr. Speaker and Ladies and Gentlemen of the House. I'd like to draw your attention. First of all, we have Head Coach Mark Johnson from the U... University of Illinois up in the gallery. If you would please rise and be recognized. Coach Johnson has produced seven national champions in the last eight years for the University of Illinois. And we quite appreciate his great efforts in such a very difficult individual sport. And standing next to me is Matt Lackey, the NCAA national champ at 165 pounds. Matt ha... Matt hails from Moline High School where he was a two-time state champion of Illinois. And he's one of our own and will be competing in the Olympic trials and hopefully he'll bring home the gold. So, Matt, congratulations and thank you very much."

Speaker Madigan: "Mr. Washington. Is Mr. Wa... Mr. Washington, are you seeking recognition? Mr. Washington."

Washington: "Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Washington. Mr. Washington, one second, please. Mr. Clerk, back on the Order of House Resolution 201. Mr. Joyce moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The

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'ayes' have it. The Resolution is adopted. Mr. Washington."

Washington: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Washington: "Mr. Speaker, to my right, I want to introduce some good people from my district and from Lake County. I'd like to introduce the Dean of the College of Lake County, Eleanor Murkey and Dr. Dolphus Cotton. Also, both are here representing the Delta Sigma Theta Sorority. And I want my colleagues to welcome them to the chambers."

Speaker Madigan: "Mr. Clerk, what is the status of House Bill 2449?"

Clerk Rossi: "House Bill 2449, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Madigan: "Mr. Clerk, put that Bill on the Order of Second Reading. For what purpose does Mr. Franks seek recognition? Thank you. Mr. Clerk, what is the status of... Mr. Black. Recognize Mr. Black."

Black: "I'm sorry, Mr. Speaker, were you asking what my status was? Not... not bad, as far as I know. But thank you for asking, so few do anymore. Mr. Speaker, I rise to a point of personal privilege. And Ladies and Gentlemen of the House, if I could have your attention. I know you will want to join me. We won't be here Saturday, good things happen to those who wait. But on Saturday, there's a momentous occasion in the State of Illinois, and I know you'll all want to join me in wishing Speaker Madigan a

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happy birthday. His birthday is April 19th and it has been declared or... or will shortly be declared by the Governor as a state holiday. Happy birthday, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Black. And thank you to everybody. And on page 2 of the Calendar, on the Order of House Bills Second Reading, there appears House Bill 1240. Mr. Clerk, what is the status of that Bill? 1240."

Clerk Rossi: "House Bill 1240 has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. Floor Amendment #5, offered by Representative Osterman, has been approved for consideration."

Speaker Madigan: "Mr. Osterman."

Osterman: "...Speaker and Ladies and Gentlemen of the House, House Amendment #5 becomes the Bill. And it creates the Long-Term Care Council, which will be a council that will work with the Department of Aging to try and improve the state's Long-Term Care Program as well as the state's Long-Term Care Ombudsman Program. This has been an agreed Bill that many people have worked on. And I would ask for the adoption of Amendment #5."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in... Mr. Black. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, just one quick question. The Amendment becomes the Bill, correct? All right, thank you."

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Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Bolin: "House Bill 1240, a Bill for an Act in relation to health care. Third Reading of this House Bill."

Speaker Madigan: "Mr. Osterman."

Osterman: "I simply ask for a 'aye' vote on this Bill, please."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Has Representative Pihos 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. Mr. Clerk, what is the status of Senate Bill 2-5-7? 257."

Clerk Bolin: "Senate Bill 257, a Bill for an Act in relation to deer hunting. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Clerk, put this Bill on the Order of Second Reading. Mr. Clerk, have you distributed Supplemental Calendar #1? All right. On the Order of Supplemental Calendar #1, there appears House Resolution 186 by Mr. Cross and Mr. Watson. This Resolution supports the Short Term Borrowing Act and urges the Illinois Development Finance Authority and the Illinois Health

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Facilities Authority to sell short-term notes to buy the accounts receivable of providers. And Mr. Watson rises to move for the adoption of the Resolution. Mr. Watson."

Watson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have quite a few vendors that provide important services to the state, right now, that are... are basically suffering because we owe them so much money. And... and all this Resolution does is it... it asks the state or it... that... that we do the responsible thing and get these vendors paid. Some of them are owed several million dollars. And right now we are balancing our cash flow problems on their ba... on their backs. Thank you, Mr. Speaker."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. The Chair recognizes Representative Beaubien."

Beaubien: "I'd like to ha... speak on behalf of the Sponsor and congratulate him for his efforts. As it was stated by the previous Representative, this is a Bill that will get our... our vendors paid in the Medicaid area. And we strongly urge its adoption. Thank you very much."

Speaker Madigan: "The question is, 'Shall the Resolution be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Ladies and Gentlemen, we have an important announcement after we hear from Representative Connie Howard."

Howard: "Yes, thank you very much, Mr. Speaker. I'd like my colleagues to help me to welcome to Springfield and to a new position, Dr. Eric Whitaker, who is the Director of the Illinois Department of Public Health. Dr. Whitaker."

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Speaker Madigan: "Ladies and Gentlemen, if we could have your attention for just a few moments. Friday, May 2nd, appears on your schedule as a Session day here in Springfield. The announcement is that that day will be canceled. Friday, May 2, will be canceled as a Session day in Springfield. The Chair recognizes Mr. Dunkin."

Dunkin: "Ladies and Gentlemen of the House of Representatives, I would like to give a point of personal privilege. In the chamber today is the highly regarded sorority Delta Sigma Theta. If they could please stand. If we can give 'em a round of applause. The ladies in red. Pat Bamen."

Speaker Madigan: "Mr. Graham. Representative Graham."

Graham: "Thank you, Mr. Speaker. I just want to thank you 'cause May the 2nd is my birthday. So, thank you for giving me the day off."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "Inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Fritchey: "As I looked at my schedule I also note that May 2nd is the deadline for reporting Bills.. Senate Bills out of committee. Will the deadline then go to May 1st or will it go to the following week?"

Speaker Madigan: "Choice number one."

Fritchey: "Your choice or my choice?"

Speaker Madigan: "Your choice, number one."

Fritchey: "Thank you."

Speaker Madigan: "Mr. Clerk, read the Adjournment Resolution."

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Clerk Rossi: "House Joint Resolution #33, offered by Representative Currie.

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Wednesday, April 16, 2003, it stands adjourned until Tuesday, April 29, 2003 at 1:00 o'clock; and when the Senate adjourns on Wednesday, April 16, 2003, it stands adjourned until Tuesday, April 29, 2003 at 12:00 noon."

Speaker Madigan: "You've all heard the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk, the Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 217, offered by Representative Lyons. House Resolution 218, offered by Representative Pankau. House Resolution 219, offered by Representative Moffitt. House Resolution 220, offered by Representative Winters. House Resolution 221, offered by Representative Bassi. House Resolution 223, offered by Representative Coulson. House Resolution 228, offered by Representative Brosnahan. House Resolution 229, offered by Representative Mathias. House Resolution 230, offered by Representative Sommer. House Resolution 231, offered by Representative Granberg. House Resolution 232, offered by Representative May. House Resolution 233, offered by Representative Kosel. House Resolution 234,

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offered by Representative Kosel. House Resolution 235, offered by Representative Kelly. House Resolution..."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have. The Agreed Resolutions are adopted. Representative Currie moves that the House stand adjourned until Tuesday, April 29, at 1 p.m., providing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Tuesday, April 29, at 1 p.m., providing perfunctory time for the Clerk."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 222, House Resolution 224, House Resolution 226, House Resolution 236 are assigned to the Rules Committee. Introduction and First Reading of Senate Bills. Senate Bill 84, offered by Representative Giles, a Bill for an Act with regard to schools. Senate Bill 168, offered by Representative Feigenholtz, a Bill for an Act concerning civil procedure. Senate Bill 378, offered by Representative Colvin, a Bill for an Act concerning child wel... welfare services. Senate Bill 559, offered by Representative Mautino, a Bill for an Act concening... concerning insurance. Senate Bill 812, offered by Representative Acevedo, a Bill for an Act concerning state property. Senate Bill 813, offered by Representative Delgado, a Bill for an Act concerning taxes. Senate Bill 814, offered by Representative Giles, a Bill for an Act concerning schools. Senate Bill 883, offered by

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Representative O'Brien, a Bill for an Act concerning the exercise of police powers by state employees. Senate Bill 1023, offered by Representative Novak, a Bill for an Act in relation to taxes. Senate Bill 1126, offered by Representative Bradley, a Bill for an Act concerning clerks of courts. Senate Bill 1370, offered by Representative Holbrook, a Bill for an Act concerning counties. Senate Bill 1497, offered by Representative McAuliffe, a Bill for an Act concerning procurement. Senate Bill 1506, offered by Representative Jefferson, a Bill for an Act in relation to business organizations. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session now stands adjourned."