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# COOK-WITTER REPORT

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## Spring Legislative Session Mostly Mild

The Spring legislative session concluded only about a week after the tentative adjournment date of May 23<sup>rd</sup>, ending on May 31<sup>st</sup>. The General Assembly was very active this spring with the Senate introducing 2,089 bills and the House 3,822 bills. Of those bills, 380 House Bills and 319 Senate Bills passed both chambers this session. Following is a sampling of some of the bills sent to Governor Blagojevich for his signature, some that he has signed into law, and others he has vetoed.

### Actions by the General Assembly

**House Joint Resolution 19** passed both chambers extending the Ronald Reagan Trail from Galesburg to Monmouth and parts of U.S. 34 from Princeton. As a young boy, Reagan lived in both Galesburg and Monmouth and attended school there before moving to Dixon.

### House Joint Resolution 11

This resolution renamed the Illinois State Library the Gwendolyn Brooks Illinois State Library. Secretary of State Jesse White, who also happens to be State Librarian, hosted a ceremony on Friday, June 6 to mark the event. Gwendolyn Brooks was a Pulitzer Prize winner and Illinois' poet laureate from 1968 until her death in 2000. (See page 2)

### Bills Awaiting Action By the Governor

**Senate Bill 600** (Lightford/Madigan) increases the minimum wage from \$5.15 to \$5.50 on January 1, 2004 and then to \$6.50 on January 1 of the following year. Employees receiving most of their income from tips will experience a

base hourly wage increase from \$3.09 an hour to \$3.30 in 2004 and an increase in 2005 to \$3.90. Workers younger than 18 will make 50 cents less than the adult minimum wage. If this bill is signed, Illinois would become the 12<sup>th</sup> state to have a minimum wage higher than the federal minimum wage.

**SB 777** (Osmond/Crotty) would require physical fitness facilities to purchase automated external defibrillator devices used to revive heart attack victims. Facilities required to purchase the devices include gyms, golf courses, swimming pools, and park districts. These facilities would be required to train an employee on how to use the machine.

**SB 1028** (Hunter/Dunkin) designates the third Saturday in June as Juneteenth National Freedom Day to commemorate the abolition of slavery in the United States and territories in 1865.

### Legislation Signed By the Governor

**Public Act 93-0228**, (House Bill 1118 Joyce/Maloney) freezes tuition for Illinois college students. Public universities could still implement tuition increases, but the increases would only impact each new class of freshmen.

Basically, seniors would pay the same amount of tuition they paid as freshmen.

The expansion of Chicago's O'Hare International Airport is the subject of **PA 93-0450** (HB721 Currie/Jones, Jr., Emil). The bill grants the city of Chicago quick-take powers to seize suburban lands within the airport's boundaries. According to one source, over 500 homes in Bensenville and a hundred businesses in Elk Grove Village's business park will need to



be purchased for demolition. Additionally, two cemeteries will be relocated.

**PA 93-0449** (HB 3086 Miller, David/Meek) allows only doctors and dentists to perform the procedure that effectively splits a person's tongue in half to create the appearance of a forked tongue. A first offense is considered a Class A misdemeanor, and subsequent violations are considered Class 4 felonies.

**PA 93-0239** (HB 1448 Eddy/Righter) makes the creation and sale of a false academic degree (i.e., diploma, transcript or certificate) a Class A misdemeanor. The same applies to someone who tries to obtain employment using a false academic degree.

**PA 93-0447** (HB 1574 Millner/Rutherford) limits how long a person can drive in the left lane of a highway. The legislation would make exceptions for such things as weather conditions, traffic congestion, and hazards preventing driving in the right lane. Emergency and law enforcement vehicles are also exempt under this legislation.

### The Search Begins

At the ceremony renaming the Illinois State Library for Gwendolyn Brooks, Governor Rod Blagojevich announced a search for a new poet laureate. Three persons have held this role since 1936 when the program was initiated: Howard B. Austin, Carl Sandburg, and Gwendolyn Brooks. The position has been vacant since Brooks' death in December of 2000. Austin held the position from 1936 to 1962; Sandburg from 1962 until 1967; and Brooks from 1968 until 2000.

Once a lifetime position, the appointment will now be a four-year renewable term. The new poet laureate must be an Illinois citizen; must be willing to travel throughout the state; must be published and demonstrate participation in the Illinois literary community; and must provide at least four public readings every year during the term. Nominations were submitted to the review committee until July 11, with the poet laureate being announced in the fall of 2003. The selection committee consists of respected writers, literary experts, and patrons of the arts. First Lady Patti Blagojevich will chair the committee. Other members include Gwendolyn Brooks' daughter Nora Blakely, Mary Dempsey, Henry Kisor, Laurence Lieberman, Shirley Madigan, Joseph Parisi, Judy Valente, and Jean Wilkins.

**PA 93-0410** (Senate Bill 185 Walsh, Lawrence/McGuire) designates popcorn as the official state snack food.

**PA 93-0487** (SB 1363 Trotter/Davis, Monique) establishes a Freedom Trail Commission. The Illinois Historic Preservation Agency would be responsible for establishing the Commission, whose job it would be to preserve and promote the history of the underground railroad. The Commission would also be responsible for seeking placement on the National Register of Historic Places and would be required to report its activities by February 1, 2004.

**PA 93-0523** (SB 1586 Obama/Curie) amends the Open Meetings Act to require city councils and other governmental units to tape-record their closed-door sessions. The "verbatim records bill" would permit judges only to view the tape if a complaint is made. In case the subject of the session is challenged in court, the legislation would ensure that the subject of the meeting that are not open to the public is one that is not a prohibited topic.

**PA 93-0407** (SB 1915 Hunter/Fritchey) makes it a Class 4 felony to criminally trespass at a sporting event, theater or any other place of entertainment. Persons are subject to a minimum of a \$1000 fine. This piece of legislation is a response to an event this spring when a drunken fan attacked an umpire at a White Sox game.

**PA 93-106**, (SB 30 Obama/Davis, Monique) deals with racial profiling. It includes a four year study to be conducted by state police officers, who must record the race of individuals stopped for alleged traffic violations. The Department of Transportation would be responsible each year to analyze the data to determine whether there is a disparity between the frequency of searches performed on minority drivers and the frequency of searches on non-minority drivers. This legislation also provides for cultural diversity training or sensitivity toward racial differences, among other things.

**PA 92-106**, (HB 223 Davis, Monique/Obama) requires municipal and state law enforcement agencies to audiotape or videotape custodial interrogations and confessions of murder suspects. Custodial interrogations of minors charged with felonies ineligible for probation are also subject to electronic recording (i.e., digital, video, audio). Suspect statements would need to be recorded in order to be admissible in court. This legislation would not take effect for two years.

**PA 93-211**, (SB 788 Cullerton/Howard) allows for sealing of misdemeanor arrest and conviction records for non-violent offenders. Excludes persons convicted of DUI, a sex offense, a violation of an order of protection, for example.

**PA 93-0052**, (SB 361 Link/ Madigan )mandates a 50 cent fee to customers purchasing new or used tires, a popular

breeding ground for mosquitoes. The fee will be placed in the Emergency Public Health Fund to be used for expenses relating to the fight against the West Nile Virus. This fee will be assessed July 1, 2003 to January 1, 2008.

**PA 93-0099**, (SB 50 Cullerton/Beaubien) permits law enforcement officers to stop a vehicle solely because the passengers are not wearing seat belts.

**PA 93-0100**, (SB 52 Cullerton/Schmitz) deals with proper restraint usage in vehicles. Children under 8 (previously 4), must be in an appropriate child restraint system.

**PA 93-0101**, (SB 58 Cullerton/Hultgren) stipulates that persons under age 18 with a graduated driver's license can not drive with more than one passenger for six months or until they reach 18, whichever occurs first. The one passenger restriction does not apply to passengers who are siblings, step-siblings, children, or step-children of the driver.

**PA 93-0008** (SB 1418 Obama/Feigenholtz) prohibits the sale of ephedra in Illinois effective immediately. The legislation was signed on 5/28/03 effectively banning dietary herbal supplement, which is often used to enhance athletic performance. The law was prompted by the death of a teenage football player from Lincoln, Illinois last fall. Illinois becomes the first state in the nation to ban ephedra. The first offense is a Class A misdemeanor. A subsequent violation is a Class 3 felony.

Governor Blagojevich signed HB 60 (Acevedo/Munoz) into law as **PA 93-0007**, which allows children of undocumented immigrants to attend Illinois state universities and community colleges at the lower in-state tuition rate. They must attend high school in this state for at least three years and graduate. The effective date is May 20, 2003.

**PA 93-0006** (SB 2 Ronen/Currie) is termed the Equal Pay Act of 2003. Employers can not discriminate between men and women in terms of pay for performing the same type of work.

**PA 93-0016** expands the projects covered by the state's Prevailing Wage Act to include projects constructed for public use. According to Governor Blagojevich, this would include ethanol plants. The Prevailing Wage Act protects workers by ensuring they are adequately compensated for their labor. SB 1212 (Walsh, Larry/O'Brien), the bill signed into law, was just one of a few bills relating to the Prevailing Wage Act to be discussed this past legislative session.

**PA 93-0018** (SB 3 Halvorson/Franks) creates a state-run prescription drug discount program that will make low cost prescription drugs available to seniors 65 or older and the disabled. It would be the first such club in the country to

combine (change) the purchasing power of senior citizens and the disabled with state agencies responsible for buying drugs for state employees as well as for government programs for low-income Illinois residents. A \$25 fee would be assessed to offset the cost of state workers administering the plan. State government will negotiate discounts with pharmacists and pharmaceutical manufacturers.

In addition to signing legislation concerning negotiated discounts, Blagojevich issued an Executive Order creating a Special Advocate's office at the Department of Central Management Services in an effort to leverage the state's drug purchasing power to negotiate lower prices and higher rebates.

**PA 93-0037** (HB 2918 Reitz/Sieben) allows for additional hunting seasons in order to solve the diseased deer problem. Guns and bow and arrow hunting are the only options during the special hunting season.

## Other Actions By Governor

**Total Veto of HB 1186** (Reitz/Shadid) allows commercial trucks carrying a weight below or above 8,000 pounds to travel at 65 mph (previously 55) on divided highways outside of urban areas.

**Total Veto of SB 611** (Halvorsen/Reitz) places restrictions on companies sending "spam" or unsolicited advertisements to email addresses. Now companies sending spam would be required to provide a toll-free telephone number or valid email address to let a recipient request to be taken off the mailing list. Furthermore, an entity sending spam could not sell the email address of someone who refuses any future unsolicited email. They would have to include the letters ADV: for advertisement in the subject line.

**Amendatory Veto of SB 472** (Cullerton/Cross) encompasses a broad range of death penalty reforms. This bill grants the Illinois Supreme Court to throw out death sentences if the sentence is deemed unjust; restricts the use of "jailhouse informants" in capital crimes; prohibits executing the mentally retarded; creates an administrative process to punish police officers who commit perjury; and requires the police and prosecutors to share information with defense attorneys that could prove a murder suspect's innocence.



# People In Transition



*Senator James  
"Pate" Phillip*

**Senator James 'Pate' Philip** (R-Wood Dale) retired effective the end of April after 36 years in the legislature. Seventy-eight year old **Ray Soden** of Wood Dale will retain the seat vacated by the retiring senator.

**Representative Charles "Chuck" Hartke** (D-Teutopolis) has been appointed Director of the Department of Agriculture. **William J. Grunloh**, former vice-chairman of the Effingham County Board was named to replace Hartke.



*Representative  
Charles "Chuck"  
Hartke*

**Senator Larry Woolard** (D-Carterville) has retired to take a position with the Department of Commerce and Economic Opportunity (formerly known as Department of Commerce and Community Affairs).

**Representative Gary Forby** (D-Benton) has been selected to serve the remainder of Senator Woolard's term. Williamson County attorney **John Bradley** was named to replace Forby.



*Representative Gary  
Forby*

**Claire Manning** has retired as chair of the Illinois Pollution Control Board to go into private practice with the Springfield law firm Posegate & Denes. **Thomas E. Johnson** was appointed on January 1, 2003 to become the new chair of the Pollution Control Board.

**Lorenzo Pardon** has been appointed commissioner of the Office of Banks and Real Estate. Currently, he is chairman of the Chicago Latin American Chamber of Commerce.

Macon County Sheriff **Roger Walker** has been chosen as the next Director of the Department of Corrections.

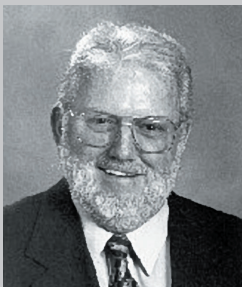
**Bryan Samuels** has been selected as the next Director of the Department of Children and Family Services. He is a juvenile justice and housing policy expert for Chicago Metropolitan 2020 and has been serving as chair of the Governor's DCFS task force.

**Jerry Jones**, a native of Sesser, Illinois, has been chosen to become the next Director of the Department of Mines and Minerals. He has held many different positions in the mining industry since the 1960s.

**Erin O'Connell-Diaz** has been named to the final vacancy at the Illinois Commerce Commission. She has worked at the agency for a long time as an attorney and for the last two years as chief administrative law judge.



*William J. Grunloh*



*Senator Larry  
Woolard*



*John Bradley*

