

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

72nd Legislative Day

11/5/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask all Members to turn off their laptops, cell phones and pagers. And we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor Jennifer Wilson, of the Grace United Methodist Church in LaSalle, Illinois. Pastor Wilson is a guest of Representative Frank Mautino.

Pastor Wilson: "Gracious God. We have a job to do. We humbly ask for Your favor and Your blessing on these proceedings. We know that we have not always done things that You would be proud of. So we ask for Your forgiveness. Thanks God for loving us enough to say you are forgiven. Help us God to place the needs of our people above the need for power. Ignite our passion for serving our people and not caving into powerful opinions that might be contrary to our own. Oh God, help us to do the right thing. And when we go to bed at night help us to sleep soundly knowing that we have fought the good fight, and not sold out to any person, idea or influence. So now God, come and fill this place with Your presence and make this holy ground. You have chosen us to do the work on this day, and empower us to make the right choices. So when we see You face to face we hear the words well done good and faithful servant, come and take your place among the saints. Amen."

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

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

72nd Legislative Day

11/5/2003

Grunloh - 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 Collins is excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker, let the record reflect that all Republicans are present today."

Speaker Madigan: "Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Resolution 522, offered by Representative May. This Resolution is referred to the House Rules Committee. Committee Reports. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 783; Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Tuesday, November 04, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 794. Representative Currie,

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

72nd Legislative Day

11/5/2003

Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: 'direct floor consideration' for House Resolution 522. Senate Bill 36 which was referred to Second Reading. Senate Bill 82 referred to Third Reading. Senate Bill 797 referred to Second Reading. Senate Bill 862 referred to Second Reading and Senate Bill 1921 referred to Second Reading. Rules has recommended adoption... recommended for adoption Motions to accept Amendatory Vetoes for House Bill 88, House Bill 684 and House Bill 816."

Speaker Madigan: "Mr. Miller. Ladies and Gentlemen. Ladies and Gentlemen, if we could have your attention to Representative Miller. It concerns a loss in Iraq I presume."

Miller: "Yes, yes."

Speaker Madigan: "Mr. Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As we sit here today discussing issues of importance of people in Illinois it is important that we take time to acknowledge the men and women, our sons and daughters, our mothers and fathers serving abroad. Without hesitation they put their lives on the line to ensure quen... quen... tranquility around the world and dermoc... democracy. On the top... on October 8, 2003 Brandon Ramsey a 21-year-old Illinois Army National Guardsman gave the ultimate sacrifice. As a resident of Calument City and a graduate

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

72nd Legislative Day

11/5/2003

of Thornton Fractional North High School, year 2000, family and friends describe Brandon as a young man who always had a smile on his face, loved painting, drawing and writing music. I would like to invite the General Assembly to join me in a moment of silence to honor Brandon Ramsey and remember that all... all our hopes and dreams when we were 21. Our prayers go out to the Ramsey family and those who knew him."

Speaker Madigan: "Thank you, Mr. Miller. On page 26 of the Calendar, on the Order of Amendatory Veto Motions there appears House Bill 88. Mr. Lang."

Lang: "Thank you, Mr. Speaker. I move to accept the Governor's Amendatory Veto to House Bill 88."

Speaker Madigan: "Mr. Lang, did you wish to speak to the Motion?"

Lang: "Yes, Sir."

Speaker Madigan: "Proceed."

Lang: "In this Amendatory Veto the Governor deleted language recommended by community health care providers that would have required the department services to reimburse not-for-profit agencies for the cost of their services. While I do think this is an important thing to do and while those who are affected by this change would have preferred to see me mo... move to override, they recognize that sometimes we have to do things one bite of the apple at a time. And so, this is an issue we may try to revisit next spring. That is the only change that the Governor made and I would move acceptance of his AV."

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

72nd Legislative Day

11/5/2003

Speaker Madigan: "You've all heard the Gentlemen's Motion. Is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change, with respect to House Bill 88?' This is final action. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 117 people voting 'yes', 0 voting 'no'. This Motion, having received the required Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding House Bill 88. On the same order of business there appears House Bill 197. Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. My Motion is to override the Governor's... to override the Governor's Veto. This Bill passed out on Third Reading 96 to 1. This Bill requests that the Department of Public Health would establish a lead screening for women who live in high-risk areas, are 13 or older and either pregnant or lactating. This Bill was deemed to be extremely important based upon the effects lead poisoning has upon the brain of developing children. And that it could easily be remedied if it is found early enough. I urge an 'aye' vote."

Speaker Madigan: "The Lady moves that House Bill 197 pass, notwithstanding the Governor's specific recommendations for change. Chair recognizes Mr. Black."

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

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

72nd Legislative Day

11/5/2003

Speaker Madigan: "Sponsor yields."

Black: "Yes, Representative you are moving to override the Governor's Amendatory Veto, correct?"

Davis, M.: "That is correct, Sir."

Black: "And... and in his language he eliminated the word 'shall' and inserted the word 'may', correct?"

Davis, M.: "Yes."

Black: "Would it be a fair assumption to say that he did that based on his concern as the chief executive officer of the state that we may not have the money to pay for this program so if I understand his Amendatory language we may initiate the program if he can find the money to pay for it?"

Davis, M.: "Well, by describing or changing the word from 'shall' to 'may', Representative, it states in my opinion that we could lose federal funds that could be captured if we did this program. This program will allow us to capture federal dollars. And in the Bill, Representative, it states 'subject to appropriation.' It does state that."

Black: "That... that is a position that there's some confusion on our side of the aisle. If the Bill stated that it was subject to appropriation, could you enlighten us as to why the Governor felt it necessary to say we 'may' initiate the program rather than we 'shall' initiate the program when the Bill evidently... the underlying Bill had... had substantive language that said 'subject to appropriation.'"

Davis, M.: "Well, Representative, I wish I could tell you what the Governor was thinking. I really wish I could. We put

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

72nd Legislative Day

11/5/2003

this language in subject to their request. We put the language in that it's subject to appropriation based upon a request from the Governor's Office. Surely, we thought that would suffice."

Black: "All right. Fine. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House. To the Bill, or to the Motion. The Sponsor is very well-intentioned and I have no doubt that she will be successful in overriding the Governor's Amendatory Veto. I... I, too, join her. I'm somewhat confused by the Governor's Amendatory Veto, in that the Bill was subject to appropriation which, of course, if not made the Bill would stand moot. But to be as consistent as possible I voted 'no', excuse me, I voted 'present' on the Bill when we had last spring because of the fiscal crisis. The Governor tells me, not me personally, but in everything I read and watch on TV the Governor continues to tell... tell us that we are in dire financial strait. I believe his language says he would like to do this program but... but he doesn't want the Bill to read we 'shall' do the program. He wants it read we... we 'may' do the program if he can find the approximate, what is it three and a half or four point million or four million dollars. In order to remain consistent with my vote last spring I intend to vote 'present'. Again, it is not a vote against the Sponsor's intent. I think the underlying Bill certainly has merit. But again, the Governor is continuing to state we are in serious financial trouble. His Amendatory Veto clearly states that this Bill

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

72nd Legislative Day

11/5/2003

will not be enforceable unless he can find the money. That's why he used the word 'may' instead of 'shall.' And I intend to vote 'present' on the Motion to override his Amendatory Veto."

Speaker Madigan: "The question is, 'Shall House Bill 197 pass, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71 votes, and is 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? Has Representative Pankau voted? The Clerk shall take the record. On this question, there are 90 'ayes', 8 'noes'. This Motion, having received the required Three-fifths Majority, the Motion to override prevails and House Bill 197 is declared passed, notwithstanding the Governor's recommendations for change. Representative Davis, on House Bill 200, 200."

Davis, M.: "Thank you, Mr. Speaker. Senate Bill 200, is a Bill that requests that the Department of Public 'Health do a public service announcement urging people to become screened for the HIV virus. It amends the public health powers and duties to require the Illinois Department of Public Health to develop and disseminate through print and broadcast media public service announcements that publicize the important... importance of AIDS and HIV screening. These announcements must begin by July 1, 2004. This Bill passed with 115 'yes' votes, absolutely 0 'no' votes and it came



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

72nd Legislative Day

11/5/2003

out of committee also unanimously. We would urge an override of the Governor's Veto. Thank you."

Speaker Madigan: "Mr... Mr... the Lady moves that House Bill 200 pass, notwithstanding the Governor's specific recommendations for change. Mr. Black."

Black: "Mr. Speaker, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Mr. Speaker, is... is it... maybe the spo... the Sponsor can probably answer this. It was... I... it was my understanding that the Sponsor was going to file a Motion to accept the Amendatory language. Is... is it her intention to override the Amendatory Veto?"

Speaker Madigan: "Mr. Black, I'm not certain if a Motion was filed before the Rules Committee to accept. But if it were filed before the Rules Committee it would have been found to be noncompliant."

Black: "All right. Would you hold that the Governor's Amendatory Veto is not compli... noncompliant with his statute... statutory authority?"

Speaker Madigan: "Constitutional authority."

Black: "Constitutional authority?"

Speaker Madigan: "Yes."

Black: "All right. So, the Lady's Motion then is the only one that she can make at this point and that is to override the Veto?"

Speaker Madigan: "Yes."

Black: "All right. Thank you. Mr. Speaker, to the... to the Sponsor's Motion. Again, the underlying Bill certainly is

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

72nd Legislative Day

11/5/2003

worthy of support. However, this is a case where if you will read the Governor's Amendatory Veto language the Governor, in fact, I... given the fiscal condition of the state. I think the Governor's Amendatory language makes eminent good sense and that Governor is doing his job in trying to protect the fiscal integrity of the State of Illinois. All the Governor's Amendatory language states is that we should use federal funding to do this program rather than seek state funding that may or may not be available. Now, in this point and again it's somewhat odd that a Member of the Republican Party would be defending the Governor's Amendatory Veto. But if you look at this very carefully, in the context of the financial condition of the State of Illinois, I think obviously the Sponsor does not agree with me and I... and I certainly respect her views and I'm not opposed to the underlying Bill in any way, shape or form. But I think the Governor's language makes this Bill a better Bill because it clearly recognizes the fiscal crisis that the state is in. And I think to go to the... to federal funds which is nothing more than state tax dollars that we send to Washington, to try and seek federal funding for this awareness program would make eminent good sense given the current fiscal crisis. So again, I... I stand in reluctant opposition because I favor the underlying Bill, I voted for the underlying Bill. But this is one of the cases where I think the Governor's Amendatory Veto language makes this Bill a better Bill in light of our fiscal crisis. I intend to vote 'present' on

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

72nd Legislative Day

11/5/2003

the Sponsor's Motion to override the Governor's Amendatory Veto because in this case if you'll read it carefully, I think the Governor's Amendatory language is correct."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hoffman: "Yes, Representative, I... I like the previous speaker have no problem with the concept, as a matter of fact, I voted for this Bill when it came out of the... out of the House. The problem that we have, I think, or my concern is, is the issue of funding and I believe that the implementation being contingent upon the availability of federal funds is reasonable. How... what is your estimate of the cost of this and what it will cost the state?"

Davis, M.: "Representative, one of the things that this Bill does it allows the Department of Public Health to use its dis... discretion if it wants to spend 50 thousand or 1 thousand it can use it's discretion. What we're really doing Representative, is codifying a portion of what we already do. The Federal Government has presented money to our state for this very purpose. And we're just codifying. Now the Department had the discretion of how much they choose to use for this particular public service announcements."

Hoffman: "Well, to... to the... the Lady's Motion. Again, I support the underlying Bill and I support the underlying concept. Unfortunately, we really don't know what the cost would be to have the... run these public service

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

72nd Legislative Day

11/5/2003

announcements. We would be happy to work or the administration has told that we... that they would be happy to work with the Sponsor to try and find a solution to use federal funds to do what she is asking to do. Unfort..."

Speaker Madigan: "Representative Davis."

Davis, M.: "Thank you... thank you, Mr. Speaker. It would not cost any more after the passage of this Bill, Representative, than it currently does. We're codifying what is already being done. The Federal Government already presents dollars for AIDS prevention and PSA announcements. We're merely codifying it. We're stating a priority for the use of some of the federal dollars that do come in. And when you think of the savings, medically that will occur, I think it was certainly very cost-effective."

Hoffman: "Again, I don't... I don't disagree with what you're saying. The only concern is we would just like it to statutorily say that it would be contingent upon the availability of the federal funds so that if it doesn't take other state mon... state money. To the... the Motion. I would just ask, unfortunately, at this time because of the potential costs because of the budget situation I would just ask that individuals not take the chance of the budget hit and vote against the override of the Amendatory Veto at this time."

Speaker Madigan: "Representative Davis."

Davis, M.: "In response to Representative Hoffman, first I'd like to say we didn't hear a word from the department all over the summer and up until this point. The Department of

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

72nd Legislative Day

11/5/2003

Public Health currently produces and disseminates a significant amount of public information associated with AIDS and HIV aimed at reducing the incident and mortality. It distributes this information in collaboration with local health departments, health organizations including the AIDS Foundation of Chicago. Now, if we do what the Governor is proposing we would only do this when federal funds come in. Today we're using funds from local health organizations. We're lo... using funds from other charitable organizations and we're merely codifying what they say our department should do. We're not putting any exact amount, we're still leaving that up to the discretion of the department. But we feel to codify this helps us to continue to put out PSA information to prevent AIDS, as other states around this country are doing."

Speaker Madigan: "Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Howard: "Representative Davis, would you give me some clarity? You're only asking that this program be expanded to make certain that a very serious health problem is addressed. What exactly is the problem that the Governor's having with this?"

Davis, M.: "Representative Howard, this Bill merely states that PSA announcements be made by the Illinois Department of Public Health promoting the screening for HIV and AIDS. As you know in many states that you attend or visit there are billboards, there are announcement in school locations,

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

72nd Legislative Day

11/5/2003

there are announcement in public health... public, what do you call them, sports clubs encouraging people to be screened for HIV if their behavior may be risky. This Bill is merely stating that the Illinois Department of Public Health continue to do what they already do and that is use public service announcements. The Governor's Amendment states the Governor's ve... Amendatory Veto states that this should only be done if federal funds are available. That would halt what we already do because we currently use local health dollars, charitable dollars, the AIDS Foundation of Chicago uses their dollars for this purpose. So, we don't want to limit it to only federal funds."

Howard: "Representative Davis, did you see an article in The Chicago Defender recently that talked about how this particular issue is getting much, much worse in some communities?"

Davis, M.: "Absolutely, Representative."

Howard: "Did you... are you aware of the fact that very recently there was a meningitis outbreak on the north side of Chicago and that is... that funds came in from wherever in order to make sure that that particular issue was dealt with properly?"

Davis, M.: "Immediately funds were made readily available to inoculate those who were at risk of gaining meningitis."

Howard: "I also remember it seems that there was something about a mosquito biting people and there being a need for the West Nile Virus to be... to... the issue to be addressed as soon as possible and we understood in this state that it

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

72nd Legislative Day

11/5/2003

was necessary to address those issues because they were public health issues that were very, very important. I am very concerned about what I see as the lack of interest in... in an issue and that is AIDS, especially in this much as it is now affecting the African-American communities at an astronomical rate. I think it is very important that not only does this program continue that as you... as you described it but also that there be something done to increase the funding. We were... we lost a hundred... we lost \$1 million in funding during the Governor's budget cuts, two measly million dollars is now in that fund. We had asked for three. They cut a million dollars out of that. As if there's no understanding that people are dying, not just three and four people are dying but we're talking about hundreds and thousands of people who are dying from AIDS. I think that your program... that your Bill is a good one. I certainly plan to... to go to override and I certainly appeal to all of my colleagues to do the same. We must, we must, we must address this issue in an appropriate manner. Thank you."

Davis, M.: "Thank you, Representative."

Speaker Madigan: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. To the Motion. This is an area that I've been working in for about 15 years with respect to HIV and AIDS. And this seems to me to be a throwback about 10 years ago when elected officials, including our good mayor in the City of Chicago, felt that HIV and AIDS was a federal problem and not a state problem.

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

72nd Legislative Day

11/5/2003

We don't say that about lead poisoning. We don't say that about teen pregnancy. We don't say that about many other infectious diseases and many diseases that are not infection. This is a local public health problem. This is not a problem to be constantly dumped back on the Federal Government. The Federal Government needs to take its role with respect to local public health but also local agencies from the cities to the State of Illinois needs to carry out its public health mandate. This is a large part of local issue. It is foolish not to engage in these educational activities which we're already doing and let's codify it so let's... let's eliminate that, waiting for federal funding and then Medicaid reimbursement costs related to HIV and AIDS skyrockets because we can't keep people healthy in the first place. I think this is a foolish Amendment. I think it's a throwback to about ten years ago when elected officials were trying to throw this entire problem, as well as many other public health issues, back to the Federal Government. And I urge you to support Representative Davis in her Motion to override the Amendatory Veto. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, again as too many times we get caught up in the issue and not the legislation. Now, some of the Vetoes that the Governor has made are good ideas. I don't understand the Sponsor's reluctance to accept the Governor's Amendatory Veto on this. All he's saying is use



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

72nd Legislative Day

11/5/2003

federal money first. Ladies and Gentlemen, I would ask that you should probably vote 'present' on this legislation. Let the Governor's Veto... Amendatory Veto stand. I think he's well intended. He's saying that we should use the federal funds first. I don't think there's anything wrong with that. There's... we don't know what the cost on this is going to be. Do you want to do public service announcements in the City of Chicago on TV, it can be significant price tag at a time when we are facing a fiscal crisis we ought to sometimes pay attention to what the Governor has said on these. Ladies and Gentlemen, I would recommend that we vote 'present' on the override and let the Veto stand. The Sponsor will achieve what she wants either way. But I think we need to recognize that the Governor has made a good point and this makes sense. Let's vote 'present' on this legislation."

Speaker Madigan: "The last speaker to close will be Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Let me just say to the Body this is not new money or a request for new money. All we are stating is that part of our existing budget be at... be at as small as the Department of Public Health currently uses. They should be... some PSA announcements for the screening of HIV and AIDS. This money currently comes from local health organizations, charitable organizations and to follow the Governor's Veto we would only use federal funds for this, which would be very harmful for this program. This Bill is sponsored, I'm sorry, supported by the

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

72nd Legislative Day

11/5/2003

Illinois Public Health Association, the AIDS Foundation of Chicago, the ACLU, the Illinois... Planned Parenthood Council, the American Red Cross, the Illinois State Medical Society supports this legislation and to limit it to only federal dollars is putting our state at greater risk. We're not asking for new money. And I urge an override vote."

Speaker Madigan: "The question is, 'Shall House Bill 200 pass, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71 votes and will 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? Has Mr. Wait voted? The Clerk shall take the record. On this question, there are 66 'yes' and 7 'no' and the Motion fails. Mr. Novak in the Chair."

Speaker Novak: "On page 26 of the Calendar there is House Bill 2663. Representative Hannigan... Hannig for a Motion. Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Motion would restore funding for the nonpublic school recognition program. Many of you have probably received contacts either in writing or by the phone from... from constituents of yours and I know of mine who've contacted me, who sent their children to private schools, Catholic schools, pero... parochial schools who are very concerned that should this Veto stand that their public school would lose recognition. So, this Motion is an effort to restore \$1.1 million to the board of... to the State Board of

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

72nd Legislative Day

11/5/2003

Education for the purposes of providing certification to nonpublic schools. I'd be happy to answer any questions."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Macon, Mr. Flider. Mr. Flider. Mr. Black, the Gentleman from Vermilion."

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

Speaker Novak: "Sponsor will yield."

Black: "Representative, since this is restoration of a reduction Veto Motion #1, are you contemplating additional Motions on this Bill?"

Hannig: "Representative at... at this moment I have no additional Motions filed."

Black: "All right."

Hannig: "Obviously we'll..."

Black: "Okay."

Hannig: "...be here 'til tomorrow or sometime."

Black: "Representative, you and I have known each other a long time. Let's cut right to the chase because this is something that I happen to be very interested in. I didn't understand the cut to begin with. You are restoring money that will put the private school for... for lack of better term, the private school accreditation unit back in the State Board of Education budget, correct."

Hannig: "Yes."

Black: "I have no idea why that was one of the cuts that ISBE chose to make in the first place, but there are literally, I think last year there were about 800 private schools that

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

72nd Legislative Day

11/5/2003

were accredited by the State of Illinois. Now failure, I stand in support of your Motion and failure to do this opens up questions that have raised great many concerns statewide, certainly in my district. Not among the least of which, what happens to a graduate of an currently accredited parochial school, in my district we have a catholic high school, a year from now if that student graduates from that high school and it is no longer accredited by the State of Illinois the question we're not sure of will that or will that not impact that student's ability to be considered on the same admission standard as a student from any public high school in the State of Illinois? There are other questions that I don't think are as important such as athletic competition, but believe me I've received dozens if not hundreds of letters on that point alone. I... I didn't understand why the State Board chose this private school accreditation unit as one they would cut out and I stand in strong support of your Motion to reinstate the funding for that particular function of the State Board of Education that no one else in the state can pick up. It isn't like somebody else can do it. The State Board is charged with doing it. The private schools that want to be accredited have every right to expect they will be visited and accredited if indeed they meet those standards and this is one item even though we are in desperate financial condition this is one item that I simply think was cut in a grievous error not realizing the long-term ramifications of the reduction and also not

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

72nd Legislative Day

11/5/2003

realizing how many schools and how many students are impacted. And if you want to really have a budget crisis, take those 800 private schools who might decide, well, if we're not going to be accredited than we might as well phase out. I don't how you could ever, given the current budget crisis, absorb the students from those private schools into the public sector. I stand in strong support of the Gentleman's Motion."

Speaker Novak: "Thank you. Any further discussion? The Gentleman from Cook, Mr. Giles."

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

Speaker Novak: "Sponsor will yield."

Giles: "Representative Hannig, could you... I... I know the previous speaker just spoke about the... some of the schools that were affected. Did you ever give an estimation or a percentage or a number of schools that would be affected by this restoration?"

Hannig: "Representative I can't give you a number of students. But I know that every private school in the State of Illinois' potentially impacted by this proposal."

Giles: "Okay. So, you're saying almost every private and parochial school? Is that correct?"

Hannig: "Yes."

Giles: "And... and what is the amount of funding we're talking about?"

Hannig: "\$1.1 million."

Giles: "Okay. And is this \$1.1 million was this part of the original budget?"

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

72nd Legislative Day

11/5/2003

Hannig: "This is... this would restore the \$1.1 million that the State Board and the Governor eliminated through the veto process."

Giles: "Okay. And... and was there a reason other than simply that we just don't have the resources to... to pay for this? Was there any other reasons why this \$1.1 million was stricken from... from this budget?"

Hannig: "Representative, there's no other alternative source of money that... that we're aware of. I believe that this was simply an effort to reduce spending."

Giles: "Re... Representative, maybe this is hindsight, do you know the reason why this \$1.1 million was placed in the original bud... budget for the parochial schools and the private schools in the beginning?"

Hannig: "We... well, Representative, we have been doing this... this for them and working in conjunction with private schools for any number of years. I can't remember when this program started. It may very well precede me and I've been here for a number years myself. So, it's always been the case that I can remember that we've recognized private schools, whether it's grade schools or high schools, so that those individuals who chose to send their children there can have those schools recognized and then the kids in turn can go on to get a higher education. So, it's really something that we've done it... it serves the children of the State of Illinois and I think that's the thing that... that concerns me the most, is that we say education is the

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

72nd Legislative Day

11/5/2003

top priority, it needs to be and that's why it's important that we need to fund these kind of programs."

Giles: "So... so, once again, as... as you just got through saying, it's sort of a common practice that we have done this that we have put money aside in the budget for these various programs for these parochial schools or private schools. So, there's nothing that our State Constitution says that we must do this? Is that correct Representative?"

Hannig: "Representative, I think the Constitution says that we have an obligation to try to educate all children in the State of Illinois. And I think that it's important that for this small amount of money that we can allow students who wish to go to a private school whether that's a Catholic School or some other parochial school to either go to a public high school or perhaps say a college whether it's in Illinois or outside of Illinois. So, this small amount of money allows a large number of students to continue their education and to further their education. And I... I think that's part of what government has to be about."

Giles: "Rep... Representative, you know, I stand here, you know, unfortunate or fortunate however you want to put it and that's the choice that my parents made. I'm... I'm a product of the parochial system or the private system. But... but nevertheless, you know, I believe the State Constitution says that we must... we have an obligation to fund public education to give opportunity for the children of the State of Illinois. Yes, all students should be educated and

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

72nd Legislative Day

11/5/2003

should have that... that opportunity. However, for an individual to go to a private or a pub... or a parochial school that is a choice that that household, that family, that parent, that mother or that father make for the student. And so, I... I understand what you're saying and I agree that all should be educated. But, you know, we're... we're dealing with a very limited budget and I was just simply trying to find out if the Governor had any other reasons other than we just simply don't have the money as we don't in a lot... many other particular situations why we would take \$1.1 million out of this particular budget. Representative, thank you very much for your question. To the Bill. I... I just feel that just my gut and... and I understand that educating students across the State of Illinois is ver... is very important for all of us and I'm sure many us that's how we campaign. Many of us that's how we got here. But nevertheless, we are in a budget crisis. We have a situation in this state that we according to our State Constitution that it is obligated to us to... to continue and to try to give all of our students that want to have a public education the best opportunity to do so. And meanwhile, while we continue to struggle and... and fight for putting more resources towards educating our students... our students in the public system, specially many of the school districts that we have downstate that are suffering and... and such of a way that you would not imagine. We must continue to try to make sure that those dollars go there first. And... and then we can look at other places were we



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

72nd Legislative Day

11/5/2003

can continue to educate all of our students of the State of Illinois as a whole. But I think this Body and according to our State Constitution we have an obligation to fund public education. And so, at this particular time I will be voting 'present' on this Bill because I think... I think the Governor is... is leading us on the right path here and I believe that we... we have an obligation to fund public education. So, Mr. Speaker, I urge all of our Members to vote 'present' on this particular situation until we can come up with some real revenues to solve the problem of funding public education and then we can look other places to fund private and parochial, charter and some of the other entities that we would love that we all would love to see as an alternative to education in this state. Thank you."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Parke. Mr. Terry Parke."

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

Speaker Novak: "Sponsor will yield."

Parke: "Representative, does this include private business vocational schools?"

Hannig: "Representative, this is... this is the funding that would provide that the... that the private schools can... can't... can ask for the State of Illinois to certify that they're in... that they are in compliance with the curriculum that the State of Illinois has laid out. And I..."

Parke: "It is my understanding and share with me if you believe this is true, that under the state's statutes that we're

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

72nd Legislative Day

11/5/2003

required to certify public... private business vocational schools that is part of, the previous speaker's question is do we have a statutory responsibility. And I believe under Illinois statutes we do have the responsibility for private business vocational schools. Do you believe that that might be correct?"

Hannig: "Yes, Representative, I agree with you."

Parke: "Thank you. To the Bill. Ladies and Gentlemen, this override restores the... restores it to where it was because we have a statutory responsibility. Not only that, but the underlying Bill... the underlying basis of this is that I think it's very important that we have assessment in accountability in our private schools in this state. And this is very important to make sure that they are certified in that way. Ladies and Gentlemen, I rise in strong support of this Bill and the Motion that the Sponsor's put up for it. And I would ask the Body to vote 'yes'."

Speaker Novak: "Thank you. Further discussion? Mr. Eddy. Representative Eddy."

Eddy: "Thank you very much. Would the Sponsor yield?"

Speaker Novak: "Sponsor will yield."

Eddy: "I also have, just a couple of questions regarding the process that's used for the accreditation of private schools. I actually was surprised to see that there would be a reduction in at line item the State Board of Education that would take away the accreditation process that allows students who attend those schools to receive scholarships and... and other types of recognition that students in public

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

72nd Legislative Day

11/5/2003

schools get. And I... I think that the concept of making sure that those students in those private schools receive that recognition is important. My question is the cost involved, where the money goes to and... and the fact that it takes \$344 thousand to accredited private schools. My understanding of the process for accreditation is that those schools fill out a one page form to which they answer probe questions and that document is sent to the regional superintendent of schools. The regional superintendent of schools then signs that document saying this school is accredited. I'm wondering why the State Board of Education needs \$344 thousand in a line item to take care of a process that includes sending paperwork to the regional superintendent of schools."

Hannig: "Representative, I think if we zero out the line it's clear that they'll have no money and they'll not be able to do the program at all. So, I think it's, a certainly legitimate point to argue about how much it might cost to run the program. But I think you would have to concede that we can't give them zero and then expect them to run the program. So, if you want to work, you know, I... I'm certainly willing to work with anybody in this Body to... to try to get this done at a more reasonable cost if you... if you feel its excessive and I think we're all about that."

Eddy: "Well, I stand just... just to, first of all I... I want you to understand I support the... the line item being returned because it is right now the way to make sure this gets done. However, I have serious questions about the process

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

72nd Legislative Day

11/5/2003

involved that appropriates the money to an agency that actually counts on others to perform the task. And in this case that task is performed by the regional superintendent of schools and the appropriation's going to the State Board of Education. And... and I... I support the notion. I know we have to do this. But I want the Body to understand that this is an issue that really needs to be looked at in those terms as well. Thank you."

Hannig: "I think you make a good point, Representative."

Eddy: "Thank you."

Speaker Novak: "Thank you. Is there any further discussion?  
Mr. Hannig to close. Mr. Hannig."

Hannig: "Yes... yes, thank you, Mr. Speaker and Members of the House. Last year, I think to the credit of the Governor and to our credit, we did a lot of good in a very difficult economic year for our public schools. And we should... we should commend the Governor and I would commend my colleagues for finding money in the most difficult of fiscal years to fund public schools. But I don't think that it's appropriate that we should ask our private schools to be taking a step backwards, that we should actually be reducing their funding and taking away a process that allows them to be accredited. We have a lot of students around the State of Illinois. Clearly, we have an obligation to our public schools. I think we're... we're making progress in meeting that. But I don't think that it means that we have to take that money from the private schools. We have an opportunity today to restore funding

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

72nd Legislative Day

11/5/2003

for the accreditation of private schools. It's an important part of the total educational process here in Illinois. It's an important option for kids to have and parents to have. And so, I would urge you to vote 'yes' on this Motion to override."

Speaker Novak: "Mr. Franks. Further discussion?"

Franks: "No."

Speaker Novak: "Okay. Seeing no further discussion, the question is, 'Shall the item on page 15, line 27 through 29 of House Bill 2663 be restored, notwithstanding the item reduction of the Governor?' All those in favor say 'aye'; all those opposed vote... excuse me, all those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 2 voting 'no', 1 voting 'present'. This Motion, having received the required Constitutional Majority, the item on page 15, line 27 through 29 of House Bill 2663, is declared restored, notwithstanding the item reduction of the Governor. On page 26 of the Calendar there is House Bill 2700. Mr. Hannig on a Motion... on an Override Motion. Mr. Hannig, Motion #1."

Hannig: "Yes, Mr. Speaker, just a parliamentary inquiry. We have four Motions. Can we... can we put those on one Roll Call?"

Speaker Novak: "It's my understanding that we have five Motions on this Bill, Mr. Hannig."

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

72nd Legislative Day

11/5/2003

Hannig: "Oh, excuse me, Representative, this is the court of claims?"

Speaker Novak: "Correct."

Hannig: "I'm... I'm sorry, the courts of Illinois."

Speaker Novak: "Correct."

Hannig: "I stand... I..."

Speaker Novak: "We... we... separate votes will be required for each Motion."

Hannig: "Okay. Thank you, Mr. Speaker. This is a amount of money that goes into the mandatory arbitration fund for the courts of Illinois. Many of you probably know that when the Governor proposes his budget initially the... the Supreme Court of Illinois on behalf of all the court system in Illinois will introduce their own budget because after all they are an independent branch of government. Then they will begin the process of working with us and working with the Governor to try to come to some amount of money that we feel we can live with, that they can live with and that we can run a court system in the State of Illinois. One of the things that the... that the court system did this year is that on the one hand we passed legislation giving them on a onetime basis the opportunity to use some of their mandatory arbitration money for the day-to-day operations of the court system. The Governor signed that Bill. That was a substantive Bill. This proposal is necessary in order to make that substantive Bill work. And this proposal would restore \$2.9 million of mandatory arbitration money so that the court systems could access

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

72nd Legislative Day

11/5/2003

that money in the day-to-day operations of their court system. So, what we're... this is not a general revenue item. This is a mandatory arbitration fund item. And it's something that the court systems simply need to make their budget work. They're an independent branch of government and I think that we need to recognize that there are... that there are needs that they have in order to make their branch of government work. And I'd ask that we override the Governor on this Veto."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall the item on, excuse me, Mr. Black.'"

Black: "With my apologies to the Chair, Mr. Speaker. I was out... out front to see one person and just a word of caution, if you go out to see one person your gonna see about 35 today. So, wi... with apologies..."

Speaker Novak: "I understand."

Black: "...could I ask the Sponsor a question?"

Speaker Novak: "Yes, Sir, you may. Sponsor will yield."

Black: "Rep... Representative, I apologize, I was delayed outside. I... I've looked at this very quickly, I just... all I want is... is assurance. I didn't get a raise and will not for two years and I sponsored the Bill. I shouldn't get one. We didn't get a COLA, we shouldn't get one. Is there anything in this Bill that restores the judges' cost of living pay increase?"

Hannig: "There is not, Representative. And it does not address that issue at all."

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

72nd Legislative Day

11/5/2003

Black: "That's all I want to know. Thank you."

Speaker Novak: "Thank you. Is there any further discussion?  
Mr. Franks."

Franks: "To the Bill. If I may?"

Speaker Novak: "To the Motion."

Franks: "To the Motion. I... I stand in opposition after reading... after reading the analysis here and I understand what the Sponsor's trying to do and I have the utmost respect for him. But I'd encourage a 'no' vote here for a couple of reasons. We're trying to put in approximately \$3 million into the mandatory arbitration system. But the problem is now this General Assembly last term voted to increase the filing fees for people to get to the courthouse. What they didn't do however, was require that those filing fees that were increased be segregated to be used for the court system. So, instead the counties have now raised the court fees uniformly throughout the State of Illinois, yet those funds are not being used for the court system because they are put in the General Revenue Fund. So, now you've given a chance to raise fees and taxes on people by raising their fees to get to the courthouse. Now, you're also asking for additional money to pay for the same thing that people have already paid for. Instead of giving extra money now what we should be doing is... passing a Bill requiring that any increase in court costs be used exclusively for the court system instead of socking it to the taxpayers again. I'd ask for a 'no' vote."



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

72nd Legislative Day

11/5/2003

Speaker Novak: "Thank you. Any further discussion? Mr. Hannig to close."

Hannig: "Yes, with... with all due respect to the previous speaker, this doesn't raise any fees or even change any fees. What we may or may not have done in that Bill will... will certainly be the law of the State of Illinois. But what this Bill does is deal with mandatory arbitration fund. Now, the courts would rather have General Revenue Fund money for their operation, just like every other agency. But they recognize there's a shortage of General Revenue Funds' money in this fiscal year and so they've looked internally for places where they can fund their branch of government without having to ask us for additional General Revenue Fund money. One of the places that they found was the mandatory arbitration fund and so we gave them the statutory language in a different Bill that the Governor signed to use that money for the purposes of running their branch of government for one year. But now we need to make, in order to make that Bill work, we need to have the money in that fund. And I don't know if it was an oversight or for whatever reason that this was vetoed and clearly this is not General Revenue Funds. So, I would ask the Members to work with me and to work with the court systems in Illinois, and to vote to restore funding for this line item. I'd ask for a 'yes' vote."

Speaker Novak: "Thank you, Mr. Hanning. Seeing no further discussion, the question is, 'Shall the item on page 255, line 17 through 20 be restored, notwithstanding the item

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

72nd Legislative Day

11/5/2003

reduction of the Governor of House Bill 2700?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 82 voting 'yes', 26 voting 'no', 8 voting 'present'. This Motion, having received the required Constitutional Majority, the item on page 255, lines 17 through 20 of House Bill 2700, is declared restored, notwithstanding the item reduction of the Governor. Mr. Han... Mr. Hannig on Motion #2, on House Bill 2700."

Hannig: "Yes, this next series of four Motions has to do with the Secretary of State's budget. You may recall that after we left here in May the Governor reduced the Secretary State's budget through his Amendatory Veto process by \$50 million. After some consideration, there seemed to be a general agreement that the Secretary of State should... should see \$10 million of that money restored. If we ar... if we would vote to override or restore the money in these four items we would restore 9.6 million of... of the \$50 million that was cut and that would include 1.938 in road fund money."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Macon, Mr. Flider."

Flider: "Thank you, Mr. Speaker. I just rise for a point of personal privilege."

Speaker Novak: "State your point, Sir."

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

72nd Legislative Day

11/5/2003

Flider: "Yes, I would like the floor to recognize a young man who's here today with me. He's the representative for the day for the Varsity Goes to Capital Hill Program sponsored by the Youth Workshop and Reverend Antwon Taylor of Decatur and his name is Matt Carlson and he's from Decatur and he's a senior at Warrensburg-Latham High School. Please welcome Matt to the floor of the House."

Speaker Novak: "Welcome to the General Assembly. Thank you very much. Is there any discussion on this Motion? Seeing none, the question is, 'Shall... the question is, 'Shall the item on page 236... Mr. Hoffman. Mr. Hoffman on the Motion."

Hoffman: "Will the Sponsor yield?"

Speaker Novak: "Sponsor will yield."

Hoffman: "Yes, Representative, with regard to the current Motion, is this your understanding this is a substance of an agreement between the Secretary of State and the Governor's Office?"

Hannig: "Representative, I was not a part of the meeting between the Governor and the Secretary but it's my understanding that there was some... some agreement on an amount. Clearly, this proposal would be one way that you could restore the \$10 million that I believe was agreed to. But I was not a part of that meeting, so I can only represent to you that that's what I was told."

Hoffman: "I... I understand... I... I was not part of the meeting either that's why I'm asking the questions. It's my understanding that there was an agreement reached between the Secretary of State and the Governor's Office. I would

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

72nd Legislative Day

11/5/2003

assume, even though you weren't part of the meeting, you would know if this is that agreement. And... and if... if you don't, I think that there was an agreement and I would hope that this would reflect any agreement that was made between the Secretary of State and the Governor's Office."

Hannig: "Representative, all I can suggest is that a Motion was filed and at his point the question before us is on that Motion. So..."

Hoffman: "Well, is it... is it the agreement that was reached between the Governor's Office and the Secretary of State? It's a simple question."

Hannig: "Representative, I was not there and I do not know that. All I can tell you, though, is that the Secretary of State and the Governor I do know that they met it was certainly reported publicly, that there was some accommodation made and that the money was generally that it was generally agreed to about \$10 million would re... be restored in the Secretary of State's Office. And as I said in the introduction the four... the four items that I have that this Motion... the four Motions that we will vote on would come to a total of 9.6 million, so it's certainly under that parameters. But it wasn't exactly this... I... I can't speak to that, Representative, 'cause I wasn't there."

Hoffman: "Thank you."

Speaker Novak: "Thank you. Any further discussion? Mr. Mathias. The Gentleman from Lake, Mr. Mathias."

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

72nd Legislative Day

11/5/2003

Mathias: "Thank you. Representative, do you know the funds that where you're trying to restore is... are those funds coming from the road fund?"

Hannig: "Representative, 1.9 million... 1,938,100 would be restored from the, excuse me, would be restored from GRF and the balance would be from the road fund."

Mathias: "So, the balance of these funds are from... from the road fund? Is that..."

Hannig: "Yes..."

Mathias: "Did I hear you correctly?"

Hannig: "...the majority of these funds that would be restored would be from the road fund."

Mathias: "Okay. Thank you."

Speaker Novak: "Any further discussion? Seeing none, the question is, 'Shall the item on page 236, line 18, of House Bill 2700 be restored, notwithstanding the item reduction of the Governor?' All those in favor signify by voting 'aye'; all those opposed by voting 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 80 voting 'yes', 25 voting 'no', 11 voting 'present'. This Motion, having received the required Constitutional Majority, of House Bill 2700 the item on line... on page 236 line 18 is declared restored, notwithstanding the item reduction of the Governor. Mr. Hannig, on Motion #3 of House Bill 2700."

Hannig: "Yes, this is a... again..."

Speaker Novak: "Excuse me."

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

72nd Legislative Day

11/5/2003

Hannig: "...a part of the..."

Speaker Novak: "Excuse me, Mr. Hannig. Mr. Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "State your inquiry."

Black: "You may... you may have stated this and in the noise and confusion I missed it. Are... are you on each Motion, are you telling us prior to the vote what the vote requirement total would be?"

Speaker Novak: "I may have. I may have missed that this last one."

Black: "I... I think it's very important."

Speaker Novak: "I... I apologize for the oversight."

Black: "For example if you would let us know whether it requires 60..."

Speaker Novak: "Yes."

Black: "...or Super Majority, et cetera. "

Speaker Novak: "Thank you, Mr. Black."

Black: "Thank you."

Speaker Novak: "Members of the Body... every Motion on this particular Bill will require 60 votes to pass. Thank you, Mr. Black. Mr. Hannig."

Hannig: "Yes."

Speaker Novak: "On the Motion."

Hannig: "Again, thank you, Mr. Speaker and Members of the House. There will be four Motions and this is the second of those four Motions that would represent a restoration at \$9.6 million to the Secretary of State's Office. And this is \$345,600 of road money."

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

72nd Legislative Day

11/5/2003

Speaker Novak: "Thank you. Is there any... any questions? Seeing none, the question is, 'Shall the item on page 236, line 28, of House Bill 2700 be restored, notwithstanding the item reduction of the Governor?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 79 voting 'yes', 28 voting 'no', 10 voting 'present'. This Motion, having received the required Constitutional Majority, the item on page 236, line 18, of House Bill 2700 is, excuse me. Correction, line 28, on page 236, of House Bill 2700 is declared restored, notwithstanding the item reduction of the Governor. Mr. Hannig, Motion #4."

Hannig: "Thank you."

Speaker Novak: "On House Bill 2700."

Hannig: "Thank you, Mr. Speaker. Again, this is item #3 out of a four Motion package for the Secretary of State. It's \$4.3 million in road fund money. And I ask for your 'yes' vote."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall the i... shall the item on page 235, line 28, of House Bill 2700 be restored, notwithstanding the item reduction of the Governor?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Joyce. Monique Davis. Mr. Clerk,

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

72nd Legislative Day

11/5/2003

take the record. On this question there are 70 voting 'yes', 28 voting 'no', 19 voting 'present'. This Motion, having received the required Constitutional Majority, the item on page 235, line 28, of House Bill 2700 is declared restored, notwithstanding the item reduction of the Governor. Representative Younge. For what reason do you wish to rise?"

Younge: "A matter of personal privilege. I wanted to..."

Speaker Novak: "Please state your point."

Younge: "...Thank you. I wanted to introduce AARP representatives from East St. Louis-Belleville area. Let's give them a hand. They're in the gallery."

Speaker Novak: "Welcome to the General Assembly. We're joined today by our esteemed, Illinois Secretary of State, Jesse White, former Member of the House of Representatives. Good morning. Mr. Hannig on Motion #5 of House Bill 2700. Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the last Motion to override and it's 1.9 million from the General Revenue Fund. And again, these four together represent less than \$10 million that would be restored to the Secretary of State out of the original \$50 million that the Governor re... reduced the agency by. So, I think what the Gentleman agreed to was... was a very good arrangement and I'd be happy to answer any questions. And I'd ask for your 'yes' vote."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Vermilion, Mr. Black."



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

72nd Legislative Day

11/5/2003

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

Speaker Novak: "Sponsor will yield."

Black: "Representative, on this line item in the State Employees Retirement System, does this rectify the... correct me if I'm wrong, but it appears that this is trying to rectify a last minute reduction Veto that would have required many of the employees of the Secretary of State's Office to pay their own contribution into SERS that they have never have been required to pay before."

Speaker Hannig: "Representative, I'm advised that this is the employer contribution line. So, it really doesn't deal with the employee pick up."

Black: "Well, I... I... I thought where we got into trouble because of some mixed signals all of a sudden there were people in the Secretary of State's Office who had had a 4 percent pick up as part of the agreement were told at the very last minute with no real constructive notice that, oh, you're... you're, by the way, you're gonna get a pay freeze plus you're gonna pick up your contribution to the retirement system. Is that correcting what I thought at the time was a... an egregious way to handle people who have given years of service to that office."

Hannig: "Well, Representative, clearly this line would reflect the employer. The... the state's..."

Black: "Right."

Hannig: "...contribution that we need to make to our pension system and frankly with the continuing appropriation

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

72nd Legislative Day

11/5/2003

language I'd suspect if we don't make it they're have the right to come and collect it anyway."

Black: "Yeah."

Hannig: "So, I..."

Black: "Well, I... I appreciate this. To... to the Motion, Mr. Speaker and Ladies and Gentlemen of the House. I stand in strong support of this particular Motion. I think it's unfortunate what happened to the Secretary of State's Office and there were other offices involved as well who negotiated all last spring in good faith and at the very last moment things were removed... line items were cut, dollars removed from their budget that had an impact on the people who work there. And I... I've often stated on this floor that I... I'm a strong proponent of constructive notice. If you're going to go to an employee and say I'm sorry we cannot give you a raise this year and that has happened. But if you give them constructive notice and... two or three weeks at least and you talk with them and you deal with them in an honest up-front manner that you may have to pick up a portion of your retirement, that's the way those things should be handled. If I'm... if I am wrong I apologize, I don't mean to criticize anybody for what happened late last spring early this summer, this past summer. But I don't think some of the employees in the Secretary of State's Office because of last minute budget cuts received the constructive notice and the due process that they... they deserve, any employee deserves. And... and to have this happen at the last moment is simply not the

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

72nd Legislative Day

11/5/2003

way people should be treated. Whether or not they're covered under a union contract and I know there were people in the Secretary of State's Office and other offices who are merit comp employees who are not part of the union contract who I think were not treated with the dignity that they deserve. If this restores the employ... the retirement system dollars that they are promised then that's what we have to do. And I intend to vote 'aye'."

Speaker Novak: "Thank you. Any further discussion? Mr. Hannig to close."

Hannig: "Well, yes, thank you, Mr. Speaker and Members of the House. You know, we give the Secretary of State a very difficult job. He does everything from passing out license plates to our citizens to examining people who come in and ask for a driver's license and... and all kinds of things in between. And then... and then we put a road fund cap on the Secretary of State and tell him he has to try to live under that. And then he comes in and the Governor says here's a mark that you have to live with. You have to get your budget down to that mark. And then the Governor says times are... are tough and... and, you know, we need to make some further reductions and the Secretary has worked with... with us... with us and with the Governor all the way through. So, this amount of... of restoration that we're asking here today is simply what the Secretary of State feels is the minimum that he needs to keep the office up and running. So, I don't think it's excessive. And I would ask for your 'yes' vote."

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

72nd Legislative Day

11/5/2003

Speaker Novak: "Thank you. Any further discussion? Seeing none, the question is, 'Shall the item on page 232, line 8, of House Bill 2700 be restored, notwithstanding the item reduction of the Governor?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Mr. Granberg... Mr. Granberg. Mr. Clerk, take the record. On this question, there are 88 voting 'yes', 16 voting 'no', 13 voting 'present'. This Motion, having received a Constitutional Majority, the item on page 232, line 8, of House Bill 2700, it is declared restored, notwithstanding the item reduction of the Governor. Representative Watson, for what reason do you rise Sir?"

Watson: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Novak: "Please state your point."

Watson: "Please join me in... in welcoming the 2003 Class A IHSA state baseball junior high champs from Jacksonville, the Our Savior Shamrocks."

Speaker Novak: "Welcome to the Illinois General Assembly."

Watson: "Thank you."

Speaker Novak: "Returning to Amendatory Veto Motions on page 27. On page 27 of the Calendar is House Bill 684. The Gentleman from Cook, Mr. Brosnahan on an Override Motion. Mr. Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. I would move to accept the specific recommendations to House Bill 684. The changes recommended by the Governor are merely technical in nature."

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

72nd Legislative Day

11/5/2003

They reflect Amendments that we worked on with the Department of Human Services as well as disability advocates. And again, I would move to accept the Governor's Amendatory Veto."

Speaker Novak: "Okay, this action requires 71 votes. Is there any discussion? S... seeing none, the question is, 'Shall... Shall the House accept the Governor's Amendatory Veto of House Bill 684, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71 votes. This is final action. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Granberg. Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion, having received the required Three-fifths Majority, the Motion to override... to accept the Amendatory Veto prevails and House Bill 684 is hereby declared passed, notwithstanding the Governor's recommendation for change. The Gentleman from Will, Mr. McGuire. Representative Jack McGuire, on House Bill 816 on Amendatory Veto Motion. Mr. McGuire."

McGuire: "Thank you, Mr. Speaker... excuse me. I'd like the House to accept the Amendatory Veto. And if I may, I'll read just a little bit of what the Governor said on his Veto. Part of the question was... it was a misprint of '1988' changed to '1998' I think was the correction. But the more important thing the question was what is the definition of individuals with disabilities. And in the

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

72nd Legislative Day

11/5/2003

Governor's Veto he indicates the definition of individuals with disabilities are those who self report as being qualified as disabled under the 1973 Rehabilitation Act or the 1990 ADA, Americans with Disabilities Act for the purposes of this law. The Governor closes by saying with these changes House Bill 816 will have my approval and I respectfully request your concurrence. Sincerely, Governor Rod Blagojevich. I concur with the Governor's Amendment or the Governor's Amendatory Veto and would like to ask for your support."

Speaker Novak: "Thank you. And on that question the Gentleman from Cook, Mr. Parke."

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

Speaker Novak: "Sponsor will yield."

Parke: "Representative, have you had any feedback... you had any feedback on people who work with our disabled citizens as to any concern about the definitions that have been expressed in the legislation?"

McGuire: "I'm sorry, Mr. Parke. I can't hear you over here, to well."

Speaker Novak: "Can we have a little order, Ladies and Gentlemen?"

McGuire: "Just a little quiet for a second or two. I can't hear Mr. Parke at all."

Speaker Novak: "Would you give your attention to Mr. Parke for his question?"

Parke: "Representative, you said that the Governor has changed the definition..."

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

72nd Legislative Day

11/5/2003

McGuire: "Hey, hold it down a second, would you please? When the noise is right in my neighborhood it's very difficult for me to hear."

Speaker Novak: "Mr. McCarthy."

Parke: "...All I asked, Representative, is the Governor in expressing a change in the definition of what is disabled, have you heard for any of the disabled citi... any of the groups that work with disabled citizens as to whether or not there was a problem with the definition? So the Sponsor says 'no'... you've heard no. Okay, that was my only question, Representative, is to make sure that that definition change was acceptable by the... by all the people in service community that work with our disabled. And you say it's okay? Okay, thank you, Representative."

Speaker Novak: "Thank you, Mr. Parke. Any further discussion? Seeing none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House 816?' This is final action, 60 votes is required for acceptance. All those in favor signify by voting 'aye'; all those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion having received the required Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding House Bill 816. On page 27 of the Calendar, on an Override Motion, there is House Bill 3313.

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

72nd Legislative Day

11/5/2003

The Lady from Peoria, Representative Slone. Representative Slone, on an Override Motion."

Slone: "Thank you, Mr. Speaker. Can we take this Bill out of the record for the moment please?

Speaker Novak: "Mr. Clerk, take the Bill out of the record please. On page 27 of the... 27 of the Calendar, the Lady from Iroquois, Representative O'Brien on an Override Motion on House Bill 3556. Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm seeking an override of the Governor's Amendatory Veto on House Bill 3556. As most of you recall what this Bill does is to make mandatory evaluation and pre-sentence investigations for sex offenders. Of course, with that comes the requirement that treatment providers become involved and if the evaluation says that they should have treatment that the offender follows up with treatment. What the Amendatory Veto says is that this is all subject to there being enough funding for it. So, really all it really just eliminates the... the cogeneration of the Bill making it again permissive instead of mandatory. We know that sex offenders are among the most likely of offenders to become repeat offenders. For every rapist... for every one victim we know that there are probably 7. But for child sex offenders we know that there are usually 76 victims per offender. We'd like to bring that number down. We recognize that the Governor had some concerns about funding. But we had provided a funding mechanism in this Bill. First and foremost, we believe that the offender



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

72nd Legislative Day

11/5/2003

should pay. It's one of the most critical parts of them receiving treatment and taking responsibility for their actions is that they pay for their own treatment. In a series of hearings that we just recently conduct... conducted on another Bill, every treatment provider in law enforcement indicated that they really do need to pay their own way. But we did p... we did put in a safety net if there was really an indigent sex offender who couldn't pay, who would give up their cigarettes and still couldn't pay. And for that we would increase their probation fees and we would also increase the fee to register as a sex offender. So, with that we feel that we have provided enough funding to adequately address the needs that are... are required under this Bill and I would ask for each of you to join me in voting for the override."

Speaker Novak: "Thank you. Is there any discussion? The Lady from Cook, Ms... The Lady from Cook, Representative Davis, Representative Monique Davis."

Davis, M.: "Thank you, Representative. Will you yield?"

Speaker Novak: "Sponsor will yield, Ma'am."

Davis, M.: "I'd like to know where these funds are gonna come from to monitor these people?"

O'Brien: "This is not a monitoring Bill."

Davis, M.: "Well, I'm sorry I missed it then."

O'Brien: "All this... what this Bill requires is that before a sex offender is sentence that they have what's called a pre-sentence investigation. And that is a part of that an... an evaluation is required. In an evaluation... right now if

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

72nd Legislative Day

11/5/2003

you are convicted of the offense of DUI but you would want to receive the sentence of court supervision you must get an alcohol evaluation. So, if you drink and drive you've got to be evaluated. But if you rape a child, you don't. And what we're saying is that in order to know who is the most likely to re-offend they ought to be evaluated before we shoot them back out into the community. And if the evaluation shows that they should receive treatment then they should."

Davis, M.: "But, wait a minute, Representative, are you saying that you're gonna evaluate them pre-sentencing... is this a pre-sentencing evaluation?"

O'Brien: "Well, we have a pre-sentence investigation which now for almost all crimes is required to see whether or not a judge is giving an appropriate sentence."

Davis, M.: "Well, the question becomes, if we're gonna evaluate them prior to sentencing? Are we gonna take into account any treatment that may occur during their incarceration? Because that evaluation may differ terribly from the original investigation or evaluation."

O'Brien: "Well, yes, Representative. At the initial evaluation may, in fact, determine whether or not they would be fortunate enough to get any resources that would be available in the DOC. It might actually be very helpful to an offender who otherwise may get no treatment in the DOC, the evaluation would say that they need to, you know, would up front say that they need some kind of treatment right now, they might go to the DOC and never get any."

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

72nd Legislative Day

11/5/2003

Davis, M.: "Let me... let me just say that I find it highly peculiar and this is in no disrespect to you, but I find it highly peculiar that people would be more concerned about the evaluation of a sex offender rather than about providing PSA ads for people who need to be screened for AIDS."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. The question we should be asking ourselves why aren't we doing this already? This Bill will send a message to the children and to the women in our community that you are of value you are of worth and we're going to try to do all that we can to protect you from these sex offenders. And by doing so we're going to evaluate them and make sure that they're being treated. They will not be just out there on the streets to cause further harm. Because we all know the harm that sex offenders cause to women and children. It's devastating, their lives is never the same again. There's never a value that you could put to the damage that has been done to families throughout this country, throughout this state. And I rise in support of the Lady's Bill. Thank you"

Speaker Novak: "Is there any further discussion? Seeing none, Representative O'Brien to close."

O'Brien: "Ladies and Gentlemen of the House, Mr. Speaker and I would just urge an 'aye' vote."

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

72nd Legislative Day

11/5/2003

Speaker Novak: "And the question is, 'Shall House Bill 3556 pass, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71 votes. This is final action. All those in favor signify by voting 'aye'; all those opposed signify by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Turner. Mr. Brady. Mr. Brady. Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 1 voting 'no', 0 voting 'present'. This Motion having received the required Three-fifths Majority, the Motion to override prevails of House Bill 3556 is hereby declared passed, notwithstanding the Governor's recommendation for change. On page 4 of the Calendar, Total Veto Motions House Bill 2895. The Lady from Cook, Representative Lyons. Representative Eileen Lyons on an Override Motion. Do you wish to call your Motion?"

Lyons, E.: "No.

Speaker Novak: "Mr. Clerk, take this out of the record, please. On page... on page 2 of the... 2 of the Calendar, on Senate Bill 783. The Gentleman from... from Bureau, Mr. Mautino on an Amendment. What is this..."

Clerk Bolin: "Senate Bill 783, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Novak: "Mr. Mautino, on the Amendment."

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

72nd Legislative Day

11/5/2003

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. This Bill is a Bill affecting the State's Comprehensive Health Insurance Policy. Some of the provisions repeal Senate Bill 707, which allowed for a window where the 63-day break in coverage would not be applied. That window is passed so this is technical clean up language. What it will do for us is for those of you who have had steel mills that have closed down and had employees there who transferred into the HIPPA-CHIP Program were the Federal Government picks up 65 percent of their premium. This will allow more people in. We will also recoup about \$2 million towards that fund fr... from the Federal Government. There is no opposition, we draw in federal money. I'd be happy to answer any questions."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Cook, Mr. Parke."

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

Speaker Novak: "Sponsor will yield."

Parke: "Representative, isn't there a certain number of days that apply for this now that we were under our current law we were... we had too many days that we had on it and they... we have to bring it back to federal guidelines?"

Mautino: "Under the current... under the current law there's a 63-day break in coverage, 707, the Bill which is... this is a repealing part of that created a bridge for people who had gone more than those 63 days of coverage, that sunsetted on September 30th and so, that bridge is no longer required to be there. Now, what this will also do is for the 250

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

72nd Legislative Day

11/5/2003

people who are involved in this pool, if we don't pass this legislation than we'll... we risk decertification of the federal pool. This will put things back to exactly as they... they should be and put us in compliance."

Parke: "Thank you, Representative. Do we also... do... you said we'd... we will recoup over \$2 million from the Federal Government if we put this law in place?"

Mautino: "Yes. As there's a pool of federal dollars which will go and continue on in future years. Are 14 states that are eligible we have one of the top rated pools and actually the most active in the country. So, for that our share of the federal dollars will be about \$2 million per year and that actually lowers the assessments that we have to do on other businesses, and will allow the people in this pool to have the Federal Government structure pay for 2/3 of their premium, as well as giving us the... the money each year."

Parke: "Thank you. Mr. Speaker, I rise in support of this commonsense legislation. It is more technical than anything else. It does recoup over \$2 million from Federal Government and helps people who in our current area of Rockford and some other areas to recoup money that they would not normally get. So, I rise in support of this legislation."

Speaker Novak: "Thank you. Any further discussion? Seeing none, the question is, 'Shall the Amendment to Senate Bill 783 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Third Reading. On

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

72nd Legislative Day

11/5/2003

page 4... or 2 of the Calendar is Senate Bill 794. On an Amendment, the Gentleman from Bureau, Mr. Mautino."

Clerk Bolin: "Senate Bill 794, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Novak: "Mr. Mautino."

Mautino: "Thank you, Mr. Chairman. Thank you, Mr. Speaker. I bring to you 794 and the Amendment that we look at today is jointly sponsored by Representative Biggins and myself on behalf of the Audit Commission. This will put us in compliance with the federal standards for governmental accounting procedures. That's known as the yellow book. And those are the guidelines which our audits are conducted by. They were upgraded in June of 2003 and have to be implemented by year end. This Bill will do that. There is no opposition. And I ask for your support."

Speaker Novak: "Is there any discussion? Seeing none, the question is, 'Shall the Amendment to Senate Bill 794 be adopted?' All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And the Amendment is adopted. Third Reading. Mr. Saviano, for what reason do you rise, Sir?"

Saviano: "Thank you, Mr. Speaker, Members of the House. We would like to recognize the birthdays of... of two of our favorite Reps on this side, Mark Beaubien and Bill Black. Their birthday's today and there's cake out there for it. Give 'em a round of applause."

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

72nd Legislative Day

11/5/2003

Speaker Novak: "Well, happy birthday Mr. Beaubien and Mr. Black. Mr. Saviano, do you intend to tell us how old they are?"

Saviano: "They're mad enough already that I even announced it."

Speaker Novak: "Thank you. Mr. Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "State your inquiry."

Black: "Was my name used in debate?"

Speaker Novak: "I recall."

Black: "Mr. Speaker, let the record reflect this is not my birthday. I can see it from where I'm standing but today is not my birthday. My birthday is a state holiday as well as it should be and I don't want to tell you how old I am. But I was born before World War II started and when I was at the hospital Representative Capparelli was a male nurse at the time."

Speaker Novak: "Thank you, Mr. Black. Mr. Clerk, please read the committee schedule announcement."

Clerk Bolin: "The following committees will meet this afternoon immediately after adjournment: the Executive Committee in Room 115, the Veterans' Affairs Committee in Room 118, the Higher Education Committee in Room 122-B and the Judiciary-II-Criminal Law Committee in Room D-1. A half hour after adjournment the Elementary and Secondary Education Committee will meet in Room 118. Tomorrow morning the Appropriations Higher Education Committee scheduled for 8:30 will meet at 9:00. Again, the Higher Education Appropriation Committee scheduled for 8:30 tomorrow will



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

72nd Legislative Day

11/5/2003

meet at 9:00. Also, the Revenue Committee will meet tomorrow morning at 8:30 A.M. in Room 114."

Speaker Novak: "Mr. Speak... Mr. Black."

Black: "Yeah, Mr. Speaker, an inquiry of the Chair."

Speaker Novak: "State your inquiry, Sir."

Black: "Yes, is Representative Hoffman on the floor? I had a question that Representative Hoffman can answer, and I... I don't know if he's on the floor."

Speaker Novak: "Is Mr. Hoffman in the chambers? Mr. Hoffman I believe is not in the chambers, Mr. Black."

Black: "All right. Could my question perhaps wait until tomorrow then if he would be on the floor at that point?"

Speaker Novak: "Certainly."

Black: "Oh, while I'm making an inquiry of the Chair, Mr. Speaker, in all seriousness I have another inquiry of the Chair."

Speaker Novak: "State your second inquiry."

Black: "Something, not only are we missing the Chief Clerk but may I add that Clerk Bolin is doing a remarkable job in the absence of Clerk Rossi. And... and probably if you'd entertain a Motion we could make him Chief Clerk by acclamation. Is it not time?"

Speaker Novak: "No, it's not... it's..."

Black: "Oh, all right. I... I do have a question of the Chair. I... many Members have come to me and we're somewhat confused. Last spring we had a Resolution honoring the long and dedicated service of Mr. O'Brien, on your side of the aisle. And a remarkable man that he is. And the

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

72nd Legislative Day

11/5/2003

Resolution was very well done. I know I was in tears for about three days. And I had steeled myself, I had prepared myself to come back this year without seeing his smiling countenance and being able to receive his council. But lo and behold, even after we adopted the farewell Resolution I see him here. Do we need to rescind the Resolution?"

Speaker Novak: "No, I don't think so, Mr. Black."

Black: "Well, how... how did this take place?"

Speaker Novak: "Well, Mr. O'Brien is a part-time employee now."

Black: "Oh, a contractual employee?"

Speaker Novak: "Yes, under the laws of the State of Illinois."

Black: "All right, well, don't tell the Governor's Office because he's liable to be laid off."

Speaker Novak: "Thank you, Mr. Black. The Gentleman from Lake, Mr. Mathias."

Mathias: "Yes, when I heard the committee schedule did the Clerk mention the Local Government Committee at all? Because that was... I believe they were supposed to meet today."

Speaker Novak: "Mr. Clerk, would you please repeat... would you please repeat all the committee... committees again for the benefit of... of the Members?"

Clerk Bolin: "Immediately after adjournment today the Executive Committee will meet in Room 115, the Veterans' Affairs Committee in Room 118, the Higher Education Committee in Room 122-B and the Judiciary Criminal Law Committee in D-1. One half hour after adjournment the Elementary and Secondary Education Committee will meet in Room 118. And

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

72nd Legislative Day

11/5/2003

Local Government Committee will meet in Room C-1. At 9:00 tomorrow morning the Appropriation Higher Education Committee will meet in Room 118. And the Revenue Committee will meet at 8:30 in Room 114 tomorrow morning."

Speaker Novak: "Thank you. Ladies and Gentlemen, the House is prepared to adjourn. Allowing perfunctory time for the Clerk, Representative McCarthy now moves that the House stand adjourned 'til the hour of 11:00, Thursday November 6, 2003. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned. Thank you."

Clerk Bolin: "House Perfunctory Session will come to order. Introduction of First Reading of House Bills. House Bill 3891, offered by Representative Turner, a Bill for an Act in relation to taxes. House Bill 3892, offered by Representative Joyce, a Bill for an Act in relation to vehicles. House Bill 3893, offered by Representative Franks, a Bill for an Act in relation to criminal law. First Reading of these House Bills. House Perfunctory Session will come to order. Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to Senate Bill 963; Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on Wednesday,

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

72nd Legislative Day

11/5/2003

November 05, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3835. Representative McCarthy, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to concur with Senate Amendment #1 to House Bill 920. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motion to concur with Senate Amendment #1 to House Bill 577. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: 'do pass Standard Debate' for Senate Bill 1400, recommends be adopted Floor Amendment #1 to Senate Bill 1014. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on Wednesday, November 05, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #2 to Senate Bill 1049. There being no further business, the House Perfunctory Session will stand adjourned."