

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

98th Legislative Day

February 23, 2000

Speaker Brunsvold: "The House will come to order. All unauthorized personnel should retire from the chamber. Members should be in their chairs. We shall be led in the prayer today, by Pastor Miles Knutson with the Family Christian Center in Columbia. Pastor Knutson is the guest of Representative Reitz. Guests in the gallery may wish to rise and join us in the invocation and the Pledge of Allegiance. Pastor."

Pastor Knutson: "Let's pray together. Lord, I thank You for the privilege and the opportunity to come and share in this great institution of government in a time of prayer. You know that I come to You daily, call on Your holy name and speak to You in prayer. But this is a privilege of great opportunity and I thank You for it. I thank You for those who are here today, Father, that don't know You the way I do or understand You in the same fashion I do. I'm thankful that they're here and for the humility that and kindness and goodness that they've shown in allowing me to come and share in this time of prayer with them. I pray Your blessings on them. I also thank You for those who are here that do believe in the same fashion I do and in the Lord, Jesus Christ and His life and death and resurrection and ascension and believing that unto salvation. I thank You for those who journey in that faith and I pray Your blessings on them, as well. Now, Lord, we consider the answer that Jesus gave to some in government in His day, when he was asked about taxation. His response to them was, 'Render to Caesar what is Caesar's and give to God what belongs to God.' Having made that distinction, we pray Father, that You will allow these men and women in this House to have the wisdom to understand what belongs to God, to render to God what is His, and further, to

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understand what their responsibility in government is and have the strength and wherewith and in wisdom to accomplish that, as well. Now, Lord, we pray that You will give them the fortitude to live up to their convictions the strength and wisdom to accomplish the ends that they have been intrusted to by the people of this great state. In closing Father, we want to remember Jean Simon. She's a woman of great leadership in Legislature of this state and we pray that You will bless the families as they mourn her death. We pray that in some fashion they will experience Your closeness and nearness, they will discover something new and fresh about Your love and mercy, about Your grace and Your goodness. We pray Father, that You will raise up young leaders to take the place of these who have left such a large void in their leaving us and I pray that those who come after will leave the legacy that she has left. We pray all these things over these in this House. In Jesus' name. Amen."

Speaker Brunsvold: "To be led in the pledge today by Representative Bugielski."

Bugielski - 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 Brunsvold: "Roll Call for Attendance Mr. Clerk. Mr. Lang."

Lang: "Thank you, Mr. Speaker. Democrats who are excused today are Representatives Gash, Hartke, Barbara Currie, Stroger and Brosnahan. Gash, Hartke and Currie will probably be here in a little while."

Speaker Brunsvold: "Thank you, Mr. Lang. Mr. Tenhouse. Mr. Poe for the Republicans."

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Poe: "We look alike. Mr. Speaker, let the record show that Representative Brent Hassert is the only excused absence, today."

Speaker Brunsvold: "Take the record Mr. Clerk. One hundred and eleven answering the Roll Call, we have a quorum. Committee Reports."

Clerk Rossi: "Representative Schoenberg, Chairperson from the Committee on Appropriations-General Services and Government Oversight, to which the following measure/s was/were referred, action taken on February 23, 2000, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 4436; 'do pass as amended Standard Debate' House Bill House Bill 4163, House Bill 4504, House Bill 4507, and House Bill 4509; 'do pass Standard Debate' House Bill 4114; 'do pass Short Debate' House Bill 3250, House Bill 3251, and House Bill 4500. Representative Charles Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on February 23, 2000, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3550, House Bill 4373, House Bill 4379, House Bill 4381, House Bill 4382, House Bill 4385, House Bill 4387, House Bill 4388, House Bill 4399, House Bill 4400, House Bill 4402, House Bill 4545, House Bill 4546, House Bill 4547, House Bill 4549, House Bill 4550, House Bill 4554, House Bill 4555, and House Bill 4556; 'do pass Standard Debate' House Bill 4634; 'do pass as amended Short Debate' House Bill 4538 and House Bill 4568. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measure/s was/were referred, action taken on February 23, 2000, reported the

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same back with the following recommendation/s: 'be adopted' House Resolution 561. Representative Mike Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2992. Representative Boland, Chairperson from the Committee on Elections and Campaign Reform, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3404. Representative Woolard, Chairperson from the Committee on Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3402 and Floor Amendment #1 to House Bill 3840. Representative Sara Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 2962 and Floor Amendments 1 and 2 to House Bill 4021. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 4231. Representative Giles, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the

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following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3132. Representative Saviano, Chairperson from the Committee on Registration and Regulation, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendments 6, 7 and 8 to Senate Bill 452, Floor Amendment #1 to House Bill 4284. Representative Pugh, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on February 22, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 4409."

Speaker Brunsvold: "Representative Feigenholtz, for what reason do you rise?"

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Brunsvold: "State your point."

Feigenholtz: "I would like to welcome a former Member back today and everyone say 'hi' to former Representative Arline Fantin."

Speaker Brunsvold: "Welcome, Arline Fantin. Representative Fantin. Representative Leitch, for what reason do you rise?"

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

Speaker Brunsvold: "State your point."

Leitch: "I'd like the Body to welcome to the chamber William Berry and his colleagues including Don Allen. Mr. Berry is the Chapter President of the March of Dimes in Illinois and they're here with important information on saving children. So welcome to the chamber."

Speaker Brunsvold: "Welcome, Mr. Berry, to the House of Representatives. Representative Gash in the chamber?"

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Representative Hamos. The Chair is gonna proceed to some Second Reading Bills that had Amendments out of committees, yesterday. First on the list would be House Bill 2992. Mr. Daniels. And that Amendment was sponsored by Mr. Wirsing. Read the Bill Mr. Clerk. What is the status of that Bill?"

Clerk Rossi: "House Bill 2992, a Bill for an Act concerning a food animal institute. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wirsing, has been approved for consideration."

Speaker Brunsvold: "Amendment #1, Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. Amendment #1 to 2992 simply puts the language into that Bill which it does do what the title says, 'creates a', what is called, 'a food animal institute.' Simply what the purpose of this is to do is to be a gathering source for research... published research relative to the food animal industry here in Illinois. The idea and the thought behind this came from a livestock task force, under the direction of the Department of Agriculture that had been in existence for a few years and when they ended their life in 1998, one of their recommendations was to, in fact, formulate some sort of food animal institute and that's what we're trying to fulfill. Be glad to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the adoption of Floor Amendment #1. Is there any discussion? The Gentleman from Jo Daviess, Mr. Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Lawfer: "Representative Wirsing, do you know of any opposition to this legislation?"

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Wirsing: "No, there is no opposition to this legislation."

Lawfer: "I plan on supporting that. I think that got unanimous support in the Agriculture Committee yesterday. And I think it's a good step and really is a cutting-edge legislation. And I think that everybody in this Body should support that. Thank you very much, Mr. Chairman (sic-Speaker)."

Speaker Brunsvold: "Further discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 3404. Mr. Clerk. Mr. John Turner. Mr. Turner on the floor? Clerk, take that Bill out of the record. House Bill 3402. Mr. Clerk, what's the status of that Bill?"

Clerk Rossi: "House Bill 3402, a Bill for an Act amending the School Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Brunsvold: "Floor Amendment #1. Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. And basically, what it says is that it's a technical Amendment that clears up a problem that we've had with expulsions of students. And it simply says that if a student is expelled from one district he must serve... he or she must serve that expulsion before he can be reenrolled in another district or in expense. Be happy to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the adoption of Floor Amendment #1. And on that question, the Lady from

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Cook, Representative Monique Davis."

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

Speaker Brunsvold: "Sponsor yields."

Davis, M.: "Representative Mitchell, I do apologize. I had people here and I was talking and I think I missed exactly what Floor Amendment #1 does in reference to 3402."

Mitchell, J.: "Yes, Representative. I explained to the Body that number one, this Amendment puts language in the Bill that simply says that if you've been expelled from District A, you must fulfill that expulsion in District A before you can reenroll in another district."

Davis, M.: "So let me be sure I understand this correctly. Your Amendment says that if a student is suspended or expelled from one school district and no matter what the circumstances are, he cannot attend school in another school district. Is that correct?"

Mitchell, J.: "Until that suspension or expulsion has been fulfilled. After that, if they move into that district for purposes other than school attendance, he certainly may enroll."

Davis, M.: "How do we know, Representative Mitchell, what reason a student moves into a district? I mean, is there... when you move someplace do you sign a slip saying I'm moving here because of this or that? How do we know or how would a judge or jury know why a person moved into a particular district?"

Mitchell, J.: "Representative, it's not up to a judge or jury and that's already spelled out in the School Code and is not a part of this Bill or this Amendment."

Davis, M.: "Representative, once a school... I'm sorry. Once a person is expelled from a school district, does he or she have any rights to appeal, and if so, to whom do they

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appeal?"

Mitchell, J.: "Again, Representative, this legislation has nothing to do with that question. However, I believe, if you would ask that of a local superintendent, that's where the appeal would take place. My Bill doesn't take effect until after the expulsion has taken place at the local level. Certainly, anyone, any student, has the right to appeal through the civil courts, if they so choose. Other than that, I don't know what the appeal process is in every school district across the State of Illinois."

Davis, M.: "Well, you know, Representative, in some states if a student, let's say, is expelled in a particular district, he has perhaps the right to go to a county educational commission and appeal or a person has a state board of education to whom they could go and appeal. And it appears, according to your legislation, 'a person can be expelled'... Now, listen carefully, Ladies and Gentlemen. This is extremely important when we talk about our children. If a child is expelled in a school district, the appeal process remains with those who have done the expulsion. Representative Mitchell, is the student mandated to an alternative school?"

Mitchell, J.: "Again, Representative, that has to do with the original expulsion, not with this Bill. However, if the local district has that within the purview of the expulsion itself, that attendance to an alternative school is allowed, then it certainly is allowable. But this Bill does not have anything to do with that local decision."

Davis, M.: "But what your Bill does say that it denies a child the opportunity to go to school in any other district. Say, for example, the parents have been getting a divorce and the kids have been acting up. And the mother says,

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'You know, we need a change of environment. I need to get you closer to grandma and grandpa because they will be able to help me take care of you while I work.' Now, your Bill is saying even if the mother, who is recently divorced or because of illness, moves to another school district, that that child is still not permitted to attend school."

Mitchell, J.: "Well, Representative, I appreciate you of broadening the scope of my Bill, however, that is entirely erroneous. Number one, if there's family problems and mother moves and takes the children or they move in with grandmother and grandfather, they certainly can attend school in that district..."

Davis, M.: "If they haven't been expelled."

Mitchell, J.: "That's correct. However, you have to understand that what they have done to be expelled is to put other students lives in jeopardy or their friends in jeopardy and all we're saying, is that until that expulsion has been fulfilled, they are still not allowed to attend school in another district."

Davis, M.: "Representative, what is that child supposed to do? I have to ask this question, Representative Mitchell. If a child is suspended or expelled from school and he's moved to another district and he's not mandated to an alternative school, where should this... How old are they? Where should they go during the day? I mean, what should they do? Are we concerned about that?"

Mitchell, J.: "Representative, what would they do if they stayed in their own district?"

Davis, M.: "I don't know, Jerry. Would they go to an alternative school?"

Mitchell, J.: "Well, if that's allowable, they certainly could. And Representative, you know, I would be happy to work with

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you on legislation that would allow students, once they're expelled, the right to attend an alternative school, with or without exceptions. And you know, that's a..."

Davis, M.: "Jerry, according..."

Mitchell, J.: "... that's a second issue."

Davis, M.: "According to the Constitution of the State of Illinois, it says we are mandated to educate children or people until they're 21. It does not say we're mandated to educate good people or short people or fat people. It says we are mandated to educate people. Now, as much as I respect you and your ability on the Elementary and Secondary Education Committee, Jerry, I am concerned when you put an Amendment on the floor that denies children an opportunity to attend school in one district because he did something expulsionable in another district. Now, let me show you where the problem lies. We do not have any real standards in reference to what is an expulsionable offense. Your district may say, he yelled at that teacher. We felt he was threatening. The district the child is attending may say, oh, we get kids that do that all the time. All we do is have a parent conference or we throw him out into the hall to do some work for somebody for a while or we make him scrub the lunchroom for a week. And so, over in this district, we don't expel 'em for that. Now, you tell me if this is a just Amendment when you are asking another district to help you carry out what your expulsionable offenses are. Do you see what I'm saying here?"

Mitchell, J.: "Well, Representative, two things: number one, the Constitution says that we teach all children. However, it also states that the children obey the rules that are set by the local board of education."

Davis, M.: "Wait a minute. Hold on. Mr. Speaker, would you

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please get some order here because this is so very important."

Speaker Brunsvold: "Thank you, Representative."

Davis, M.: "You know..."

Speaker Brunsvold: "Yes, let's pay attention to the issue here, Ladies and Gentlemen."

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

Mitchell, J.: "It also says that the education of our students, till they're 21, is a matter of local control. Now, yesterday, you were unhappy with me because I was passing legislation that you felt was a statewide mandate taking away local control and you stated that in committee. However, if we put a statewide standard in for expulsion, we're doing exactly the same thing. But again, I stand and say that I would be happy to help... work with you to pass legislation that would do something for those students that are expelled. This Bill does nothing to them or for them. This Bill simply says that we will honor expulsions so that if a student brings a gun to school in my district, threatens the life of another student and moves into your district, you don't have to automatically put that student in your school."

Davis, M.: "Well, I think Jerry, we all know or most of us know, that when weapons are involved we almost have a state standard. When a child brings a weapon or has threatened or used a weapon, that is a totally different offense..."

Mitchell, J.: "I mean, how about... how about arson?"

Davis, M.: "... than the one we're talking about. Now, don't try to make the committee here think that this person that you're talking about did something like that, because they didn't. What you're trying to do, Jerry, is say that the expulsion rules from your district should be carried out in

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every other school district. And I don't think it's fair to the children. Now, let's think about this, Jerry. We do not have a standard expulsion law. The State of Illinois does not have a list of offenses. We don't have anything that is not ambiguous or subjective in our expulsion laws. Each local district, at this time, in the State of Illinois has the right to decide which behaviors warrant an expulsion. But now, what you are saying is if a child is expelled in my district, I think, is it Rockford or Decatur? Are you Rockford or Decatur?"

Mitchell, J.: "Neither."

Davis, M.: "Oh. Well, what you're saying is, if a child is expelled where I live and where my local board has made a decision, then I am demanding that the state hold that same standard in every other school district. And I don't think it's the right thing to do, Jerry. It is not the right thing to do. I'm going to request a voice vote on this particular legislation."

Speaker Brunsvold: "Yes, Representative."

Davis, M.: "And Representative, let me ask this question. Where does... "

Speaker Brunsvold: "Representative?"

Davis, M.: "Yes, Sir."

Speaker Brunsvold: "You asked for a voice vote. Is that what you want?"

Davis, M.: "Yes. No, you know, a roll call."

Speaker Brunsvold: "A roll call, electronic roll call vote."

Davis, M.: "Yes, Sir."

Speaker Brunsvold: "Yes."

Davis, M.: "If this Bill gets that far. Representative Mitchell, we know that your intentions are very noble and very good. But I have to ask you this, do you think society is made

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safer when we set up all kind of barriers to keep children, who need the expert guidance of educators, when we decide they no longer can get a education for up to the term of two long years?"

Mitchell, J.: "Representative, that is not in this Bill. I've tried to tell you a hundred times that that decision is already made before this Bill even begins. What this Bill does, it says that if you cause an offense so severe in a district that you are not allowed to attend school there, you don't have the right to go and jeopardize the lives of students in another district. That's what this Bill is about. That's what I'm about. Again, if you're concerned that expulsion should not happen in the State of Illinois or there should be an alternative written in law, I'll be happy to work with you, but that's not this Bill."

Davis, M.: "Well, according to our laws, we have a maximum of a two year expulsion. We don't have a maximum or a mandate that kids must be placed in an alternative educational system. Let me just give you an example. Where I'm from, Chicago, we really believe that our objective, when we take those state dollars, is to do our very best with the children that we get. Now, if you send a child or a child moves from your district to my district, he committed an awful offense that didn't involve a weapon, he committed an awful offense, but he comes to our district and we realize this child needs special educational services and we want to establish a staffing for him, what your Bill says is, he can't even come into our school system until his two years are over. He could be a special education student that needs special educational services and what you're saying is he doesn't deserve any of this. He is expelled into the streets to become a menace to all of us. That is not what

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our Constitution calls for. Our Constitution says, we must educate children even when it's difficult to do so. And on this particular Bill, I am so sorry, Jerry, you can work with me, but work with me on establishing fair standards of expulsion. And because we don't have that and we cannot allow one district's expulsionable offense to move into another district and deny a child a opportunity of an education, plus that new district will be responsible for any social acts of misconduct that are committed. That's very clear Reverend Pugh. That's very, very clear. Now, I don't know the student that you're talking about or that you have trouble with, but I just believe that in the State of Illinois we have a serious responsibility of attempting to keep children in school and educating them because all of society suffers when they're just pushed into the street without benefit of education, without benefit of counseling and no opportunity to move further in education. No opportunity. It ends. If the kid is 16 and he's got a two year expulsion, he's 18 before he's allowed back in. Most 18-year-olds are not gonna go in and be a sophomore. That's the end of it. Do we want that to happen? I don't think so. I believe that this should be a 'no' vote. And I think we can work with Reverend... I mean, Representative Jerry and try to get something to help him in his district. But we cannot allow you, Jerry, we cannot allow you to make your local school district's expulsionable rules apply all over the State of Illinois. I'm sorry."

Speaker Brunsvold: "Further discussion? The Gentleman from Kane, Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. Our major responsibility here, educationally, is to create a system of safety for our children. This Bill is so straightforward and simple. Let

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me take you back last year. We had the same Bill saying that people coming from outside the State of Illinois who had been expelled should not be allowed in Illinois' schools. It received unanimous vote here; unanimous vote in the Senate. Same thing. Whether it's from out of state or in between districts in this state, if a child has brought a weapon into school, we don't want that child, also, bring a weapon into school in your school district. If he has pulled a fire alarm, if he's sold drugs, we don't want your children and staff, also, to be under the same fear, the same safety problem. This is straightforward. It is common sense. It says we have a high priority of protecting our children. And if it's expelled in one school district, that shall carry over to the other school district. If not, a child can skip from school district to school district to school district in this state causing the same problem in district after district, year after year and we would have no recourse. This is a good safe school Bill."

Speaker Brunsvold: "The Gentleman from Whiteside to close, Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Let's not cloud the issue. First of all, what we are doing with this Bill is putting our faith and our belief in the school districts across the State of Illinois to do the best that they can possibly do for the students within their district. That is their goal and that is their obligation according to the Constitution. However, some students simply do not want to go by the rules that are set up. Woe be to us if a student burns down a school, moves to another district and we say that student should be allowed to go here and we enroll him or her and our children suffer the same consequences.

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That's all we're talking about here. I agree fully with the former Representative that we need to be compassionate to our students in our own district and look out for their best interest. Sometimes we can't do that. However, if we allow those students and folks, you gotta work pretty daggone hard in the State of Illinois to be expelled. If we allow those students to go wherever they please once they've caused the kind of problems that they've caused in a district, then we are not doing our job. This Bill clears up the problem. We've tried twice now to get it straight, but attorneys have found loopholes. This one just simply closes those loopholes and does what we expected the legislation to do, one General Assembly ago. I urge your 'aye' vote so we can get this where it is supposed to be and then we can start looking at legislation for children within their own district. I urge an 'aye' vote. Thank you very much."

Speaker Brunsvold: "The Lady has asked for a roll call vote on this Amendment. This Floor Amendment #1, Mr. Mitchell moves for the adoption. All in favor shall vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on the adoption of Floor Amendment #1, there are 87 voting 'yes', 21 voting 'no', 4 voting 'present', and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2962. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "House Bill 2962, a Bill for an Act to amend the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered

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by Representative Flowers, has been approved for consideration."

Speaker Brunsvold: "Representative Flowers on Floor Amendment #2."

Flowers: "Mr. Speaker, can you take that Bill out of the record for a minute, please?"

Speaker Brunsvold: "The Lady asks..."

Flowers: "Thank you."

Speaker Brunsvold: "... that the Bill be taken out of the record. House Bill 4021. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "House Bill 4021, a Bill for an Act creating the Start Program. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Brunsvold: "Representative Coulson on Floor Amendment #1."

Coulson: "Amendment #1 was put on in committee, yesterday. And it..."

Speaker Brunsvold: "What is the Amendment's situation, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #1 was approved for consideration in committee, yesterday."

Speaker Brunsvold: "Adopted in committee?"

Coulson: "So can I withdraw this Amendment?"

Speaker Brunsvold: "Representative, the Amendment was approved for consideration."

Coulson: "I see. Okay, thank you. I'm sorry."

Speaker Brunsvold: "Okay. So let's proceed..."

Coulson: "Okay."

Speaker Brunsvold: "... with Amendment #1, Representative."

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Coulson: "Okay. Floor Amendment #1 replaces the Bill. It basically is an agreement with the Department of Human Services on how to set up the Bill. Mostly technical changes. I'd appreciate your support."

Speaker Brunsvold: "Any discussion on the Amendment? Representative Coulson, my information is that you may want to withdraw Amendment #1?"

Coulson: "Floor Amendment #1 I will withdraw and Floor Amendment #2 I will put on. Is that the gist of this? Thank you."

Speaker Brunsvold: "That's fine."

Coulson: "Thank you."

Clerk Bolin: "Floor Amendment #2, offered by Representative Coulson, has been approved for consideration."

Speaker Brunsvold: "Representative Coulson."

Coulson: "The same explanation. It's, basically, a technical Amendment agreed with the department. And I'd appreciate your support."

Speaker Brunsvold: "Any discussion? Seeing none, the Lady moves for adoption of Floor Amendment #2. All in favor 'aye'; opposed 'nay'. 'Ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Brady. Is Mr. Brady on the floor? House Bill 4231. Mr. Clerk, what's the status of that Bill?"

Clerk Rossi: "House Bill 4231, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Brady, has been approved for consideration."

Speaker Brunsvold: "Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #1 expands our laws as they affect gang violence."

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It allows for the authorities to take possession of additional properties of gangs in the case of violence. It is patterned after a law in Georgia that has worked effectively. And I'd ask for your favorable consideration."

Speaker Brunsvold: "The Gentleman asks for the adoption. Is there any discussion? The Lady from St. Clair, Representative Wyvetter Younge."

Younge: "Would the proponent (sic-Sponsor) yield?"

Speaker Brunsvold: "Gentleman yields."

Younge: "Would you explain the Amendment in detail?"

Brady: "Madam, the Amendment expands the list of items which can be forfeited from vehicles to include any property including real property which is used for street gang related activities or owned by a street gang. By including the definition of contraband and making any property real or personal that is declared contraband subject to forfeiture. It is clear, in the law now, that anything acquired through street gang related activity or profit is subject to state forfeiture."

Younge: "What is the list of items included in the Amendment?"

Brady: "Excuse me?"

Younge: "You said that the Amendment expands the list of items that can be included in the forfeiture. What is the expanded list?"

Brady: "Any personal or real property."

Speaker Brunsvold: "Further discussion? Seeing none, the Gentleman has asked for the adoption of Floor Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 2962."

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Clerk Rossi: "House Bill 2962, a Bill for an Act amending the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Flowers, has been approved for consideration."

Speaker Brunsvold: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 was adopted in committee last night and what it does, for the school district who have Medicaid students, it allows the school districts to be reimbursed with the federal funds. And that's all the Amendment does. And I would move for the adoption of Amendment #2."

Speaker Brunsvold: "The Lady's moved for adoption. And on that question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, the underlying Bill is a curriculum mandate, correct?"

Flowers: "Yes, Sir."

Black: "All right. And the Amendment has to deal with Medicaid matching funds, periodic screening and diagnostic testing services. My question to you and I know we can't answer it on the floor, I guess all of us are a little more aware of the problem in the last year or two because of the Supreme Court. It would seem to me that the Amendment and the underlying Bill may very well fall under the violation of the single subject clause. The underlying Bill is a curriculum mandate. The Amendment has to do with intergovernmental agreements on securing Medicaid matching funds. I don't know whether you want to ask one of your legal counsels to look at it or whether you just want to go

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ahead and run it or whatever, but it seems like the Supreme Court, from what they've done to us in the last two or three years, might have a problem with the Amendment not being related to the underlying Bill."

Flowers: "I'm sorry, Representative. I was talking to some more important people. I'm sorry."

Black: "I..."

Flowers: "I did not get the impression that, I understand what you're saying because of what the Supreme Court has done, but I did not get the impression..."

Black: "Okay. I..."

Flowers: "... and then, well... wait, wait. Please, one minute."

Black: "Okay."

Flowers: "Representative, because this Amendment... This is..."

Speaker Brunsvold: "Representative Flowers, there's some question on the Bill regarding the effective dates."

Black: "And I'm not gonna ask for a roll call and I don't think I'm necessarily opposed to your Amendment. The Amendment has an immediate effective date; the underlying Bill does not. Not only is there that issue, but there's also an issue of germaneness that I really think we might be better off if you take it out of the record and ask the Speaker's counsel to take a look at it."

Flowers: "I'll do that because this Bill is too important."

Black: "Thank you."

Flowers: "Okay."

Black: "I appreciate that."

Flowers: "Thank you."

Black: "Thank you very much."

Flowers: "Thank you for..."

Speaker Brunsvold: "Take that Bill out of the record, Mr. Clerk. Mr. Poe. Mr. Poe on the floor? Representative Pankau."

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Mr. Clerk, House Bill 4284."

Clerk Rossi: "House Bill 4284, a Bill for an Act amending the Real Estate Appraiser Licensing Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Pankau, has been approved for consideration."

Speaker Brunsvold: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker. This Amendment becomes the Bill. It amends the Real Estate Appraiser Licensing Act and there are, basically, two areas of major difference. The one is the increase in the number of hours for continuing education and the other talks about the beginning stage of licensing, the very beginning status. You cannot stay at that level for more than six years so that you have to move on or just forget it. So with that, I ask for the approval of Floor Amendment 1."

Speaker Brunsvold: "The Lady's asked for the adoption. Is there any discussion? The Gentleman from Cook, Mr. Parke."

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

Speaker Brunsvold: "Sponsor yields."

Parke: "Representative, you say this affects the Real Estate Licensure Act. I'm sure... would you share... "

Pankau: "The Real Estate Appraisal Licensing Act."

Parke: "Right. But that's... All right. You're right. Have you talked to the realtors and is this something that they feel they can work with and it's okay with them?"

Pankau: "Yes. They helped write it."

Parke: "And do the Real Estate Appraisal Association feel this is a good idea and are supporting it, also?"

Pankau: "They are. There is no known opposition."

Parke: "Thank you very much."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady

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asked for the adoption of Floor Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Capparelli on the floor? Mr. Capparelli? Clerk, House Bill 4409."

Clerk Rossi: "House Bill 4409, a Bill for an Act in relation to gaming. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Brunsvold: "Floor Amendment #1, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 comprises the results of a two year long task force which has been conducted in conjunction with the charitable groups throughout the State of Illinois, the Department of Revenue and suppliers. Its intent is to change the structure that we tax charitable games which would be Bingo and other charitable games, raffles and streamline the procedures done by the Department of Revenue. They are, in fact, in favor of the Bill. There are some provisions within this legislation that would allow for licensing of some 1600 charitable clubs, social, religious organizations that conduct Bingo to do the licensing once every three year instead of going through the whole application every year. In addition, the limits on Bingo will be made uniform throughout the state. Currently, right now, there are three counties which have an ability to pay out \$3200 per session, the rest of the state is at \$2200. It does raise that pay out, makes it uniform. In addition to that and probably most importantly in the Bill, it structures the tax system so that we are... instead of the current law collecting a 10% on the gross

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prior to pay out from any of the Bingo winnings, the tax will now be collected on the net and it would be a 5% level. This allows your community organizations, charitable organizations to go forward and retain the money to be used within your community to help other people and charities. It's been about 20 months that this has been worked on. We also have closed some of the loopholes to make sure that only legitimate charities are operating and conducting the charitable games in compliance with the Act. We will also be regulating raffles. Now, raffle is a way that, basically, the cap on the daily prize limit has been circumvented by clubs and it was really unregulated, now, so that gives us the ability or the Department of Revenue to go ahead and regulate the use of raffle. These are the main points of the legislation and be happy to answer any questions."

Speaker Brunsvold: "Gentleman's moved for adoption. The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, if the tax remains the same, tax rate, and you change from adjusted gross receipts to net receipts, then the taxes gained... the taxes paid will be less, correct?"

Mautino: "That is correct. That would allow the charitable organizations to go forward and do their work. The problem we're trying to address is many of your the VFWs, your Elks clubs, whatever, were going in and they were paying 10% on the gross, so by the time they conducted their Bingo for the night, they either lost money, made very little money on it or were, in effect, conducting their charitable games

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in order to pay the amount of tax on it. And it's a great problem that's been expressed by a lot of the smaller organizations throughout the state."

Black: "All right. Now, you used the 10% tax figure. I assume you just used that as a figure because that is not the tax, correct? Bingo tax is not 10%."

Mautino: "Ten percent of the... the tax is assessed on 10% of the gross of one for that evening's game. That's the current law."

Black: "Adjusted gross? All right. Let me follow up. It appears to me that one of the problems facing and I'll only speak for my district because I have some, obviously, some knowledge of what goes on in my district, and I've had many a conversation with the Department of Revenue. There seems to be a loophole in the existing law whereby certain organizations are running what they call raffles, and the prizes can be, on any given night, very high, thousands of dollars. And I have had many charitable organizations come to me and say, 'we can't compete with that.' Our Bingo game, there's no way we can compete with a raffle, and as I understand it, this raffle is outside of any of the existing law. It's kind of a loophole. Do you address that at all?"

Mautino: "Yes, actually, for the first time raffles will be regulated by the State of Illinois and by the Department of Revenue. What you're saying is, actually, the greatest problem that existed in our statute is people were not conducting the bus... you may have one game of Bingo and nine games of raffle. That way you would use the raffle to raise the money for your charitable organization because it was not taxable at that point and you would avoid playing Bingo. And that's a problem that our small clubs were

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really forced into."

Black: "And there was some question about some of these raffles being conducted by a license holder who, perhaps, didn't meet the definition that many of us had of a charitable organization. Is that gonna be spelled out more clearly in your Amendment as to what, in fact... "

Mautino: "Absolutely. We have defined now... or actually, the Department of Revenue wrote the language in here, to define who is a legitimate qualifying organization because people have taken a very broad stroke on their definition of who can have a charitable game."

Black: "I notice in your Amendment you're also increasing the number of what are commonly referred to as Las Vegas nights. I believe it's currently four and the Amendment would allow you to have 12. Would some people consider that an expansion of gambling?"

Mautino: "I'm just finding that Section of the Bill. I'll be right with you, Sir. I believe you're correct in the number going to 12, but I'm gonna find out for sure..."

Black: "Okay."

Mautino: "... and I'll get back on it. If we can go to the next question..."

Black: "Okay."

Mautino: "... I'll get you an answer."

Black: "Okay. Another question, and I think it's come up before, I think this is more the case in the more populated areas than where I live, but it's my understanding that there are companies who will, literally, have a semitrailer truck or two and you can hire them and they come in with the various gaming equipment and set it up in the school gym or the church... I've always had a problem with that, but the church community center or whatever and then they run the

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Las Vegas night. I mean, it's an actual business. Now, do you address that kind of business and what license they will have to pay and whether or not, in fact, I remember some of the debate in years past, Frank, as to whether or not that was even legal, that somebody would be in the business of coming in, you know, you hire them, they come in set up the Las Vegas night for you, actually have people who run the games, they take a percentage whatever, and then of course, you get anything over what the contract would call for. And I remember, we've had some questions about this, in the past, as to whether or not these people were duly licensed and whether or not this was, in fact, a legitimate enterprise under the intent of the original 'casino night' language."

Mautino: "In this Section, the department may issue licenses to sell, lease, lend and distribute relevant equipment for the Vegas night. License fee is structured on that at \$1500 so these will be licensed and regulated. Organizations licensed to conduct these games may own their own equipment, but they must obtain the ownership permit for it. So, I mean, that is structured and it is addressed. It's a very good question. And, I believe, that way we can also track and regulate those who are providing the equipment."

Black: "Staff points out that suppliers, you know, the manufacturers for lack of a better word, of the pull tabs, the jar games, et cetera, would be licensed at a fee of \$1500 for three years, but I and I've not seen this in my district, but I've seen heard and I think, I've read about it in some of the media outlets from upstate, that there are actual companies who have all this casino night equipment on trucks and you hire them or you contract with

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them, they come in, they set it up, they even have people who know how to operate and how to play the game, et cetera, and then for a fee, obviously, that's what they do. Now, if you're in that business, will you be... you're not technically a supplier, you're buying the supplies from somebody so you come in and set up the supplies or the equipment, in this case, you're just the operator."

Mautino: "If you sell, lease, lend or distribute the relevant equipment so they are supplying the equipment for you. You must be licensed, that's my understanding. And that addresses the very important problem. You had also mentioned on the... I had forgott in my opening to bring out the fact that the tax collection on the pull tabs is gonna be changed to do something similar to what we do with soft drinks, they're a specific tax. It's gonna be collected at the distributor level and it makes it a lot easier for an audit trail to track who is buying and using what amounts of these... a lot easier than what we've had to do before trying to track it from 1600 separate non-for-profit licensees."

Black: "I don't see anybody from the Department of Revenue with you, but I assume, that they are in support of this. I would assume they've been involved in all of this."

Mautino: "Actually, yes, they've written the language and the meetings were conducted by Dave Bartholomew who's the head of the criminal investigation division and he's in charge of, actually, the enforcement. So what they have put together and I'm carrying the Bill for them and for the task force, they've put together a way for them to easier regulate the entire charitable gaming and plus make it easier for them to track and close some of the loopholes that have been used to avoid the payment of taxes."

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Black: "Frank, is there any opposition to this rewrite that you're aware of?"

Mautino: "There was opposition slips in committee... an opposition slip to the Amendment. I do not have the name of that group, but it is on file with the committee."

Black: "Okay. Would you have that marked so that on Third Reading you could share it with us?"

Mautino: "Absolutely. I'll have that brought up."

Black: "Okay. And the only other question I have and I, again, I come from a relatively rural area. Are many of these bingo or charitable game licenses held, in fact, by church groups, parochial schools? I mean, I've heard that some are, but I don't really know that. Is that the case?"

Mautino: "Yes, as a matter of fact, a member of the local task force was from my district, who had both been the... in charge of the Bingo for the Elks club plus Holy Family, one of our parochial schools and also, had worked in coordinating one of the bingo halls for other charities, so he had pretty vast experience and there are quite a few Catholic social service organizations and religious organizations that do provide bingo as a way to do their works within their communities and parish."

Black: "Yeah. I can see some cross pressure in that..."

Mautino: "Yeah..."

Black: "... but I'm not sure I want to go down that road..."

Mautino: "... I do believe there's some little..."

Black: "... right now. So in other words, what you're telling me is the Department of Revenue has, basically, written this. It is a rewrite... rewrite may not be the right word, but it certainly tightens up the charitable gaming law and will make it easier to track and I'm particularly interested in your comments that these raffles that seem to be gaining

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great favor utilized under a bingo license may, in fact, now fall under some regulatory practice. So in a nutshell, that's it?"

Mautino: "That's it."

Black: "Okay. Thank you for your indulgence."

Mautino: "Thank you, Sir."

Speaker Brunsvold: "Further discussion? The Gentleman from Kankakee, Mr. Novak."

Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Novak: "No, I know he won't."

Mautino: "Yes, he will."

Novak: "He's a very unyielding type of Legislator, but... "

Mautino: "Thank you."

Novak: "... Frank, I know, I don't want to belabor this 'cause we'll get to it on Third Reading. This task force that Revenue put together to... "

Mautino: "Yes."

Novak: "Okay. Does it bump up the pay outs for... 'cause we don't have an analysis? Mr. Speaker, we do not have an analysis of this Amendment which becomes the Bill, right, Mr. Mautino?"

Mautino: "Yes, this becomes..."

Novak: "Okay."

Mautino: "... the Bill and it increases the aggregate daily prize limit on the bingos to 3250, currently it's 2250 except for in three counties down in southern Illinois."

Novak: "St. Clair County. Yep, I think that's where it is. And you say it's going to start regulating raffle tickets now? Raffle."

Mautino: "Raffle it's an event game. It's going to be under the event game license. Raffle would be, basically, a Bingo

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card without Bingo written on the top, instead it's raffle."

Novak: "Okay."

Mautino: "And they would do that, play it like a Bingo game, but the difference is it was not regulated at all. And so this closes one of the loopholes that was in the existing law."

Novak: "Okay. We have... well, I'm sure they're all over the state. But we have, like in Kankakee County back home, a couple of the Catholic schools; Bishop McNamara High School and St. Joe's Catholic Grade School they have a mega raffle. I mean, it's like a hundred dollar ticket, they sell three or four hundred tickets and you know, you got a chance to win 10 thousand bucks. That would be a different... that will not be regulated or what?"

Mautino: "I believe when we're talking about raffle..."

Novak: "It's in conjunction with their casino night or their Las Vegas night."

Mautino: "Okay. With that, yes, it would then."

Novak: "That what?"

Mautino: "I'll get back."

Novak: "Okay. Okay."

Mautino: "But if it's run... you have to comply with the 'casino night' regulations. We have set out... the Department of Revenue has set out exactly what can and can't be done.. "

Novak: "Okay."

Mautino: "... in there. When I use the term 'raffle', I use it for a game which is what we're talking about, it's now called an event game, which might be a Wheel of Fortune, it might be what they call a speed ball ticket or a blank sheet of paper that does not use the word Bingo. If it used the word Bingo on the top in playing the game, then it would fall under the Bingo Act and the tax proportions

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would apply. So that's what I mean when I'm talking about 'raffle'."

Novak: "But if it... okay. But if a senior citizens' group, let's say, wanted to raffle off an afghan and they sold raffles for a buck a piece. I mean, this wouldn't be... you're not gonna regulate that, are you?"

Mautino: "No, it does not apply to the afghan raffle."

Novak: "All right. Thanks."

Speaker Brunsvold: "Mr. Mautino to close."

Mautino: "Thank you, Mr. Speaker. And in answer to Representative Black's earlier question, a special permit shall be displayed at the site of pull tab. No more than four special permits may be issued to any one organization during the pendency of each 12-month period. And so I wanted to put that into the record as I promised Mr. Black I would do. And with that, I would simply ask for an 'aye' vote on this legislation which is the result of a 20 month task force conducted by the Department of Revenue and they are in favor. Thank you."

Speaker Brunsvold: "The question is... the Gentleman's asked for the adoption of Floor Amendment #1. All in favor 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. But various notes have been requested on the Bill that have not been filed."

Speaker Brunsvold: "Hold that Bill on Second Reading. Mr. Clerk, Senate Bill 452."

Clerk Rossi: "Senate Bill 452 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #6, offered by Representative Capparelli, has been approved for consideration."

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Speaker Brunsvold: "Mr. Capparelli on Amendment #6."

Capparelli: "Thank you, Mr. Speaker. Amendment #6 restores the Bill to the form it was when it passed the Senate and deletes the language from House Amendment #1. What House Amendment #6 does, the original Bill allowed for a person licensed under the Act to work for any licensed agency. For example, a locksmith could go to work for an alarm contractor without having to get an alarm contract license or a permanent employee registration card. Number two, the Department of Professional Services Regulation which is to add two new areas of experience that may be accepted to city and on a private detective examination. They are a public defender or an attorney, a licensed attorney office. These changes were needed to address a court case. And number three, the department also wishes to add language dealing with the enforcement of agencies licensed under the Act; definitions are added, associations, firms or corporations. Current law only allows that the department to discipline an individual license under the Act and does not allow the department to enforce an Act against a business or an agency. That was Amendment #6. Are there any questions on that?"

Speaker Brunsvold: "Is there any discussion on Amendment #6? Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, if we adopt Amendment #6..."

Capparelli: "Amendment #5... yeah, go ahead."

Black: "... does this completely remove... Amendment #6 completely remove any reference to the fact that no one can unlock my car... if I lock my keys in the car, the underlying Bill said, a municipal police officer or other

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people could not do that. You know, they couldn't use that little bar; only a locksmith could and I have little towns in my district that don't have a locksmith. So your Amendment removes that restriction, correct?"

Capparelli: "That's right."

Black: "You're a gentleman and a scholar. Thank you very much."

Speaker Brunsvold: "Further discussion? Seeing none, the Gentleman has moved for the adoption of Floor Amendment #6. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment has been adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Capparelli..."

Capparelli: "Withdraw that Amendment."

Speaker Brunsvold: "The Gentleman withdraws Amendment #7. Further Amendments?"

Clerk Rossi: "Floor Amendment #8 offered by Representative Bost."

Speaker Brunsvold: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Floor Amendment #8 simply contains the locksmith window and has been redrafted, also, to include the windows for certain alarm contractors that will also allow them to meet the original grandfather requirements that were in the Bill. So it just opens a window."

Speaker Brunsvold: "Mr. Bost has moved for the adoption. Is there any discussion? Seeing none, all in favor of adoption of Amendment #8 say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. The Clerk, there are a few Bills we need to move from Third to Second. What is the status of House Bill 3979?"

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Clerk Rossi: "House Bill 3979 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Representative Moore? For what reason do you rise?"

Moore: "Thank you, Mr. Speaker. Just a point of personal privilege. I would like the chamber to recognize, Congresswoman Judy Biggert, a former Member of the House of Representatives, here today."

Speaker Brunsvold: "Welcome, Representative (sic-Congresswoman) Biggert. Mr. Clerk, 3287."

Clerk Rossi: "House Bill 3287 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. House Bill 2880."

Clerk Rossi: "House Bill 2880 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. House Bill 3881."

Clerk Rossi: "House Bill 3881 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Representative Currie. Do you wish to proceed with your Amendment on House Bill 3840? Mr. Clerk, House Bill 3840."

Clerk Rossi: "House Bill 3840, a Bill for an Act amending the School Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Brunsvold: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is cleanup legislation on the relationship between local school councils and principals in the Chicago Board of

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Education. The technical changes are few. They involve things, for example, clarifying which party has the burden of proof and where the rules and regulations will come from for the arbitration procedure. I know of no opposition. I'd be happy to answer your questions. I'd appreciate your support for adoption of the Amendment."

Speaker Brunsvold: "The Lady's asked for adoption. Is there any discussion? The question is, 'Shall Floor Amendment #1 be adopted?' All in favor 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A fiscal note's been requested on the Bill and the note has not been filed."

Speaker Brunsvold: "Hold that Bill on Second. House Bill 3132. Mr. Clerk, Mr. Poe's Amendment."

Clerk Rossi: "House Bill 3132, a Bill for an Act in relation to county government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Poe, has been approved for consideration."

Speaker Brunsvold: "Mr. Poe."

Poe: "And Mr. Speaker, we run this through committee, yesterday, in local government? Okay?"

Speaker Brunsvold: "Yes."

Poe: "Oh. I didn't like it, we're gonna do it again."

Speaker Brunsvold: "The Amendment has been approved for consideration."

Poe: "Okay. Today, what we have here for this Bill here is in counties that have commission form of government. And what this would do, there's the three commissioners now per county on these 17 counties in the State of Illinois and this would raise it to five. And they would have to have a referendum, 10% of the voters would have to petition they

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could get it on a ballot and then they could move forward with their election."

Speaker Brunsvold: "The Gentleman has asked for the adoption. Is there any discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And Floor Amendment is adopted to House Bill 3132. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Second Reading, Mr. Clerk, House Bill 4045."

Clerk Rossi: "House Bill 4045, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 4348."

Clerk Rossi: "House Bill 4348, a Bill for an Act in relation to child safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Brunsvold: "Third Reading. House Bill 3469."

Clerk Rossi: "House Bill 3469, a Bill for an Act amending the Freedom of Information Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Brunsvold: "Third Reading. The Chair's proceeding to Third Readings. House Bill 3355. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3355, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

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Speaker Brunsvold: "Representative Lou Jones. Representative Jones. Mr. Clerk, take that Bill out of the record. Representative Bill Mitchell, on the floor? Mr. Clerk, read House Bill 2888."

Clerk Rossi: "House Bill 2888, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Macon, Mr. Mitchell."

Mitchell, B.: "Thank you. Thank you, Mr. Speaker. House Bill 2888, what it does, it eliminates the statute of limitation, provides that a prosecution for attempt to commit murder, first degree murder, may be commenced at any time rather than the seven years at present. It would be effective immediately."

Speaker Brunsvold: "Gentleman's asked for the passage of House Bill 2888. And on that question, is there any discussion? Seeing no discussion is, the question is, 'Shall House Bill 2888 pass?' All in favor vote 'aye'; all opposed for 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourself. Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 110 voting 'yes', 0 voting 'no', 5 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 3309. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3309, a Bill for an Act amending the Disabled Persons Rehabilitation Act. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 3309 is a Bill that amends the Disabled Persons Rehabilitation Act and it provides for a wage increase. Now, before we entered this Bill or before we knew that the Governor was gonna put this

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in his budget, we entered this Bill. So the Bill is entirely in concert with the Governor's proposed budget. There are no opponents to the Bill and I'll try to answer any questions that you may have."

Speaker Brunsvold: "The Gentleman's has asked for a passage. Is there any discussion? Seeing none, the question is, 'Shall House Bill 3309 pass?' All in favor vote 'aye'; opposed vote '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. Clerk, take the record. And on that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Mr. Black, for what purpose do you rise?"

Black: "Point of personal privilege, Mr. Speaker."

Speaker Brunsvold: "State your point."

Black: "It gives me great pleasure to introduce a former Member of the House, now a Congressman. You see him often on C-Span. The Honorable Jerry Weller."

Speaker Brunsvold: "Welcome back to the House, Mr. Weller."

Black: "And I'd also like to introduce his twin brother, Scott, who's on our staff. Is going up the aisle, here. What a fine family. Thank you, Mr. Speaker."

Speaker Brunsvold: "Thank you, Mr. Black. Congress must not be in Session. Mr. Clerk, House Bill 2899. Read the Bill."

Clerk Rossi: "House Bill 2899, a Bill for an Act concerning military memorials. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Bellock."

Bellock: "Thank you, Mr. Speaker. I'm honored to introduce this Bill, 2899, which is the World War II check off on the income tax form. Back in World War II, there were 16.5 million Americans who served in World War II. There are 6

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million of those people still alive, today, and there's being on Veteran's Day in the year 2000 they are going to break ground in Washington, D.C. to build the memorial to recognize the 16.5 million people who were in uniform during World War II. And I'm honored, today, to introduce this Bill, to add that check off list to the income tax form in the State of Illinois. I would appreciate your support."

Speaker Brunsvold: "The Lady has asked for passage of House Bill 2899. And on that question, the Gentleman from Cook, Mr. Lang."

Lang: "Thank you. Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Lang: "Representative, my analysis indicates that to add this check off you're replacing the Women in Military Service fund check off. Why are we removing that as a potential check off?"

Bellock: "That was deleted last year when this Bill was first proposed. And so it was just not added back on. This Bill proposed last year did pass unanimously out of the House and then was gutted for the First Illinois Bill. And so at that time is when that was deleted."

Lang: "So we've already deleted that?"

Bellock: "Yes."

Lang: "Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from Knox, Mr. Moffitt."

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

Bellock: "Yes."

Speaker Brunsvold: "Sponsor yields."

Moffitt: "I certainly want to commend the Sponsor and her

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cosponsors for this effort. I think, it's long overdue. I do have a question, though. Have some state, this would be a voluntary program where we would be facilitating a source of revenue, creating a situation where we could actually generate revenue on a voluntary basis. Have some states, actually, contributed to this memorial where the state funds themselves were used?"

Bellock: "Yes, they have. Twenty-two states have already contributed in some form or another, either on a check off on their income tax form or in a donation outright by the state."

Moffitt: "An outright contribution."

Bellock: "And that's another Bill that probably is going to be introduced in appropriation. That could be... there were 987 thousand people from the State of Illinois and that's been what the World War II memorial fund has been asking to donate. But I don't know where that's gonna go, so we had already introduced this Bill."

Moffitt: "Okay. I think this is excellent, but I think, in addition to this..."

Bellock: "Right."

Moffitt: "... as a state, we need to look at the state making a contribution. It would simply compliment what you're doing here. I hope that's looked at. I'm sure you'll follow up on that and I would certainly work with you. But I think we need to, as a state, support this effort. Thank you very much."

Bellock: "I agree, Representative Moffitt."

Speaker Brunsvold: "Further discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. It's hard to hear in here. I think, Representative Moffitt asked the question

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that's on my mind. And that is, if the Sponsor would yield, my question is... "

Speaker Brunsvold: "Sponsor yields."

Black: "This will not generate any money for the World War II memorial until your taxes are figured and paid a full year from now. And it's the intent of the private organization raising money for this to have the groundbreaking before that time. I think, Representative Moffitt, asked you the question, but I really couldn't hear either the question or the answer. It was my understanding that there was to be an appropriation Bill where we would actually appropriate, I believe they've asked for a dollar for everyone who served in World War II. Is that appropriation Bill making its way through the process or was I misinformed?"

Bellock: "No. That is making its way through the process in the Senate, right now."

Black: "Okay."

Bellock: "And I agree with Representative Moffitt that we should support both."

Black: "I think that's very important that we do both. The World War II generation, my father's generation, my father will be 83 in April, we can't delay. There aren't many of them left. And I would think that we would want to dedicate this while some of them are still around. It was a... as Tom Brokaw's book said and I agree wholeheartedly, this was probably the greatest generation this country's ever seen. I certainly intend to support your check off, but I would urge whoever is running the appropriation Bill, to follow suit. And I thank you very much for your indulgence in answering the question."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Currie."

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Currie: "Thank you, Speaker. I would just like to reinforce the point that Representative Black just made. I have information from the American Battle Monuments Commission. Twenty-three states have already passed legislation providing for a one time appropriation matching dollar per individual who served in World War II. In 1999, among the states that passed the legislation was New York for \$1.7 million, Pennsylvania at 1.3 million, actually, Pennsylvania decided to up the ante and sent 2 million and California which was over a million dollars, as well. I have apprised the President of the State Senate, Mr. Philip himself, a veteran of this information from the commission because I know he has companion legislation to Representative Bellock's in that chamber. So I will vote to support passage of House Bill 2899, but I think it behooves Representative Bellock and Senate President Philip to try to advance the alternate approach, the straightforward appropriation of \$987,000 from the State of Illinois for this worthwhile monument."

Speaker Brunsvold: "Representative Bellock to close."

Bellock: "Oh, absolutely, I agree with what you said and I hope that we will give a direct appropriation besides allowing this to be on the income tax form so that people in the State of Illinois will feel that they're a part of giving this donation. And as a previous Army wife and having a father and three uncles who served in World War II, I appreciate your support of the vote in making Illinois the 24th state to donate."

Speaker Brunsvold: "The Lady's asked for the passage of House Bill 2899. All in favor say 'aye' or vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. And on that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 3355. Read the Bill."

Clerk Rossi: "House Bill 3355, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Lou Jones. House Bill 3355, Representative Jones. Third Reading."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 3355, the Bill requires the Illinois Department of Human Services to contract every two years with the university or research organization to review existing research and data and produce a report on the effectiveness of the size of the cash assistance monthly grant, the TANF grant. The purpose of the report is to determine whether the grant levels are adequate to achieve the purposes of a cash assistance program. That purpose is to support children and families through temporary periods of extreme need and to provide a adequate foundation for them to join the work force. Some might ask, 'Is the Bill necessary?' Well, they haven't had a grant increase in ten years and it's still at the level of 377 for a family of three. This Bill has bipartisan support and I ask for a favorable vote."

Speaker Brunsvold: "The Lady has asked for the passage of House Bill 3355. Is there any discussion? The Gentleman from Vermilion County, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

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Black: "Representative, the Department of Human Services is opposed to the Bill. Have they shared with you the reason for their opposition?"

Jones, L.: "Yes, they did, Representative. They oppose the Bill because they say that they already have... they've already did this report. And I agree that they did do the report, but the report did not go anywhere nor did they report back to anyone. This here Bill says that you, in two years, you have to report back to the General Assembly the findings of the report. They have did two reports, but they didn't go anywhere. Nobody ever got whatever findings they had."

Black: "Well, I guess my concern is, if the report or a report dealing with the subject has been completed, my notes indicate that it's... the report is called When Families Leave Welfare Behind. If, in fact, the report has been completed, the fact that it hasn't been utilized may be an issue that you want to address. But it would seem to me that if a report is there, the General Assembly could pick up the report and with our competent staff, on both sides of the aisle, utilize that report to come up with legislative initiatives. I guess, my problem is, simply duplicating, at a substantial cost, you know, to do one of these reports is a six-figure cost, a hundred and fifty, two hundred thousand dollars. If they've already done the report, I guess, I'm having some difficulty understanding why we just want to generate another report when we, perhaps, could use the report they've already completed."

Jones, L.: "Representative, the report that they did they did that on recipients after they left. They tracked them afterwards. They did not do a report on the recipients that are now currently on public aid. And I'd like to know where you got that figure from."

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Black: "Staff indicates that a report that would be more to the subject matter of your Bill has just recently been completed and filed with the Senate. Are you aware of that?"

Jones, L.: "That's not true, Representative. In committee, the Department of Human Services, I mean, Public Aid admitted that they tracked... that that report was done on families after they left public aid and not while they were on public aid, now. That's what they said in committee."

Black: "All right. Staff is indicating that there are two separate reports that have been filed; the one just filed with the Senate may be the one you're interested in. I'm looking for a report from Bank One on an audit, a recent audit, conducted. Have you seen that report by any chance? Maybe Representative Lyons can enlighten me. I've just... I think the Bank One report was on the Child Support State Disbursement Unit and I believe it... I mean, I think it got here some time last week, but... last Wednesday. I digress, Representative. I'm sorry. That's a totally different report. I do appreciate your indulgence. Mr. Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Black: "I think the Sponsor, certainly all of us who have worked with the Sponsor, knows of her keen interest in this topic. And obviously, when the President in Washington, said he was gonna end welfare as we knew it, nobody was more surprised than I, that he actually meant it. And he had implemented the Act of 1996 and Illinois has been following that welfare reform law, 'welfare to work', if you will, in fact, have been recognized by the Federal Government for our good works in that area. And while I'm very sympathetic to the Sponsor's request because I think the

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first few thousand recipients may have been the easy ones to work with, obviously, the more difficult task now remains to move those people from welfare cash assistance to the world of work. So I certainly don't rise in objection on any great philosophical grounds on her Bill. I just simply think that the reports have, in fact, been generated at a cost of 200 or more thousand dollars and that the Bill, while her intent may be clear, the Bill isn't clear. And I'm just a little worried that the department may utilize money just simply to change the color of the report cover, massage the figures a little bit, and we get a report that is, literally, already on file. So it's certainly not any significant objection on my part, but I can't, in good conscience, vote for another report, when in fact, the report I think we should be dealing with has already been completed and filed. And I do thank the Speaker for the allowance."

Speaker Brunsvold: "Thank you, Mr. Black. Further discussion?
The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I think the previous speaker is confused about the facts here. There is a report that is required by legislation adopted at the same time we implemented federal welfare changes that will require the department to make available information about what happens to welfare recipients after they leave the welfare rolls. That material, that information is made available and analysts from various universities are looking at that data so that we can have a better understanding of what happens to people who have left TANF. Do they keep a job after they get one? How long do they hold it? And so forth and so on. Representative Jones' Bill, however, deals with a far

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different issue and that is, what are the hurdles... what are the barriers facing people in terms of making ends meet while they are on the welfare rolls. Now, we all know that no one's gonna stay on the welfare rolls long. No one's gonna be out there eating bon bons at our expense. The issue in Representative Jones' Bill is trying to assess how adequately today's TANF grant, the welfare grant, serves the needs of our children while their parents are still on the welfare program. So there is not... this is not a duplicative Bill. It is not one that says, 'Let's change the cover of a report.' This asks for new data, new information and it's critical data for us to have if we want to make sure that children whose parents are on the TANF rolls are actually able to eat well, to live under a roof that is not leaky, have the shoes they need to get to school and meet all the other basic necessities of life. That's all this Bill does. It says, 'Let's find out how adequately we're doing for the children on public aid.' That's what the Bill does. We should all be for it."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. McKeon."

McKeon: "Thank you, Mr. Speaker. To the Bill, please."

Speaker Brunsvold: "Proceed."

McKeon: "I think the previous speaker, on the other side of the aisle, really, I think, is becoming better informed. I know, he spoke just briefly with the Sponsor. But you know, previous reports that would have been required by the General Assembly talk about what happens to people after they exit the welfare system. The reports covered under this Bill is what's happening to them while they're in the system and it gives specific detail as to the kind of information that we're asking researchers to look at. In

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addition, the Bill asks that we contract with state universities, outside groups, that are independent of the Department of Human Services. This report deals with fundamentally different issues of the adequacy of services, the impact of those services on families in the system, which is fundamentally different from any other report requested by this Body and I urge your 'aye' vote."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Hamos."

Hamos: "Thank you, Mr. Speaker and Ladies and Gentlemen. I, too, rise in support of this Bill and also in response to Representative Black's statements about this Bill. You know, we are now well into a five year welfare reform experiment and what that means is, that many of our residents are going to be thrown off of TANF in just a few short years unless we have the ability as policy makers to really look at who's still on welfare to be able to evaluate what the safety net for the future should really be all about. We, as a State Legislature, are going to have some very important policy issues facing us and without this Bill and without this study that we're talking about, we will not be able to do our jobs well in the next few years. And that's why we need to pass this Bill. Thank you."

Speaker Brunsvold: "Mr. Black, in response."

Black: "Yes. Well, thank you very much, Mr. Speaker. I appreciate the fact that my name was used in debate which gives me a chance to, again, take the floor and to admit freely, in front of the Body, you know, when you make a mistake in this chamber and you misinterpret a file, you need to say so. I did. I made a mistake. I was wrong. I appreciate the Sponsor pointing out the error of what I was

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looking at. What can I say? I make mistakes. I try to learn from them. I intend to vote 'aye'."

Speaker Brunsvold: "Thank you, Mr. Black. A breath of fresh air. Representative Jones to close."

Jones, L.: "Thank you, Mr. Speaker. I would like to add to my colleague, Representative Black, you're a cosponsor of this Bill. Thanks for the support and I ask for an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall House Bill 3355 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There's two people who haven't voted. Mr. Clerk, take the record. And on that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3112, Mr. Clerk. Read the Bill."

Clerk Rossi: "House Bill 3112, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. Turner."

Turner, J.: "Thank you, Mr. Speaker. House Bill 3112 is a measure that this House or the House Members, I should say, have seen before. It passed out of the House last year. The Bill presented this year is identical to the Bill that passed last year, somehow got hung up in the Senate and hopefully, if we pass it this year, we won't have that problem again. But any way, the Bill provides that the charges imposed by a hospital or a physician for copying records may not exceed \$25 for a handling charge plus 37¢ per page. It provides that the rate shall be automatically adjusted for inflation each year and it applies these same charges to the records of health care practitioners,

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clinical psychologists, clinical social workers and lawyers. I'd be glad to answer any questions."

Speaker Brunsvold: "The Gentleman's asked for passage. Is there any discussion? Seeing none, the question is, 'Shall House Bill 3112 pass?' All in favor vote 'aye'; 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 that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Burke, with an announcement."

Burke: "Thank you, Speaker. I'd like to advise the Members of the Executive Committee that today's scheduled meeting is cancelled. And the committee will remain in recess until the call of the Chair."

Speaker Brunsvold: "Thank you, Mr. Burke. Mr. Clerk, House Bill 3455. Please, read the Bill."

Clerk Rossi: "House Bill 3455, a Bill for an Act amending the Environmental Health Practitioner Licensing Act. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Madison, Mr. Davis."

Davis, S.: "Yes. Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 3455 changes the language in the Act dealing with appointments to the Health Practitioner Board at the Department of Professional Regulation. It changes the language from 'a person may not serve more than two consecutive terms' to 'no member shall be reappointed for more than two terms'. This change will address problems the department has had in filling vacancies and keeping a working majority on the board. The second change deals with the Environmental Health Practitioners who've been licensed and are over 70 years old. We would exempt these

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elder licensees from the continuing education requirements of the Act. And I would be glad to answer any questions."

Speaker Brunsvold: "The Gentleman's asked for passage of House Bill 3455. Is there any discussion? Seeing none, the question is, 'Shall House Bill 3455 pass?' All in favor vote 'aye'; 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 that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3169. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3169, a Bill for an Act in relation to exemptions from real estate property taxes. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. This Bill came to me from a gentleman in my district who's a member of the Grand Lodge of the Masonic Organization. As amended, what the Bill does is to treat Masonic lodges in a same manner as we did veterans' posts last year. It freezes property taxes for Masonic lodge property at 15% of current levels which is exactly what we did for veterans' group last year. Furthermore, the language has been tightened considerably from the way it was introduced. It only applies to a fraternal organization chartered by the State of Illinois prior to 1900 or its subordinate organization or entity that prohibits gambling and the use of alcohol on the property. Three, it is an exempt entity under Section 501(c)(10) of the Internal Revenue Code. Four, whose members provide directly or indirectly financial support for charitable works. If that organization meets all of

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those criteria, they will have their assessment frozen by the chief county assessment officer at 15% of its 2000 year. And I'd be glad to answer any questions that you have."

Speaker Brunsvold: "The Gentleman has asked for passage. Is there any discussion? The Gentleman from Effingham, Mr. Hartke."

Hartke: "Yes. Will the Sponsor yield, please?"

Speaker Brunsvold: "Sponsor yields."

Hartke: "Representative Black, what is the fiscal impact on this piece of legislation?"

Black: "Representative, we do not have a fiscal impact. I'm not about to stand before you and say that it may not have a fiscal impact on local units of government because it is a... when you freeze an assessment, obviously, you reduce the property tax burden on their property and so, obviously, it will have some impact. How much, I don't know. It would vary from county to county or governmental entity to governmental entity depending upon the size of the Masonic lodge, what it's assessed at, et cetera."

Hartke: "How many Masonic lodges are we talking about in the State of Illinois?"

Black: "Hang on, I think we have that somewhere. Would you settle for a whole bunch or would you like me to be a little more exact?"

Hartke: "Well, that's close enough. I guess I'm concerned about it just a little bit. Not all Masonic lodges, I know there's a Masonic home somewhere around Sullivan. Is that a not-for-profit run home? Do they break even? Would that apply to that property, as well?"

Black: "Chuck, it's my understanding, that that would be the case. That they would."

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Hartke: "I think that'd be in maybe Representative Mitchell's district or maybe Representative Curry's. That is a huge home, there and I'm just concerned about that. You know, I know they have their lodge quarters and so forth, but I think that home operates for a profit, does it not?"

Black: "Okay. Chuck, let me go back. I can answer the one question that you asked me. In 1998, there were 441 Masonic lodges in Illinois who reported a total property tax payment, total, of \$521 thousand. There were another 39 lodges who reported that they were already tax exempt. And I don't know if that was up to the local taxing body or how that happened and there are approximately 84 thousand members in the Masonic organization."

Hartke: "Well, I have no argument with that, with the lodge itself, but do they operate properties for a profit? Do they own retirement homes? Do they own other things that would also fall under the exemption under this Act?"

Black: "Yeah. Chuck and I think that's a very fair question. It's my understanding that the Amendment made it very clear that it would be only that property that is exempt under 501(c)(10) of the Internal Revenue Code. That it would not, if they were running a business as the legion and we got into this argument with the VFW and the American Legion, they would have to separate out their business entity and that would not qualify for the exemption. The lodge meeting hall, as long as they were not using it for some money raising activity, is what would qualify under this. And I would think that would be why the impact was only \$500,000."

Hartke: "So if a Masonic lodge had a Bingo night, that would exclude them?"

Black: "And they cannot. They cannot do that by their charter in

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their lodge. They absolutely prohibit any kind of gambling of any kind within the lodge, and they also expressly prohibit the sale or use consumption of alcohol within the lodge."

Hartke: "Okay. So if there is a lodge that does have an adult refreshment facility with it, then it would not be eligible for the..."

Black: "In my understanding..."

Hartke: "... property tax exemption?"

Black: "My understanding, under this law, they certainly would not qualify. And I really don't know if they'd even qualify to be a lodge in good standing."

Hartke: "Okay. Well, thank you very much for that information."

Black: "Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from Madison, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Brunsvold: "Gentleman yields."

Stephens: "Representative Black, does this include the Masonic lodge only or is it other facilities such as that are related to the Masonic Order such as the Shrine?"

Black: "Representative, it's my understanding that with the rather tightly drawn Amendment that only the Masonic Lodge, i.e., the meeting room, depending on the size of that lodge, in smaller towns, you may not have a reading room or a facility that resembles an oversized living room, I guess you could say, where some of the members go to read the newspaper or what have you or say hello to their fellow Masons. And it's my understanding that the Amendment is so narrowly drafted that it would only be the Masonic Lodge. I don't think anybody else could meet the chartering requirement and some of the other things that were put into

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the Bill."

Stephens: "So if I understand your answer, we're only talking about the Masonic Lodge itself, not the Order of the Shrine, Ionite Temple, places like that. East St. Louis."

Black: "That is my understanding, yes."

Stephens: "Okay. I just wanted to make that clarification. I rise in support of your Bill."

Speaker Brunsvold: "The other Gentleman from Madison, Mr. Davis."

Davis, S.: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Davis, S.: "Yes. Representative Black, I have a couple of questions. Did we pass out of here an exemption law that exempted veterans, VFWs and Amvets facilities last year? Do you recall?"

Black: "Yes. It's my understanding that we did. Almost identical to the assessment freeze that's in this Bill."

Davis, S.: "Now, your Bill only concerns Masonic temples and lodges, but how about, other fraternal organizations such as Loyal Order of the Moose or Fraternal Order of Eagles are they in current law or possibility in your Bill to have them exempted, also?"

Black: "It's my understanding from staff, they are certainly not covered under current law and because of the way this Amendment, actually the Bill, is drafted, they would not qualify. The Moose, the Elks, any of those fraternal organizations would not qualify because of the date of charter and the fact that they may and often do serve alcohol on the premise and use that as a cash flow business to help them run the activities of their lodge. So it's my understanding that, once this Bill is amended, the only fraternal organization who would benefit from this assessment freeze would, in fact, be a Masonic Lodge."

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Davis, S.: "I'm just curious as to why the prohibition on the serving of alcohol has anything to do with getting rid of the property tax. How does that correlate?"

Black: "You know and can't give you a real good answer. I think, in our attempt to tighten it up to the point that Representative Hartke mentioned earlier; how many fraternal organizations were you exempting and what would be the property tax impact? It was suggested that we might have an easier time if we tightened up the language considerably on this attempt and that's what we did, quite frankly."

Davis, S.: "Okay. Now, is it your understanding that usually there's one Masonic Lodge in any particular city or is there more than one in... would there be a city that you would have more than one lodge in, do you know that? I'm just curious."

Black: "You know, I would not be surprised, but I don't know of any, quite frankly. I do know that some of the testimony indicated that several lodges had closed over the last few years because they simply do not have the fund raising mechanism to pay the property taxes. And I think for those people who are somewhat nervous about this, let me just tell you many people are not familiar with the Masonic organization and the charitable works they do. And if we... I think the state has a legitimate interest in trying to foster the spirit of volunteerism because if we had to take over all of the charitable works that the Masonic and their affiliated lodges do, such as the Shriners hospitals and the charitable donations and the scholarships and the blood banks and what have you, it would be a far more expensive to duplicate what they do than the \$500 thousand property tax break that might accrue in total to the lodges, four hundred and some lodges."

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Davis, S.: "I'm not opposed to the Bill."

Black: "No, I understand that. I understand that."

Davis, S.: "I'm just asking some questions that I was curious about."

Black: "Right."

Davis, S.: "Now, is Medina Country Club is that owned by the Masons or the Shriners or... And are they gonna be exempt?"

Black: "You know, at one time, I believe..."

Davis, S.: "Would the country club be exempt under this?"

Black: "No. No. Of course, obviously, they don't meet the chartering requirements, they certainly don't meet the alcohol requirement. And I believe, that that... I'm not even sure that Medina Temple still maintains the actual ownership of that. I really don't know. But it is a country club..."

Davis, S.: "Nice club, too."

Black... a very nice club, and I think the PGA or the Open was there last year and my son-in-law attended. By any stretch of the imagination, I do not believe this Bill could be construed to exempt that country club for property taxes."

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

Black: "Thank you."

Speaker Brunsvold: "Further discussion? The Lady from Kane, Representative Lindner."

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

Speaker Brunsvold: "Gentleman yields."

Lindner: "Representative, are there any women in the Masons?"

Black: "Not directly, no."

Lindner: "Why not?"

Black: "I really don't know. It was a fraternal organization chartered well over a hundred years ago for men. And I don't believe that there are women members in the Masonic

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Lodge."

Lindner: "When you say not directly, when you say..."

Black: "I've just been informed by Representative Moore, who arrived in the nick of time, thank goodness, she tells me that women have their own Masonic organization referred to as the Order of the Eastern Star."

Lindner: "I just wonder about the public policy of extending a freeze on property taxes to groups like this. I mean, who would be next? I mean, aren't the Elks a charitable organizations and what other men's organizations are there that will be requesting this if we vote 'yes' on this Bill?"

Black: "I think it's a very legitimate question. A question that many of us raised a year ago on the VFW and the American Legion. There are a number of entities that do good works that, I would hope, we would encourage to continue that. Many of the organizations you just mentioned, although, do run a number of money generating activities. I can think of a fraternal organization in my community that, at one time, ran a golf course, a dining room, a bar, a swimming pool, so, the Masonic Lodge itself, the building itself, is somewhat different. But you, in fact, raise a public policy question that I'm not going to ignore. It's conceivable that a Bill like this could come up every year for the next ten years. One of the reasons we tried to tighten this up was to kind of answer the very question that you pose. I do think this organization is somewhat different in its structure and its outlook and what they do with their money and their dues. And again, I think it's a legitimate question. My only answer to you would be, if we would have to pick up out of the public treasury the works that they do and all of the affiliated groups which are not

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tax exempt under this Bill, the Shrine for example and the Shriners hospitals, the millions they've raised for that, for crippled children, for the scholarships that they run, the blood banks that they run, all of which is on a volunteer and donated basis. I guess my concern is, for whatever the reason, the current generation doesn't seem to join organizations like this. The average age of many of these organizations, i.e., the veterans' post from last year, are getting way up the scale. And I think, for the similar reason that I voted for the VFW and American Legion Bill last year, I certainly intend to vote for this this year. But the question you raised is, there's no question. I won't tell you that it is not some concern to many people because at some point somebody's gonna have to say 'no' and I understand that."

Lindner: "And I understand the veterans' organization, certainly, something like that, but I'm not sure this is the kind of thing that we should be doing."

Black: "Oh."

Speaker Brunsvold: "Further discussion? The Gentleman from Kankakee, Mr. Novak. Mr. Novak?"

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

Speaker Brunsvold: "Gentleman yields."

Novak: "Bill, is this the same methodology as Representative Cowlshaw's Bill? Dealing with the veterans' organization. Is that the same property tax relief methodology? Yeah."

Black: "The assessment freeze language is exactly the same as suggested by the Department of Revenue that that's the only way you can do it and meet the question of constitutionality. You cannot exempt anyone from all property taxes on a Bill like this according to the Department of Revenue."

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Novak: "Would you consider an Amendment to include the Knights of Columbus buildings?"

Black: "I'd prefer not to take it back to Second Reading. I have no objection if you want to pursue that in the Senate."

Novak: "I mean, I don't have anything against the Masons, but this is like.."

Black: "I understand. And I think, at one time Phil, they probably were included, but Representative Davis brought up one of the reasons why we had to tighten it up. There were a number of fraternal and civic organizations that would have qualified..."

Novak: "For sure."

Black: "... under the original language."

Novak: "It's a 501..."

Black: "And I think the locals, I would have had a very difficult time had we not tightened it up."

Novak: "Do they have to be 501(C)(3s)?"

Black: "No, in fact, it's a different category altogether. It's a 501(C)..."

Novak: "Four?"

Black: "Ten, I think, isn't it?"

Novak: "Oh, (C)(10)?"

Black: "Yeah, 501(C)(10)."

Novak: "Okay. So that would, essentially, exclude rotaries and Lions Clubs and 'cause I think, they're 501(C)(3s), aren't they?"

Black: "Yes."

Novak: "Okay."

Black: "And of course, now, I'm also member of a rotary."

Novak: "How about the Moose? Mr. Mautino just indicated... how about the Moose lodge?"

Black: "Well, I'm not a member of the Moose. But many of these

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clubs do not maintain a physical presence that they own and pay property taxes on. I know, when I was in the Rotary, we would kind of go from restaurant to restaurant wherever the noon meal was the best deal, quite frankly."

Novak: "What is the monetary value on this Bill. What is the hit on local governments?"

Black: "Yes. The fiscal impact of and I apologize, we did find it after Representative Hartke asked us that question, statewide, would be \$540 thousand. So you divide that among hundreds of taxing bodies, I don't think it will place a burden, an undue burden, on local units of government. The only group to testify against the Bill was the Illinois School Alliance and I understand that. I understand their concern."

Novak: "Well, you know you've heard, again, with all due respect to the Masons, but you've heard of the nose under the tent theory. I mean, if this should become law then the Knights of Columbus and all these other groups should come before this Body and ask for the same treatment. I mean, you can't disagree with that, right?"

Black: "No. Representative, I'm not about to stand here and tell you that I disagree. As Representative Lindner pointed out, it's a legitimate question of public policy and I think, many of us knew that last year with the veterans' homes. I guess, the reason I agreed to carry the Bill and let me just say for the record and I don't believe it's any conflict of interest, because I certainly have no financial, nothing to gain financially by being a Mason, but I am a Member of the Anchor Lodge of the Valley of Vermilion. And I got to thinking in talking with some of the Masonic brothers who brought this Bill to my attention from the Grand Lodge. This is a little different

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organization than many in that they don't run ancillary businesses out of the lodge and that they do raise and support to the tune of millions of dollars a year in charitable good works. But that in no way diminishes the importance of your question. I would not be surprised if we see one or two of these Bills a year for the next three or four years. The reason being, when you and I were much younger, we joined a variety of organizations and it wasn't unusual. I travelled often to Kankakee in my days as a JC and the Kankakee JC Chapter had well over a 150 members. And that's where I first met the Pangle brothers, who are indelibly marked in my memory."

Novak: "Who did you mention?"

Black: "The Pangle brothers. Don't you remember former Representative Pangle?"

Novak: "It's been a while."

Black: "Yes, hasn't it."

Novak: "Yeah, I re..."

Black: "Well, it's been about 30 years ago in my case, but you do that same tour today and I don't even know Phil, if Kankakee still has a JC Chapter, for example. And at one time they had well over a hundred members. And you can find members of almost any fraternal or civic organization, today, membership is a problem. We don't seem to be joiners in this particular generation."

Novak: "Okay. Thank you, Mr. Black. No further questions."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Hamos: "Representative Black, I know you've been asked a lot of questions already, but sometime ago when I had a chance to

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look into and to start working with some Masons, I learned that there was no information about them. That their bylaws, in fact, protect their secrecy. Their wives and family members aren't even allowed to know what goes on at their meetings."

Black: "Representative?"

Hamos: "Their rituals are a secret and this is a taxpayer subsidy of this and we don't even know really what they do."

Black: "Representative, what you have just said is not true. It is a rumor that has been promulgated for years. I have in this file and will give you a packet of everything they are and everything they do that was handed out to every member of the Revenue Committee. The only thing secret about them is the ritual within the lodge. Anything they do, anything they are, anything they stand for is in black and white. A number of publications that I will be more than happy to share with you. It is not a secret organization and that has dogged the Masons for years."

Hamos: "That's all."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Sharp."

Sharp: "Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Sharp: "Representative Black, can you tell me why the year of 1900 was picked for the cut off?"

Black: "It was to tighten up the exemption, Representative, so that dozens, if not hundreds, of fraternal and civic organizations would claim the freeze under the Bill. That's the reason it's there. And the only organization that I know of that was chartered by the State of Illinois prior to 1900 would be a Masonic lodge. It was chartered prior to the Civil War."

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Sharp: "Representative, I've heard a lot of Representatives talk about some very influential different organizations, but the one thing that sticks in my mind is that, the Eastern Star they are a sister of the Masons. And I don't think that we should look at them any differently because they are part of the Masons and if we just deal with the men aspect of it, what about the women's aspect of it?"

Black: "Representative, they use the same lodge."

Sharp: "Not necessarily."

Black: "Well..."

Sharp: "Not necessarily."

Black: "Okay. In my experience, in Masonry, at least in my area, the Order of the Eastern Star, Job's Daughters, any number of related organizations for women used the Masonic Lodge in Danville. If it's done differently somewhere else, that may be. I'm not aware of that."

Sharp: "In some areas, they have their own building, their own facility and so it seems that they are sisters and they are a part of the Masons. I can't see them being excluded and not including them in this Bill."

Black: "Yeah. And I don't know that they are under this Bill. I would have to look into that further. I don't think it would be the intent to discriminate between a lodge if it's owned by the Order of Eastern Star. Your indication to me is the first I've ever heard that the related organizations did not use the same lodge. So as I said earlier, you learn something here everyday. But I was not aware of that."

Sharp: "Is there any way that we can look into this, then?"

Black: "Absolutely."

Sharp: "Thank you."

Black: "Should this Bill go to the Senate, I will ask the members

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of the Grand Lodge, who will come down to testify, to look into that very question."

Sharp: "Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from Randolph, Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. One thing, I guess, for Representative Sharp, I can clarify, that the women do use the lodge, at least in my local area, Wanda. My mother belongs and they use the same lodge. Representative Black, I commend you on this piece of legislation. I think there's a lot of fraternal organizations, as we said before, that could use this assistance. I know serving on the County Board and serving on the Board of Review that we looked for ways to try and help organizations that are part of the community and that I know, in our area, serve a lot of our senior citizen centers and things of that nature. So I appreciate your efforts here and I'm proud to be a cosponsor. I was just wondering, is this related in any way to Representative Bost's Master Mason Bill that he had a couple of years ago or... "

Black: "I'm not sure whether he was talking about cement workers or what. But I'm not gonna touch that, Representative."

Reitz: "Thank you."

Speaker Brunsvold: "Further discussion? Mr. Harris."

Harris: "Thank you, Mr. Speaker. Representative Black, I'd like to commend you for this Bill here. My father and my deceased mother they were Masons and Eastern Stars and I have other members of my family that are Masons and Eastern Star. And I'm just trying to figure out a way to learn how to ride that goat. But again, I commend you for this piece of legislation. Thank you."

Speaker Brunsvold: "Mr. Black to close."

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Black: "So much for the secrets. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I don't bring this Bill to you lightly. When you're only allowed to move three Bills and this came to me rather late, this was not my initiative. It was brought to me by members of the Grand Lodge, one of whom resides in my legislative district. I think the Grand Master, Mr. Willie Evans, who testified at the Revenue Committee, from Chicago, stated the purpose and the rationale of the Bill far more eloquently than I can. I recognize and realize some of the concerns that have been expressed and they're very legitimate because at some point, obviously, a tax assessment reduction will not be available to every group founded on noble principles and causes. That was one of the reasons we tightened the Bill up, as about as tightly as we can draft it, this only affects the lodge property, again, they cannot, as stated in the Bill. It must be a property that does not serve alcohol, does not allow gambling of any kind in its facility. I, again, ask you to search your soul and vote accordingly. If by taxation policy, we continue to inadvertently cause the demise of many of the volunteer organizations that had a great deal to do with the building of, not only of our country, but certainly this state, I think we will lose a great deal. Not to mention the fact, that to pick up the cost of what these organizations, particularly the Masonic lodges, do in charitable and good works, would be immense. I ask you, in all due respect, to vote 'aye'."

Speaker Brunsvold: "The Gentleman's asked for the passage of House Bill 3169. And on that question, all those in favor vote 'aye'; all opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Record yourself. Mr. Clerk, take the record. And on that question, there are 100 voting 'yes', 9 voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair is gonna do a few housekeeping measures now leading with Second and Third Readings. First, we'd like to move a few Bills back from Third to Second Reading. Mr. Clerk, House Bill 3881. What's the status of that Bill?"

Clerk Rossi: "House Bill 3881 is on the Order of House Bills - Second Reading."

Speaker Brunsvold: "Thank you, Mr. Clerk. Representative Kosel. For what reason do you rise?"

Kosel: "Are you gonna move it back? Thank you."

Speaker Brunsvold: "Mr. Clerk, House Bill 3995."

Clerk Rossi: "House Bill 3995 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. House Bill 4072."

Clerk Rossi: "House Bill 4072 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. House Bill 3986."

Clerk Rossi: "House Bill 3986 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, House Bill 2962. What is the status of that Bill?"

Clerk Rossi: "House Bill 2962, a Bill for an Act amending the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2..."

Speaker Brunsvold: "Representative Flowers on Floor Amendment

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#2."

Flowers: "Thank you, Mr. Chair..."

Speaker Brunsvold: "Excuse me..."

Clerk Rossi: "... offered by Representative Flowers has been approved for consideration."

Speaker Brunsvold: "Thank you, Mr. Clerk. Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There was a little concern about the Amendment to House Bill 2962, and hopefully, we've worked that out. The Amendment relates to the health care provision of the Bill, so therefore, it is germane. And in regards to the date, one part of the Bill would take effect prior to the other so there seems not to be a problem there. And I'll be more than happy to answer any questions that anyone may have. But just a reminder what Amendment #2 does. If the school district provides early periodic screening and diagnostic testing services, including screening and diagnostic testing service for health care treatment and preventive care or any other measures to correct or improve health impairment of a medicaid eligible child, that school district may be eligible for reimbursement of federal funds. And that's exactly what House Bill... Amendment #2 to House Bill 2962 does. And I'll be more than happy to answer any questions you may have in regards to it."

Speaker Brunsvold: "The Lady's asked for the adoption. Is there any discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Yes, she will."

Black: "Thank ya. Representative, I do appreciate the fact that you took the Bill out of the record and I will certainly

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defer to the Speaker's legal counsel who assures me that the Bill is in the proper order and that's fine. And I appreciate you giving us an opportunity to have that looked at. Be that as it may, I'm not real sure I understand Amendment #2. The State Board of Education is requesting medicaid matching funds in fiscal 2001 in the amount of \$275 million. Now, does your Amendment indicate that we're not doing enough or I'm gonna be real honest with ya, I'm not gonna hide behind this file. I've already made one bad mistake, today. Let me just lay it right down to ya. I don't understand what this Amendment does."

Flowers: "Move over, Representative."

Black: "Thank you very much."

Flowers: "Okay, let's do it like this. All right. Now, what I did here, I took existing law, okay, and that was already... I took language from Section 14 and placed it into Section 10. Now, in Section 14, it states, and don't quote me on this, but there the school was entitled to get reimbursement for services provided for special ed kids, but the school district was also entitled to monies to be reimbursed to them for medicaid children also, but the language was not there. So just to keep everything aboveboard, we put the language in that particular Section so now it will be applicable and clear to everyone that they too are eligible because of the medicaid eligibility to have reimbursement for federal funds."

Black: "Okay, now, that's where I'm a little confused. If the State Board requests and they've raised their request for fiscal 2001 by 50 million, I was under the impression that the 275 million captured by the State Board of Education from federal medicaid matching funds would then be disbursed to those schools who had filed the claims.

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Surely, the State Board isn't keeping all the 275 million, right?"

Flowers: "Some school districts were not sure because the language was not there that they were eligible for the funds for the medicaid students. This language would clarify it..."

Black: "Okay."

Flowers: "... because..."

Black: "And..."

Flowers: "... they have always been entitled to it, but the language hasn't been there so some school districts were hesitant about trying to collect it because the language wasn't there."

Black: "And there's nothing in the Amendment that says the school who, perhaps, have not filed a claim, it's not your intent that the money be sent directly from the federal agency to the school. It will still go through ISBE and to the school, but your Amendment will make certain that the school knows they can file a claim."

Flowers: "Absolutely, you're correct."

Black: "And would schools in rural area be able to get more money?"

Flowers: "Yes, be..."

Black: "I have no further questions. Thank you very much."

Flowers: "My pleasure, Sir."

Speaker Brunsvold: "Further discussion? The Gentleman from Whiteside, Mr. Mitchell. Mr. Mitchell."

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

Speaker Brunsvold: "Sponsor yields."

Mitchell, J.: "Representative Flowers, I remember this Bill in committee. My understanding was is that it passed out of committee with the provision that you would work on an

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Amendment and I assume that Amendment #2 is the Amendment that you've worked out?"

Flowers: "No. You're talking about the Amendment #1. That was the Amendment that we worked out in committee. Are you talking about the suicide Bill?"

Mitchell, J.: "Okay. Can you tell me a little bit about Amendment #1, again? I know that that's not the reason here, but... "

Flowers: "Amendment #1 Representative, deleted the entire Bill, and what we did there, it was up to the school's districts if they wanted to teach about suicide. And so rather than making it permissive, we changed that Section. We took it from permissive and put it so they must teach as part of the curriculum of clinical depression and suicide prevention."

Mitchell, J.: "So, Amendment #1..."

Flowers: "It was in the wrong Section. Amendment #1 was in the wrong Section."

Mitchell, J.: "Well, I understand that, but..."

Flowers: "It created a new Act and so what we did... We didn't want to create a new Act. So the provision was already in the Bill, but it was down in the permissive Section so we just took it out of permissive and put it into where it is required that it be taught."

Mitchell, J.: "Okay. Amendment #1 becomes the underlying Bill, correct?"

Flowers: "Yes."

Mitchell, J.: "Okay. Well, I think I'll just wait and ask my questions on Third when we get to that point. Okay. I don't really have any questions with Amendment #2. I do understand where you're headed with that. And I'll just delay my questioning. Thank you."

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Speaker Brunsvold: "The Lady has asked for the adoption of Floor Amendment #2. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And Amendment #2 has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A fiscal note has been requested on the Bill that has not been filed."

Speaker Brunsvold: "The Bill shall remain on Second Reading. Mr. Clerk, what's the status of House Bill 2985?"

Clerk Rossi: "House Bill 2985 has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Brunsvold: "Third Reading. Mr Clerk, House Bill 3036. What's the status of that Bill? Mr. Clerk, House Bill 3239."

Clerk Rossi: "House Bill 3239, a Bill for an Act amending the Code of Civil Procedures. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 3254."

Clerk Rossi: "House Bill 3254, a Bill for an Act in relation to alternatives to dissection. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3262. Mr. Clerk, 3262."

Clerk Rossi: "House Bill 3262, a Bill for an Act amending the Health Maintenance Organization Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Hoeft, for what reason do you rise?"

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Hoefl: "Thank you, Mr. Speaker. If I'd had the opportunity, I'd have voted 'no' on House Bill 3169."

Speaker Brunsvold: "It's been so recorded."

Clerk Rossi: "The Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee, immediately in the Speaker's Conference Room."

Speaker Brunsvold: "Mr. Clerk, House Bill 3535."

Clerk Rossi: "House Bill 3535, a Bill for an Act to create the Municipal Assistance Commission. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3903."

Clerk Rossi: "House Bill 3903, a Bill for an Act amending the Illinois Insurance Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3935."

Clerk Rossi: "House Bill 3935, a Bill for an Act amending certain Acts in relation to parental rights. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Brunsvold: "Third Reading. House Bill 4181."

Clerk Rossi: "House Bill 4181, a Bill for an Act amending the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 4480."

Clerk Rossi: "House Bill 4480, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for

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consideration."

Speaker Brunsvold: "Third Reading. House Bill 3840."

Clerk Rossi: "House Bill 3840. The Bill has been read a second time, previously. The fiscal note that was requested on the Bill has been filed."

Speaker Brunsvold: "Third Reading. House Bill 4348."

Clerk Rossi: "House Bill 43..."

Speaker Brunsvold: "Thank you, Mr. Clerk. House Bill 1544. 1544, Mr. Clerk."

Clerk Rossi: "House Bill 1544. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Silva, has been approved for consideration."

Speaker Brunsvold: "Representative Silva. Representative Cross. For what purpose do you rise, Sir?"

Cross: "Well, I had a question of the Sponsor with respect to her Amendment, Mr. Speaker. Is she gonna do her Amendment? Can I ask the question before she does her Amendment?"

Speaker Brunsvold: "Mr. Cross, yes, go ahead ask your question."

Cross: "Will the Sponsor yield?"

Speaker Brunsvold: "We're not on that Order of Business, Mr. Cross. It's out of the record."

Cross: "Well, then I don't have a question."

Speaker Brunsvold: "Committee reports."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on February 23, 2000, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #1 to House Bill 3254 and Floor Amendment #1 to House Bill 3901."

Speaker Brunsvold: "Representative Silva, on House Bill 1544,

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Floor Amendment #1."

Silva: "Floor Amendment #1, essentially, acknowledges that private physicians, physician groups, as well as partners, in the effort to provide access to quality health care to over 2.2 million uninsured population. So, essentially, it provides for a definition of the uninsured, allows for private physicians and physician groups to be eligible for this grant program as long as they meet certain minimal requirements. And I urge an 'aye' vote."

Speaker Brunsvold: "Clerk, read this Bill."

Clerk Rossi: "House Bill 1544, a Bill for an Act regarding medical care. Second Reading of this House Bill."

Speaker Brunsvold: "The Lady has explained the Amendment. And on that, Mr. Cross."

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

Speaker Brunsvold: "Sponsor yields."

Cross: "Representative, does your Amendment... Well, before I ask the question. My understanding was at one point both the Department of Public Health as well as the Medical Society were opposed to the..."

Silva: "Representative Cross, I can't hear a thing you're saying."

Cross: "At one point, Representative, the Illinois State Medical Society as well as the Department of Public Health were opposed to your Bill. Does the Amendment, to the best of your knowledge, take away their opposition?"

Silva: "Yes, it does."

Cross: "Both groups?"

Silva: "Yes."

Cross: "Oh, both entities... Thank you very much."

Speaker Brunsvold: "Further discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted?' All in

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favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 3319. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3319, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I would like to ask for favorable consideration to this Bill. This Bill would form a grant program to reduce class size in the grades kindergarten through fifth grade. School districts would apply for the grant and would have to reduce class size by at least five students. Class size could not be reduced below 18 students. Are there any questions?"

Speaker Brunsvold: "The Lady's asked for the passage of House Bill 3319. Is there any discussion? The Gentleman from Effingham, Mr. Hartke."

Hartke: "Will the Sponsor yield?"

Kosel: "Yes."

Speaker Brunsvold: "Sponsor yields."

Hartke: "Representative Kosel, I really think this is a very good idea. You know, a lot of kids are really hard to handle, especially, if you're K through five. They're smaller and really need more attention. Have you had a fiscal note on this? What's this gonna cost?"

Kosel: "Yes, there was a note filed. We also filed an approp Bill for that. We feel that the cost..."

Hartke: "You do have an appropriation Bill that's a companion Bill with this?"

Kosel: "Yes, we do."

Hartke: "What is the appropriation Bill amounted?"

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Kosel: "Fifty, fifty million."

Hartke: "Fifty million dollars?"

Kosel: "Yes."

Hartke: "And this will be a grant just to those schools who want to reduce that class size. Would this be for 100% of that teacher?"

Kosel: "Well, excuse me, I didn't hear your last comment."

Hartke: "Will the grant be equal to 100% for the teacher's salary?"

Kosel: "The grant could be used for what the school district decided it could be used for. So if the school district wanted to use it to add additional classrooms, if that's what they felt would make the reduction, then they could use it for that."

Hartke: "If a school had the 18 per classroom now... Well, let's say I had three third grade classes and they had two at 23 and the other with 18. Could they request these funds, or would they have to reduce all of their classes to 18?"

Kosel: "The way that the class numbers of the existing schools would be determined, would be determined through the rule process and it would be my legislative intent that that be consistent throughout the state. That we use the same figures across the state to be extremely fair in how we do that. And I would be very... I would take very careful note of how that was done through the state board in their rule-making process, because I think that is the key to the Bill. The idea behind this Bill is to give the classes... to get the money into the areas that need it and through the grant process, I believe that we can do that, Sir."

Hartke: "Is there any other criteria other than the number of children in a classroom? You said to put the money in the area that needs it. What do you mean by that?"

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Kosel: "The areas that have the most overcrowded classrooms. There is no other criteria in the Bill and that would all be set up through the rule-making process."

Hartke: "You're gonna let that up to the rule-making process. What do you think your chances are of getting the appropriation Bill through to match this legislation?"

Kosel: "There's already \$56 million of federal money in the State Board's budget for projects like this. Plus, the Governor has committed to this type of project."

Hartke: "This is in the State Board of Education budget that the Governor requested?"

Kosel: "They have \$56 million in federal funding for class reduction in the state budget."

Hartke: "But you're designating that for K through five, correct?"

Kosel: "Mine limits it to K through five, yes, Sir."

Hartke: "Is this your initiative or the Governor's?"

Kosel: "This is my initiative and has been for two years."

Hartke: "What did the Governor have in mind when he put that in his budget? Is it in sync with yours or not at all?"

Kosel: "Well, last year the State Board had \$5 million in class reduction that was not even spent and these are funds that actually could be employed with it. I think the joy of this Bill is and I believe that when we voted on it last time, you also voted in favor of it, is that the program can be very small or very large. It can use any funds that are there to utilize reduction in class size because it is a grant program. And that's why I think it's such a positive program. We know how very important it is for students in the lower grades to have the right learning experience to start with and it's a very positive move to put the teachers where we're needed, to put the classroom

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space and have the attention that those students need."

Hartke: "Well, that was a very interesting statement, but you didn't answer the question."

Kosel: "Would you repeat the question, Sir?"

Hartke: "The question was, what did the Governor have in mind when he put the \$56 million in the budget? Was it for school districts that had maybe 35-40 kids in classrooms all the way across the board or was it certain areas of the state that he was looking at? You're saying you want it in K through five. Well, you know, I think that's a grand idea, but if there are school districts in the State of Illinois that have 35 to 40 kids in seven, eight, nine maybe all the way through, maybe that's what the Governor had in mind. And your Bill is not gonna fly, then because it's not gonna be what the Governor wants. That's why I asked you, is this in sync with what the Governor wanted you to do?'

Kosel: "You asked me if I knew what the Governor's intent was and no, I am not aware of what the Governor's intent was. I think this is a good Bill and will do wonders for the students of the State of Illinois."

Hartke: "Would you want to pull the Bill out of the record until you find out the answer to that question?"

Kosel: "No, Sir."

Hartke: "All right. I don't know if I have any opposition to what the Lady's trying to do, but I think that there are probably school districts in the State of Illinois that probably have a lot of kids in a lot of classrooms and I know it's important to focus on young kids, to get them started right, the right learning habits, teaching, and so forth, but I think we ought to look at the broad thing, now. You're limiting this grant thing just to those K

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through five. Maybe there are some districts that the Governor has in mind that this should be broader than that. Maybe it should be opened up to all school districts or maybe certain districts that are, shall we say, on the lower end of the dollars that are available per pupil to spend. And I think maybe that's where the Governor was heading, 'cause generally when we have school districts that are on the lower end, they have crowded classrooms 'cause they can't afford to build new classrooms. And so maybe that extra \$50 million was to go to those districts that need more assistance just not lowering the classes K through five."

Kosel: "Thank you for your comments. I felt that this was an expansion on a Bill that was purposed by your side of the aisle that only took it to third, K through three. And I was very happy to see it go up to K through five. I think the class reduction is very important no matter where we're at, but we have studies that show that it is really important on the lower levels."

Hartke: "Well, I don't disagree with that at all. Thank you very much for your answers."

Speaker Brunsvold: "Further discussion? Seeing none, Representative Kosel to close."

Kosel: "I would ask for your favorable consideration of this Bill."

Speaker Brunsvold: "The question is, 'Shall House Bill 3319 pass?' All in favor vote 'aye'; 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. And on that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared

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passed. Mr. Clerk, House Bill 4089. Please, read the Bill."

Clerk Rossi: "House Bill 4089, a Bill for an Act creating the Internet Voting Commission. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As elected officials, we've all been concerned for some time about decreasing voter participation. That decreasing voter participation has led us to spend lots and lots of money and hire all kinds of workers just to drag people out to the polls. Now, we could remedy some of this by, perhaps, being better public officials ourselves and by finding more exciting people to run for public office. But another thing we need to do is make it easier for people to vote. I think it's time that Illinois joined the high-tech world. There are many opportunities through the Internet to allow people the opportunity to vote. They've been trying this in Arizona this year. They expect a five-fold increase in the State of Arizona in the Democratic primary in people that vote by using the Internet. Now, we know that Internet voting will not be perfect, today. We know that we have to ensure integrity of the voting process and ensure anonymity of the voter. We know that we have to keep polling places open so that they're not limited in access. This Bill will allow a commission to be put together by this General Assembly to study and recommend to us a method by which we might institute Internet voting for the 2002 elections and thereby, including more people in the political process. Most I talked to think this is a good idea. There's some concern about vote fraud, I share that concern. This commission will not implement a plan

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without coming back to the General Assembly first. And I believe if we are to help our citizens come to the polls, if we are to make it easier for them, if we are to include more people in the political process, then joining the 21st century, in terms of technology, is where we ought to go. Illinois ought to be in the forefront of convincing people that it's a good thing to be involved in the process, a good thing to vote and I think this Bill will take a major step forward to including more people in the process of government. I ask for your support."

Speaker Brunsvold: "The Gentleman has asked for passage. Is there any discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies of the House. You know it's difficult and I don't have any intention of voting against the Gentleman's Bill. I know it's the 21st Century. But I do, on the record, just simply want to state, I have had it up to here with all the excuses that people use today that they can't vote. It's too hot. It's too cold. It's too wet. It's too dry. It's too difficult. I've had it up to here with that excuse. An hour ago we put the World War II memorial check-off ballot or the Bill out of here with a unanimous vote as we should have. When I think of what that generation went through year after year, in foxholes, in mud and blood and a half a million of 'em died to give me the right to continue to vote in a free election. I don't have any time or patience for anybody today who tells me it's too hard to vote. It's too hard to register. That's a cop-out. That's a cop-out. If that's all these people think about, what people have given us, a republic, a democracy and all of the people that have sacrificed over the years, you can register by

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mail, you can register by postcard. Now, I assume, and I'm not gonna vote against the Gentleman's Bill, I know we're in the 21st Century and times have changed and so now, we may be able to vote by Internet. What will it be next? The glare of the screen is too hard on their eyes so they can't vote. At some point, elected Bodies in all 50 states are gonna say, 'If you don't want to vote, then, by God, don't write me any letters and don't complain.' People should get out there and vote and I've had it up to here with all the excuses to why they don't. I'll vote for this stupid Bill, but anybody comes to my office and tells me that they won't vote unless they can vote over the Internet, you know what I'm gonna tell 'em, go somewhere else. Go to Cuba. Go to Haiti. Go to Brazil. Go to the old Soviet Union. You're too tired to vote, then go somewhere else. And nobody will do it. Nobody will do it. Is anybody in this chamber gonna get an old leaky rowboat tonight and row to some other country? We're still the beacon of the world, the best country ever devised by mankind and I'm just sick and tired of hearing this whining. It's too hard to vote. You've got to make it easier. Ah, baloney."

Speaker Brunsvold: "Thank you, Mr. Black. You've got the board all lit up. The Gentleman from Rock Island, Mr. Boland."

Boland: "Thank you, Mr. Speaker. Although, probably most of us agree with what Representative Black had said and how very important it is that people vote and really there isn't any excuse. But I do believe that this is a good Bill because this moves us into the 21st Century and especially, I think, will help to encourage voting by a demographic group that has had, sad to say, very low voting turnout, as of now, and that is our youngest voters. Our youngest age

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group of 18 to 21 and up to 25 have had the lowest voter turnouts of any age group. That's very sad because those folks have the most to gain, really. They have their whole lives ahead of them and voting and helping to elect good people and voting in referendums for various issues can help to make their lives a little bit better. So I believe though that that age group also, is the one that is most conversant with the Internet, with computers and with voting, far more than those of us who are quite a bit older. So I believe that this type of Bill that will encourage our young people, in particular, to take part in the electoral process. If this encourages 'em, I believe, that someday we may all be voting this way. Maybe it won't happen in our lifetime, but it is the wave of the future and I think that the State of Illinois, being the Land of Lincoln, should take a lead in this and move to the forefront of those states and make this possible. Thank you very much."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. Parke."

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

Speaker Brunsvold: "Sponsor yields."

Parke: "Representative, you, in your opening statements, said that you talked to a lot of people who want this. How do you determine a lot of people? Did you survey the people of Illinois? What kind of proof is there, to us, that in fact, people want this or is this just an exercise that's gonna waste taxpayers' money and Legislators' time and energy trying to figure out this is a good idea? What basis do you say that people want this?"

Lang: "Well, first, let me say that I've talked to quite a few of our colleagues on this floor that think the time for this

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Bill has come. But second, you ask what my evidence is. As you know Representative, I've spent quite a bit of time the last year travelling the State of Illinois."

Parke: "Why?"

Lang: "And as I've talked to people around the State of Illinois, this is an issue that has come up from time to time and they seem pub... help the general public, that I've talked to, seems to think this is a good thing to do to increase voter participation in our state."

Parke: "So you have no other than those people who you've selected to talk to. You really have no basis that this is really something that's gonna work and that this is a good idea. So let me ask you another question. Have you talked to senior citizens about going on and using computers? Do you have any idea how many people above the age of 65 are using computers, now and have any familiarity with computers?"

Lang: "Representative, it's important to note that this Bill does not disenfranchise anyone. You know, in the State of Arizona, they're doing an Internet voting this spring in the Democratic primary. And they made a serious mistake when they set that up because they closed some polling places. That disenfranchised people. This won't disenfranchise anyone. If you don't have a computer, you don't have to vote on the Internet. If you don't like a computer, you don't have to vote on the Internet. This provides an additional way for people to vote. I agree with many of the things the Gentlemen on your side of the aisle said regarding the responsibility of people to vote. In Europe, they have 70, 80, 90% turnouts in elections. Why they feel a greater responsibility to vote than people in America, I can't tell you. But I can tell you that when

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only 30 or 35 or 38% of the people in our state vote in an election, it impairs our democracy and it limits our ability to get peoples' trust. And I believe strongly, that it's our responsibility to try to do more to get people to vote. So I haven't talked, specifically, to senior citizens regarding this Bill, but if this Bill passes or does not pass, won't affect the ability of a senior citizen to vote."

Parke: "Mr. Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Parke: "I understand the effort that the Sponsor wants to do to get more people to vote, but you know, this is still a democracy. If people want to take part in their government, they have the responsibility to go to the polls and vote and they ought to vote the way we have it structured now. Now, I have been watching the Internet with interest over the last couple years and what frightens me most of all is the amount of people who are starting to spend money on the Internet. And I have heard, in the last three months, about how many systems have been purged because of people getting into the system that are not supposed to be there. That there is a tremendous amount of fraud going on along the Internet and I believe that there is no system that can protect the Internet. I have seen that the Pentagon has been purged, that major business corporations, international corporations have all been compromised because people have been able to hijack into those systems. This opens up the ability for fraud even more so than we have seen in the past. You know, there's an old saying in the City of Chicago that when you die they say they want to be buried in Chicago because that way they always get to vote. And I would like to think that we have

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taken away a lot of that fraud through the electronic voting that we've done in terms of people being able to have their ballots counted. I think this is a bad precedent. I think it allows fraud to get in on unprecedented ways. This is dangerous and I know that's not the intent of the Sponsor. But there's no protections that we can put into this system to make sure that it's fraudless. I would ask the Body to vote 'no' on this. This just isn't a good idea."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Silva."

Silva: "Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Silva: "Representative Lang, what happens to people that do not have access to a computer?"

Lang: "Nothing happens to them. Let me tell you because some have misunderstood this. As I said, in the State of Arizona, when they put in the Internet voting they shut down some polling places. I think that's a terrible thing to do. We should never stop having in person voting in precincts the way we do now. We should not limit access to a ballot. This increases access to a ballot to those who have computers or to those who can get to a place where there are computers. Perhaps, they don't have a computer at home, but they do at work. This will enable more people to vote in an easier fashion. It will not disenfranchise anybody."

Silva: "Let me ask you a question. So one could conceivably, if you're poor and you don't have a computer, you might be able to go to a library?"

Lang: "Correct."

Silva: "Could you go to a public office?"

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Lang: "Presumably, you could access the database to cast your vote from any PC that had a modem."

Silva: "From any PC. So how do we... are there provisions to ensure that, perhaps, the dead don't vote?"

Lang: "Provi... I'm sorry. I didn't hear you."

Silva: "Oftentimes, we've heard in the past about voter fraud. And if you could use any PC anywhere, how would you ensure that dead people don't vote?"

Lang: "In the states that are doing this, every person that would vote would get a password. That would be their password. Now, they have to still come up with software that will work to make sure that when you access the system through your password, not only are you the person, but that your vote can't be traced back to you because if it could, then everyone would know how you voted. And so let's remember what this Bill does. It creates a study commission to recommend Internet voting to us in time for the 2002 election. I am very concerned about vote fraud. I am very concerned about making sure of the integrity of the vote process. There's nothing in this Bill that says that we're not concerned about that. We need to make sure that the system works. But it seems to me that in the year 2000 and as we approach 2001 and 2002, there are companies out there working on these systems as we speak and we must join the 21st century and make it easier for people to vote. That's all this Bill does. It lets the General Assembly appoint a 16 Member commission to provide a plan for Internet voting. We would still have to pass any final Bill that would amend the Election Code, not the commission, we would have to do that. All we're saying here, today, is that we endorse the potential of Internet voting and that a commission should go ahead and study it and give us their recommendations."

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Silva: "Will they also be given recommendations because there are people that do a whole lot of absentee casting of ballots. Is that something your commission's gonna study?"

Lang: "I presume it will. So, if you're away or you're a student at school or you're on a trip and you can't get back, if you can get to a computer, wherever you are, you could vote without voting absentee. I think that would enhance the system."

Silva: "Well, although I do want more access for people to vote some of the concerns that I have relate to safeguards for voter fraud, abuse of absentee balloting. We understand that it, you know, at times seniors can't get out, but we also know the difference when that kind of absentee balloting is abused, where entire families vote even though they don't qualify under the guidelines."

Lang: "Representative, I share your concerns. I think the commission should study all of those things and make all of those a part of its final report to us. Again, we will have to consider the report and determine whether we will pass a law implementing its recommendations. You're exactly on point. That's exactly what they should be looking at. I'm in total agreement with you, but until we put the plan together to have this studied, we won't be able to access the power of the Internet to improve our political system."

Silva: "Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from DuPage, Mr. Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Johnson, Tom: "Lou, this is just setting up a commission to study this. Are there other states that have already started

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this process? You mentioned Arizona. Are there other states?"

Lang: "The State of Alaska is involved in putting a plan together. I don't know if they're voting with that this year or not and there are several other states looking at it and I don't have the list. But there's no reason we shouldn't be in the forefront."

Johnson, Tom: "Have you gathered research in terms of these other states and what they've done and the procedures that they've taken to get there?"

Lang: "Well, we have a little research, but the fact is, that I don't think Illinois is ready today if... Representative, if you were to have a Bill today to implement Internet voting today, I would say we're not ready to do it. I would say were not ready to do it because we don't yet have the software to ensure that there's no voter fraud, to ensure that your vote is properly counted, but is still anonymous so that it can't be traced to you. These are definitely some issues. And so we're not ready to do this. That's the purpose of the commission."

Johnson, Tom: "No, I understand that. What is the cost of this commission? What will it cost to set this up and operate it for two years?"

Lang: "Well, I don't believe it will cost very much because the members of this commission get no salary. They're to get expenses when they meet, just like many other commissions we have around here, that would be the sum and total cost."

Johnson, Tom: "And that commission cost comes out of the legislative budget, does it not?"

Lang: "I would presume it does."

Johnson, Tom: "Okay. I have one other question, here. Has the Speaker endorsed your idea of forming a new commission?"

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Lang: "I haven't discussed this with the Speaker, but as you know, the Bill's out of Rules and out of committee and on the House Floor, that should speak for itself."

Johnson, Tom: "Okay. I guess, I have a problem with part of the process around here, Lou. You know, in no uncertain terms were we told in the Spring Session, when we had the Bill out here concerning the recodification of the Criminal Code and that Bill, of course, provided for a commission. Your Speaker, at that point, put the brick on and said it is the policy of this Speaker that we will form no more commissions. Now, if you want to form a task force, we can form a task force. And now, what we're doing here... Why wouldn't we just do a task force? Why would we go to the total cost of a commission? Why are you permitted under this scenario, to do a commission when, in fact, something that I think many of us would agree is an extremely important issue, namely, the recodification of the Criminal Code? And there's another one, a commission dealing with oversight of prisons are, in fact, bricked by your Leader. This seems to be a pretty selective moving forward of letting a Bill go, for a commission, when in fact, a task force in my opinion, would be far more appropriate, a lot cheaper, and especially since there is already other states that are in the process of doing the research. And maybe you can answer for your Speaker, how it's working over there this year."

Lang: "Well, Representative, I hesitate to speak for anybody else. Let me tell you that over the years, I've had Bills creating commissions that have not gotten out of Rules, either. I will tell you very honestly..."

Johnson, Tom: "Mine got out of Rules."

Lang: "... that I have not discussed this Bill with the Speaker,

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there was no rank pulled, I introduced a Bill, here it is on the floor. I can't speak for why it's here other than it got out of Rules and the Members of the Elections Committee, on a vote of 9 to 1, thought this was a good thing to do. This will cost no more money than a task force, Representative."

Johnson, Tom: "Is the Speaker here, today? Maybe he could come out from wherever he is..."

Lang: "I have no idea where the Speaker is."

Johnson, Tom: "... and clarify this whole issue of starting of new commissions."

Lang: "Why don't we try to limit our debate on this Bill to this Bill, Sir."

Johnson, Tom: "Well, I'm just trying to get an answer and I figured since..."

Lang: "I don't have that answer."

Johnson, Tom: "... you were in Leadership..."

Lang: "You know, we have at taxpayers expense, e-mail, now. I would suggest you e-mail the Speaker a memo and try to get a response from him."

Johnson, Tom: "All right. Well, thank you, Lou. I think it's a good idea to study this issue, but I do think that this whole issue in terms of selectively saying we'll form a commission here or we won't. The bottom line, we all know the problems of creating commissions. And I, basically, agreed with the Speaker and in fact, my own Leader, that maybe the time has come that we don't need to form a commission to study everything that, in fact, task forces are just as good, a whole lot cheaper, and especially where there's a lot of research available. Other than that, you have a good idea; we need to study this issue. No doubt about it. But the format and the selective process, that

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evidently your side of the aisle is now employing, seems to me a little unjust."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Howard."

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

Speaker Brunsvold: "Sponsor yields."

Howard: "Representative Lang, let me probably be the first to congratulate you for the courage to sponsor this legislation that will hopefully bring the State of Illinois, at some point in time, into the 21st century regarding the electoral political system."

Lang: "Thank you."

Howard: "Congratulations, I commend you for that. A couple of questions. Can you tell me, in the most recent election in Arizona, was this used for everyone or were individuals able to make a decision about whether they wanted to do this?"

Lang: "In the State of Arizona, they made what I thought was a fatal error..."

Howard: "Which was?"

Lang: "... in the construction of their Internet voting. The Bill allowed anyone to vote on the Internet, but in so doing, they shut down polling places limiting access to the ballot to people who, as you know where we live in Chicago and Cook County, people don't have to go very far to vote. They shut down a lot of polling places in Arizona. I don't think that's a good thing to have done, in fact, I think it probably is a violation of Federal Law to restrict access to the polls, so they made an error there. They did allow anybody to vote either way, but they shut down polling places. I think we should allow anyone to vote either way, but keep all polling places open. Many people are afraid

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of computers, despite our efforts on the Computer Technology Committee. Many people don't have computers, I'm aware of that. But this is... the goal here is to get more people involved without restricting anybody's access or right to vote."

Howard: "Mr. Speaker, can I ask please that I have some attention to this Bill! I am having a lot of difficulty with the background noise. Thank you. So, Mr. Lang, we now certainly understand that, perhaps, that is something that we need not think about if we, in fact, ever make a decision to go this route. That we will not cut off the rights of people who, in fact, do not want to do this."

Lang: "I think, it would be a terrible thing to do in our effort to get more people involved in the process, to pass a law that opens it up for some, but restricts it for others. We cannot do that if we're gonna have any integrity in the voting process at all, Representative."

Howard: "Next question. I'm hearing a lot from my colleagues about the potential of fraud. I guess I've been voting for a long time and there have been several different manners of voting and each time there's always the same question about whether or not there's something that can be done to minimize the possibilities of fraud. I'm certain that those kinds of issues or those kinds of concerns would be expressed as we are conducting the study that you talked about, am I correct?"

Lang: "Well, you're absolutely correct and I appreciate the question. That's why we're creating this commission rather than having you or I or any Member of this Body sit down and draft a Bill that implements Internet voting. We need to bring experts to the table to tell us how to make sure we get the right software, how to make sure we have the

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right security systems, how to make sure there's no voter fraud. Those are important issues and when this commission reports back to this House, I will not be voting for a Bill that implements Internet voting unless it safeguards the voting process. It's a critical issue."

Howard: "Yes. Can you, at this point, think of some ways that, right off the top, to give any kind of assurances to people, right now, as to what possibly could happen? As I was talking to some of my colleagues a few minutes ago, I talked about the fact that I will order on the Internet. And they ask for my credit card number and there are ways that I am confident or for the most part, I'm confident that it's going to be kept confidential and that it will not be used in a manner that I don't want it to be used. Can you think of some ways that, perhaps, this study will reveal that this kind of concern, perhaps, might not be a valid one?"

Lang: "We've heard a lot recently in the news about computer hackers. We've heard about people getting into the federal computers, the Pentagon, banks, schools, we've heard about kids changing their grades. We also know that there's a lot of E-commerce, people that are buying billions of dollars of materials and goods over the Internet and using their credit card. And it seems to me that as the technology moves forward to ensure that we keep hackers out, we keep people from stealing your credit card number, there's no reason we should expect that we can't create sufficient technology to keep the voting process over the Internet one of integrity and one of safety. I've absolutely no doubt it will be done over the next couple of years. But you know what, Representative, I'm sure you would agree with me that if the commission comes back and

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says to us, 'Well, we can't guarantee safety in the voting process.' Neither you or I will vote for a change in the Election Code that implements Internet voting unless we're sure it's safe."

Howard: "You're absolutely right. Thank you very much, Representative."

Lang: "Thank you."

Speaker Brunsvold: "Further discussion? The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, I stand in opposition to the Internet Vote Fraud Stimulation Commission. Now, vote fraud's been going on a long time. My grandfather told me that in the Democratic primary election in Queen Anne's County, Maryland, that a family of eight went from one lawyer on one side of the courthouse square to the other lawyer on the other side of the courthouse square; one controlling one faction, the other controlling the second faction and to get the price up to \$8, no, it was \$5 a vote for a family of eight. My father moved to Chicago in 1958, ahead of my family moving to Crystal Lake, he stayed in a single room occupancy hotel. He moved to Crystal Lake in the summer, he voted in Crystal Lake in November of 1958. And after the election he got a letter from the Democratic ward committeeman thanking him for having voted in Chicago. Now, after this Bill goes into effect, they won't have to use snail mail, they'll send an e-mail thank you letter. In the year that Amazon.com can't ensure its integrity, what on earth makes anybody think, that with the stakes as high as the Presidency of the United States, that there won't be vote fraud? Oh, come on. We don't need a commission to do this. If you want to study it, have the Elections and Campaign Reform Committee study it or does

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the word reform really hurt that much."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. Giles."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to, wholeheartedly, support this piece of legislation. A couple of years I was Chairman of State Government and Election Reform and we brought a couple measures before the General Assembly to bring forth a commission to study electronic voting. And, also, some of you may recall that I had a display set up in the Stratton Building in which you can, actually, on hand, physically begin to view and to experiment with new technology. I recall, about three years ago, I was in California and I was at a mall and of course, you know, your wife have you at the mall and you're walking' around and I saw a booth being set up. And these booths was set up in the middle of the mall and people were coming in voting electronically. They had the hardware set up and it was on a continuous basis, on a regular basis, for about two weeks in which an individual can come in and cast their vote and that vote will be tabulated right there. That was about three years ago in California. Today, the year 2001, we're here in Illinois and we're talking' about trying to set up a commission to study something that is going to happen in this country and that is the Internet is big business in this country and is here to stay. And during that time, I looked at some statistics and the statistics said the State of Illinois we're about #34 or 35 behind the curve when it comes to coming up with measures to bring our voting technology into current status. We just cannot afford to simply just sit back and do nothing. We must continue to look at these measures and continue to try to bring our

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voting process into the new millennium. We're here, the new millennium has come, nothing has been blown up. We're here and we should be supporting measures such as this. This is going to happen and we need to take it by the horns and deal with it. Thank you. And I fully support it and I would like to be a cosponsor of this legislation."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Brunsvold: "Sponsor yields."

Mulligan: "Representative, if the Internet is not secure yet, don't you think it's a bit premature to have a commission study this before we can even ensure that your vote would remain secret?"

Lang: "Mr. Speaker, I'm sorry. I could not hear. It's very noisy in here. I'm sorry, Representative."

Mulligan: "My question, Representative Lang, is if the Internet is not considered secure yet, isn't it a bit premature to have a commission studying this now? Wouldn't it be more appropriate to wait until the technology is more perfected so that we would actually be studying something that's a better possibility?"

Lang: "No, I don't believe so, Representative. Some states are doing this already and we know that there are several companies in America, some high-tech companies, that are in the process of working on the security systems and the software and the connections necessary to make this work. I think if we wait, we will be behind the curve as we are in Illinois on many other issues. I think we should be ahead of the curve on this one. If, in fact, this commission comes back to us and says, you know, the software doesn't work, it's not ready, it's not gonna

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happen, then this General Assembly won't do anything a year or two from now when the report comes back. It seems to me, we want to be ahead of the curve and if we can get people to vote and be more involved in our Democracy, we have a responsibility to do it."

Mulligan: "Well, aside from the fact that I have some basic concerns about having a security number which someone could either sell or in the home a spouse could decide how the other spouse is going to vote or things like that. I mean, there are certain basic tenets that ought to be studied. But I think the underlying part of this is, it's a little too soon yet because we haven't got the technology and we're then precluding... I mean, are you gonna do commission after commission after commission? I know, and I've served on many of your illustrious task forces and that you always come up with these wonderful ideas..."

Lang: "Thank you."

Mulligan: "... but I think we're just a little too soon on this. I mean, I would not feel secure even voting there for the simple reason that I think a lot of people access the information and I don't think we can secure that yet. In a state where we could not even get human services programs on-line, how do you think we're gonna do voting on the Internet?"

Lang: "Well, firstly Representative, those task forces you referred to... and I'm always happy to have you on board on those task forces, those are task forces that are reacting to crisis. We had a crisis in mental health, so we created a task force which is now a standing committee. We had a crisis in elder abuse in our state which we studied. And we have a crisis now, in our democracy, when only 30% of people or 35% of the people in our state come out to vote.

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It's time to look at ways to convince them to come out and vote. This is just one way. Another way would be for both parties to find better candidates for public office that excite people enough to get them to want to come out to vote."

Mulligan: "Representative, I'm trying to have a serious discussion. Unfortunately, I think what I've opened up is a campaign commercial for you and I didn't mean to do that. But, quite frankly, I still have a lot of concern over that we're doing it a little too soon and if you do it now rather than wait a little while longer, I mean, I don't understand this. Also, I note as a proponent is the Cook County Clerk. Why don't the clerks' offices do these studies if they're the ones that normally come to us with innovations that they want to do as far as voting machines or things that they have? I would think they should let the counties spend their money on this."

Lang: "Well, firstly Representative, the Cook County Clerk and all 102 county clerks all down here together can't introduce a Bill. It takes one of us to introduce a Bill. So the purpose of this Bill is to get the ball rolling and take a look at this issue so that Illinois, for once, can be a model for other states to follow rather than following other states as we do on so many other issues."

Mulligan: "So if you use this Bill, and a lot of us think that right now the Internet is not secure and then you put out a vote on this Bill, is this Bill going to be portrayed as an anticampaign finance reform or an antireform Bill because we think it's too soon or we don't feel the Internet is secure?"

Lang: "If this was a Bill to implement changes in the Election Code to put Internet voting into place today, I would agree

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with you that it's premature. But that's not what this Bill does. This Bill allows this commission to go and study what these companies are doing in this high-tech field to make Internet voting secure, to make it work and I think we should have our work going on right along with these people who are doing these fine studies in how to make Internet voting work."

Mulligan: "Did you put your Amendment on the Bill?"

Lang: "Well, which Amendment?"

Mulligan: "The Amendment that I have up right now, says, 'The Internet Voting Commission shall study and recommend to the General Assembly a system of voting via the Internet at elections in 2002 and thereafter.' So what you're saying, this commission will not only study the issue, this commission is going to make a recommendation as to whether we should use it in the election of 2002, which I think is very premature."

Lang: "The original Bill you wouldn't have liked even better... even worse, whichever."

Mulligan: "Whichever."

Lang: "The original Bill called for the commission to implement Internet voting by 2002. The Amendment that I put on the Bill simply has them coming back and making a recommendation to us. It is this Body that will be responsible for changing the Election Code, not some commission."

Mulligan: "Well, I understand what you're trying to do. I think that we're not that secure in the Internet yet. And I don't know, you know, the way technology moves maybe it will while we are doing the commission, but I think the commission's a little premature."

Speaker Brunsvold: "Representative Hartke in the Chair."

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Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

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

Speaker Hartke: "He indicates he will."

Mitchell, J.: "Representative Lang, just a few very simple questions. First of all, I fully understand that a commission actually can do nothing when it comes to passing legislation. They can only make suggestions, which is what I assume that you're looking at with this commission. I also agree that I'm one of the ones that stood on this House Floor before and said that we don't act until there's a crisis. We never do any planning. And I'm assuming that with your Bill that's what you're looking at, to do some planning for the future with a mechanism that is part of progress. We're not gonna stop the Internet. We're not gonna stop what's already started. It's too much a part of right now, a part of our daily lives. But this commission, if they, in fact, found some real glaring problems within Internet votings, could very easily come back with a recommendation that 2002 may be too soon, that there are some problems that they foresee and would recommend an extension or they would recommend that we go a different direction, isn't that so?"

Lang: "Well, that's certainly true. You know, Representative, none of us here on this floor are gonna vote for an implementation of Internet voting unless we're convinced that it's free from fraud and that the votes will be counted as appropriate. The fact is that I will be asking those hard questions, as well. Remember that this commission is made up half of Legislators, so those of us who will be on this commission, two from each Caucus, will be asking those hard questions and if the commission

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determines that Internet voting is not practical, I presume that will be their report to this General Assembly."

Mitchell, J.: "Well, certainly, I cannot fault anyone for doing some pre-planning. We don't do nearly enough of that. And I might remind the Body that if commissions were allowed to pass legislation or change the course of history without a vote of this Body, we would be funding schools a different way. Because we did have a Blue Ribbon Commission at one time that suggested a major change, didn't happen, didn't get the votes. So I agree with you that it's time to study this issue. I think it's a good Bill. Thanks, Sir."

Lang: "Thank you, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you. Thank you, Mr. Speaker. I'd like you to look at the wording of this 'cause I think this is critical. This is not a Bill to study Internet voting, folks. This is the Bill that says we want it implemented. This is not saying study, it's saying this is our recommendation for the implementation. When the commission gets done, then they will be working out the details on how this is to be done. Look at the wording of this. This says, 'the commission shall study for the implementation of Internet voting.' The option is that they are saying we want Internet voting, you show us how it's to be done. If this was to be a neutral Bill, it would say, we want a commission to study the issue, but the wording is 'study and implement'. So if you vote 'yes' on this, you're voting 'yes' for the implementation of Internet voting. Your next vote will be how it is accomplished. I really think that this is going way beyond the scope of what we want here. We don't know cost. We don't know the fraud

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elements. This Bill is saying implementation; that's the vote, not the study. The vote is on implementing this and it's a terrible big step right now. And I think it should be voted 'no'."

Lang: "Mr. Speaker, if I may?"

Speaker Hartke: "Representative Lang."

Lang: "I have to interrupt just to correct the record. The original Bill talked about implementing an Internet voting system. The Amendment changes the word 'implement' to 'recommend'. This Bill does not implement an Internet voting system and I'm sure the Representative must have misfiled the Amendment that describes what we're going after here."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

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

Speaker Hartke: "He indicates he will."

Lawfer: "Representative, you said you've travelled all over the state and I know you've been up in my district and so on..."

Lang: "It's a lovely place, Sir."

Lawfer: "Well, you know, you started that campaign about a year ago, and I think you started it in Galena and it was a good place to start, top of the state. But I haven't had a lot of calls on this particular Bill today in regards to that. I was wondering if you could share with me what maybe some of my constituents have said to you when you were in Galena, in that area."

Lang: "You know, I've heard from none of your constituents regarding this Bill, Sir."

Lawfer: "Well, I hadn't..."

Lang: "But I've heard from none of your constituents regarding a

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lot of Bills."

Lawfer: "Well, I haven't decided how I'm gonna vote on this. I just thought maybe you could share some information with me in that regard on this particular Bill."

Lang: "Was that a question? I didn't hear the question."

Speaker Hartke: "Further discussion?"

Lawfer: "Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Hartke: "He will yield."

Harris: "Representative, I have one brief question here in regards to the code. What if I had two teenagers 18 and 19 years of age in the house, a wife, a grandmother and a grandfather and I had their code numbers, would I be able to vote for all five of 'em?"

Lang: "Well, Sir, that's why we're putting this commission together. I don't know the answers to those questions. And we are not gonna implement Internet voting in Illinois until questions like that are resolved. We... eventually, if we're going to do this, we'll have to hire a vendor who will put an Internet voting system into place that we believe is a 100% secure, and as long as that happens, we'll be voting for it at some time in the future. But neither you or I are going to vote to change the Election Code in our state to actually put Internet voting on the books until we're sure that the system is secure. I won't be doing it; I know you won't be doing it."

Harris: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Lang to close."

Lang: "Well, thank you, Mr. Speaker. We've had a full debate on

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this and I appreciate the questions. Let me just say clearly, this Bill does not implement an Internet voting system. This Bill does not decrease access to the polls. This is a Bill to help us improve our democracy at a time when less than 40% of Illinoisans go to the polls. I think we need to do all we can to increase voter participation which will improve this General Assembly. It will improve access to government. It will improve the peoples' ability to reach out and touch their Legislators in a way so that we know what they're thinking while they follow up on what we're thinking. So I think this is an idea whose time has come. We want greater voter participation, Internet voting will accomplish that. I would appreciate your votes."

Speaker Hartke: "The question is, 'Shall House Bill 4089 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brunsvold?"

Brunsvold: "Speaker, can you have the Clerk transfer my switch, please?"

Speaker Hartke: "Mr. Brunsvold, your switch is not working? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 61 Members voting 'yes', 48 Members voting 'no' and 6 Members voting 'present'. Representative Black."

Black: "Mr. Speaker, I'm too late for a verification according to the rules. Yes, I am. But I would demand that all PCs be encumbered. I want them checked. Somebody here voted on their PC and I want to know who it was. So I want all these computers tonight locked up and we'll get into the memory banks because two of these votes appeared as if by magic, Mr. Speaker. And I know what you're up to, Mr.

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Speaker. So not one PC can leave this room, agreed? You and I'll check them, personally."

Speaker Hartke: "We will."

Black: "Oh, yes."

Speaker Hartke: "This issue (sic-Bill), having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar, appears House Bill 3428. Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3428, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, which is supported by the Historic Preservation Agency of Illinois, amends current law. Current law requires that when a property is designated for historic purposes, it becomes eligible for a real estate tax exemption for a period of eight years on the new improvements that are added. However, the current law does not require that the chief county assessment officer be notified that this classification has been granted. House Bill 3428 requires... excuse me, 3428 requires that at the time of application for historic preservation designation that the chief county assessment officer is notified of this request. Now, the purpose for this is to allow the chief county assessment officer to make, perhaps, a change at the time of the request being made, sometimes this request could be downward because it might mean that the property would be eligible sooner for a tax break. On a rare occasion, it may even be an opportunity for the assessor to make a provision to have the assessment reflect more equity in the assessments of other property of like classification prior to construction of the new

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improvements. I'd be happy to answer any questions any Members may have."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Mitchell, J.: "Just briefly, I would like all of my colleagues to join me in wishing a good friend of mine, Representative Don Moffitt, a happy birthday. His birthday was on the 18th. I believe it was his 67th. So let's all help him out and he's got some cake down there for us. Happy birthday, Don."

Speaker Hartke: "Happy birthday, Don. Further discussion? Seeing that no one is seeking recognition, Representative Biggins to close."

Biggins: "Well, thank you very much. Mr. Speaker, you know, to introduce Mr. Moffitt and when I'm doing a historic preservation Bill, I think is a good idea. And I wish him well. And I urge all Members to vote 'aye' on this Bill."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3428?' All those in favor will signify by voting 'yes'; 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 issue (sic-Bill), there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And House Bill 3428, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, on Third Reading, appears House Bill 4341. Representative Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4341, a Bill for an Act to amend the

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Freedom of Information Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. You may remember an Associated Press investigation of the efficacy of the Illinois Freedom of Information Act last summer. What they discovered, to our dismay, was that many local units of government don't understand the Act, don't understand their responsibilities under it and as there is no immediate enforcement of Freedom of Information without some changes in the Act, they may never do so. So I propose House Bill 4341. It makes two changes in the Bill. First of all, it makes for a lower barrier for a winning plaintiff to recover cost and attorneys fees bringing this state's Freedom of Information Act more closely in line with the Acts in other states. This will encourage people who have legitimate claims to discover they have the resources to take those claims to court so that we can have enforcement of the Act. Second, it provides a petty offense penalty for somebody who knowingly, who deliberately and intentionally violates the provisions of the law. I would appreciate your support for the Bill and I'm happy to answer any questions you may have. I think it's time for Illinois to join the rest of our sister states and make sure that public information, paid for by the taxpayer, is, in fact, available to the taxpayer. That's the way that we can make sure public debate is open, that there is sunshine on the activities of our governments, state as well as local."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Will the Sponsor yield?"

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Currie: "She indicates she will."

Johnson, Tom: "Representative, Leader, has there been a commission to study this to make a recommendation before we bring this to the floor?"

Currie: "We didn't think we needed one, Representative. We think this is just good public policy, good common sense."

Johnson, Tom: "I'm surprised. I thought you wanted commissions to study these things, first and I'm disappointed that we don't have one."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Hartke: "She indicates she will."

Mulligan: "Representative, if a local homeowners' association tries to get a city's information on a zoning matter or new subdivision going in and the city denies that to them, would that be of significant public interest for them to be allowed to get that?"

Currie: "Under the current law they'd have to make that showing. If we make this proposed change, if they substantially prevail, they would be entitled to their costs."

Mulligan: "All right. So, in other words, if I was concerned about a development going in next to my home, I could go to the city and then say, 'Give me the information that you have on file.' And if they denied it to me, our homeowners' association could sue them?"

Currie: "Well, they can do that, today. The difference is that if they do that, today, they may find themselves stuck with the actual cost of having done so. Small community organizations are not likely to be able to risk that kind of expenditure."

Mulligan: "All right. If I were individual homeowners and in an

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unincorporated area, the county was proposing to put in a dump or some kind of a garbage facility and they would not give the information to local homeowners, could the homeowners then sue and recover attorneys' fees under your Bill?"

Currie: "Under this Bill, they would be able to if they won in court. If they substantially prevailed."

Mulligan: "But only if they prevailed?"

Currie: "Right."

Mulligan: "All right. So if they have a good cause of action and they could prevail and they could then get attorneys' fees?"

Currie: "Right."

Mulligan: "And they would not be prohibited then from being able to protect themselves by not being able to get the documents?"

Currie: "Right. The problem today is that it may be expensive for them to pursue a legitimate claim."

Mulligan: "I think this makes a good change to the law and I stand in support of the Lady's Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kendall, Representative Cross."

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

Speaker Hartke: "She will yield."

Cross: "Representative, were both Committee Amendments adopted and maybe someone answered these already? I'm just trying to..."

Currie: "I believe that's right. I think there were two and that they were both adopted, but the second one is the relevant one."

Cross: "The second one is which one?"

Currie: "The second one is the one that has the substantially

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prevailing language in it. What that means is that someone couldn't go to court with all but the kitchen sink lawsuit, win on one small portion of the suit and then be entitled to recover costs and attorneys' fees. You'd have to substantially win in the court of law before you would be granted the costs and the attorneys' fees that went into the suit."

Cross: "Who's gonna make the determination whether you've substantially followed the law or not initially?"

Currie: "The court will make that determination."

Cross: "So there's gonna be the requirement of a lawsuit?"

Currie: "A requirement of the fee provision that they substantially prevail."

Cross: "Have you taken out the petty offense language in your Amendment? I don't have a copy of the Amendment."

Currie: "No. The petty offense language is still there. Some 30 other states provide for some kind of penalty for violations of the Act. My language is a petty offense which means a fine and it, also, only applies if there is a knowing violation, a purposeful violation of the Act, not a situation where somebody thought they were doing the right thing when they withheld information, but where it can be shown that somebody deliberately flouted the provisions of the underlying Bill."

Cross: "I see in our notes that both the Illinois State Bar Association and the Illinois Trial Lawyers are waiting to... have not taken a position until further review. Do you know where the Bar Association is and the Trial Lawyers are now?"

Currie: "I have not heard back from them since the committee hearing, but I would be very surprised if they would be anything but supportive."

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Cross: "I'm a little... and excuse my ignorance on this, but I'm a little, I don't know, if curious or concerned is the word with respect to... If a county happens to be the public body that is in violation?"

Currie: "It's denied."

Cross: "Or denies?"

Currie: "Denied a request for information."

Cross: "You're putting... it appears then that and I'm just trying, I guess I'm thinking out loud, you're gonna put the state's attorney in a position to provide advice to the county board or the coroner's office or to the county clerk..."

Currie: "That's my understanding of what happens today."

Cross: "And then you're also asking now, the state's attorney after having given advice to that particular body or whichever body it may be and then he or she may have an obligation to then file a complaint against that person."

Currie: "No, no, no, no, no. It's the individual who files the complaint, not the state's attorney. The state's attorney continues to defend the public body and defend the state's attorneys own advice."

Cross: "Well, I'm not aware of any mechanism that allows the individual to file a charge against someone that we're classifying as a petty offense. I thought..."

Currie: "Oh, I'm sorry. I thought you were speaking of the other portion of the Bill. That may be right, but all I can tell you is that most of the other states provide for some penalty and under our Open Meetings Act, there are misdemeanor penalties for violations. I don't know how the state's attorney deals with that conflict, but in our own law we already have evidence of precisely the same difficulty. And, of course, under open meetings the

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penalty is the more stringent, a heavier penalty, than it would be under the language I'm proposing in 4341."

Cross: "I apologize. I didn't hear all that. And Barbara, I'm not necessarily opposed to this. I'm trying to sort this out."

Currie: "And as I say, Tom, I don't know the intricacies of how that works. I do know that the state's attorney is in the same situation with respect to an Open Meetings Act violation in Illinois and would be, presumably, in those 35 or whatever states that already have penalties for violations of Freedom of Information Acts across the country. So whether that means appointing an outside counsel or what, I don't know. But I'm only saying that it is not without precedent in our own state and certainly, the same situation exists in many others."

Cross: "Well, and I don't want to leave that area for a second, but does anybody have an idea or have you thought about defining what 'substantially prevailed' means with respect to... "

Currie: "I thought that it had a fairly clear case law meaning. And I think the idea is that it's not a specific percentage, 51%, but that the court can determine whether somebody substantially prevailed or only won on a minor point. And again, the reason I put that language in was to protect against the filing of a scattershot lawsuit that may end up with one tiny point of being sustained, but when the rest of it is all thrown out. So I'm prepared to defer to the judgment of the court, if the court says this was a substantial prevailing or if this was just a small, you know, piece of the puzzle."

Cross: "Here's my other concern and once again, I'm not sure that I oppose this 'cause I understand some of the concerns out

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there. It seems like we're also putting... if a city clerk doesn't follow the law or a county clerk, our public bodies or our respective cities are gonna be on the hook for the attorneys fees, it's not the individual, is it not?"

Currie: "That is true and of course, that is true today where the law reads that the court may impose fines and may impose costs and attorneys' fees. So there already is a risk, there already is a liability. The problem is that the barrier in Illinois to being able to collect the fees and the costs is so high, so much higher than it is in other states, that a lot, particularly of small community groups, find themselves unable to access the court system. So liability is there. This may increase the liability because the court will award whereas today the court may award, but the risk, the liability is still there and you are right, it comes out of the government body's budget, whether that's the clerk's office or the city's or the county's."

Cross: "Well, if I'm a judge in a local... I won't go down that road a second... Do you have any idea how many appeals have taken place or may take place under this?"

Currie: "I tried to get that number. I don't have it. I think that, that in fact, there are some groups that are just plain barred from filing legitimate suits about Freedom of Information issues because they don't have the resources to do it. My guess is, The Chicago Tribune is able to fund its own lawsuits, but I'm not sure that a local community organization that wants to find out whether the park board is spending as much on park maintenance in its area as it is across town. My guess is, those are the groups that really do find it impossible to enforce the Act through the court system because they don't have access to free legal

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service."

Cross: "I guess... just a final concern is, is there wisdom in using the word 'shall'? I mean, we're taking away the discretion of the judiciary, Barbara, and I'm just not sure that we want... generally, I don't like going down that road. We do that more than we should."

Currie: "I agree with you on some points, but not on this one. And I would just point out that most states do require the granting of fees and costs when somebody does substantially prevail. Today there are substantial barriers to getting those fees and costs in Illinois and my concern is that the barriers are sufficiently high, that there is a chilling effect on legitimate, would be legitimate, plaintiffs and since the Act is not self-enforcing, I think this will encourage greater obedience to the letter and the spirit of the underlying Freedom of Information Act."

Cross: "Just one final question. What if the State's Attorneys Office fails to give out sufficient information? Does the state's attorney have an obligation to charge his or herself?"

Currie: "If it's the State's Attorneys Office that doesn't provide the information, yes."

Cross: "Who's gonna charge the state's attorney?"

Currie: "Who's in charge of the State's Attorneys Office?"

Cross: "Who's gonna charge the state's attorney with the petty offense?"

Currie: "Well, maybe nobody will. On the other hand, I don't think there have been very many charges brought under our Open Meetings Act of criminal violations. Yet, the fact that that language is there may well encourage public bodies to be very careful how they implement a closed meeting opportunity under the Open Meetings Act. And it

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would be my hope that a little education in this area might be a useful thing."

Cross: "All right. Thank you for your answers."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Turner, J.: "Representative, you and I have discussed this Bill a couple times over the last several days and I will tell you, I intend to support your Bill. I do have a few concerns about it. I'm not convinced that it's the perfect Bill, if there is such a thing. I believe that once it passes through here it, perhaps, will get a little tweaking over on the other side of the Great Divide, anyway. As you know, I'm a cosponsor on a Bill that also addresses the concern about failure to comply with the Freedom of Information request and it is one that the Attorney General has advocated. From my perspective, both Bills go, at least part way if not a long way, towards addressing a problem that has come up several times over the last year or two that has been publicized throughout the state, I believe. So from my perspective, Representative, I intend not only to support your Bill, but the Bill advanced by the Attorney General's Office. And hopefully, by the time they work their way through the House and through the Senate and perhaps, through a Conference Committee Report we'll have done a good thing in the State of Illinois by making some improvements to the Freedom of Information Act. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Will the Representative yield?"

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Speaker Hartke: "She indicates she will."

Harris: "I have a question, Representative. I noticed here that you said there are no known opponents at this time?"

Currie: "I think that's right."

Harris: "And then right under that, you say the City of Chicago opposed the Bill and then..."

Currie: "Pardon me. Chicago what?"

Harris: "Does the City of Chicago oppose the Bill?"

Currie: "I don't know. I don't know the answer. I don't know if they signed in in committee or not."

Harris: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Currie to close."

Currie: "I appreciate your support for this sunshine in government proposal."

Speaker Hartke: "The question is, 'Shall House Bill 4341 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hannig? Mr. Clerk, take the record. On House Bill 4341, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar, appears on Third Reading, appears House Bill 3435. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3435, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. House Bill 3435 could probably best be described as accuracy in budgeting. What this legislation would allow for school districts to more

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accurately levy taxes when they create budgets. It would decrease the number of districts that have to balloon their levy so it would be more accurate. Currently, there's no statutory basis for a school district to amend its tax levy after it's filed. What this would do is that when a county receives a multiplier, this would allow the school board to amend their certificate of tax levy when that multiplier has caused a change. I'm not aware of any opposition to this Bill. Probably one of the strongest points that should be considered on this legislation was in the Illinois State Board of Education newsletter in January 21st when it indicated when we keep talking about the foundation level and for the year 2000-2001 that foundation level is 4,425. State aid is based on the assumption that you're at your maximum allowable levies. If a multiplier is applied, your rate's gonna go down, but you're not gonna get an increase in state aid. So this allows for, as I said, accuracy in budgeting and it'll allow your school district to be able to capture the maximum for their students. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3435?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? There are 2 people that haven't recorded themselves. Have all voted who wish? Mr. Clerk, take the record. On House Bill 3435, there are 111 Members voting 'yes', 4 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar, on Third Reading, appears House Bill 3861. Representative Brunsvold."

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Clerk Bolin: "House Bill 3861, a Bill for an Act to amend the Wildlife Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill very simply repeals a provision we passed a few years ago allowing for a certain amount of the unused licenses for deer hunting and turkey hunting to be set aside for outfitters that, right now, are doing hunting here in the State of Illinois. This provision has never been used by the Department of Natural Resources and through a committee of deer hunters and sportsmen from around the state that met with the DNR they made this recommendation and this Bill is the result of that. Nothing will really change because this Bill, again, was never implemented, so we'll go back to status quo."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, do we really need this Bill? Couldn't we just ask the Department to nullify this over the Internet?"

Brunsvold: "I don't think so, Representative Black."

Black: "Well, I remember that last Bill. I think you voted on the Internet. Your switch was broken."

Brunsvold: "I did. No, I didn't switch. I didn't get voted."

Black: "I was under the impression, Joel, and on a serious note, I thought there was. I thought there had been a permit given in Southern Illinois to someone who had leased several hundred acres of land and was doing a deer hunting situation or have I got... do I have the two things confused?"

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Brunsvold: "Well, right now, Representative, there are a lot of outfitters working in the State of Illinois. There has not, by the DNR, has ever put a set aside 20% of the unused licenses in any county and then, actually, given it to the outfitters. There are ample licenses for bow hunters now, you can buy 'em across the counter. So, really, there's no need. The Department felt that they even need to implement this and they went about a procedure with a committee, a very large committee which I sat on and they made this recommendation with a vote of 8 to 6, so it was close."

Black: "As I recall having been to some of the Ducks Unlimited and Pheasants Forever banquets, I think some of our sporting groups had some real problems with the set aside, did they not? They..."

Brunsvold: "They do. Absolutely. This would tend to be, if you looked at it as an Illinois hunter, would tend to be something that you would not like because you wouldn't want an outfitter to bring people in from outside the state to hunt and then cut down your possibility of hunting in the state."

Black: "But this law does not, in any way, impact someone who is and forgive me, I can't remember the terminology, but there are people in the state who own land or who have leased land, you have a deer permit you can hunt on my land for a fee. That's not impacted here at all."

Brunsvold: "No. The property... the landowners in this state have a right to lease their land to whomever they'd like to lease it to. We can't change that."

Black: "Fine. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner, J.: "Mr. Speaker, will the Sponsor yield?"

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Speaker Hartke: "He indicates he will."

Turner, J.: "Representative, has one of the staffers been over with my slip so I can become a cosponsor, yet?"

Brunsvold: "Yes."

Turner, J.: "Oh, good. Well, then I don't need to be dilatory any longer."

Brunsvold: "Thank you."

Turner, J.: "I did have, actually, one question, however."

Brunsvold: "Yes, Sir."

Turner, J.: "It appears that the Bill as originally drafted applied to both deer hunting permits and turkey hunting permits, but the Amendment makes it applicable only to turkeys?"

Brunsvold: "No. It started out as a deer permit only and then we added turkeys in committee."

Turner, J.: "So it does include both deer and turkeys then?"

Brunsvold: "Both deer and turkeys, yes."

Turner, J.: "Okay. And you're sure you signed my slip?"

Brunsvold: "I did."

Turner, J.: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking... Representative Moffitt? No. Seeing that no one is seeking recognition, Representative Brunsvold to close."

Brunsvold: "I ask for your affirmative vote."

Speaker Hartke: "The question is, 'Shall House Bill 3861 pass?' All those in favor signify by saying 'aye'... voting 'yes'; 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 House Bill 3861, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On

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page 18, of the Calendar, appears House Bill 3225. Representative Saviano. Out of the record. On page 20, on the Calendar, appears House Bill 3989. Representative Acevedo."

Clerk Bolin: "House Bill 3989, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hartke: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Members of the House. This Bill creates the offense of aggravated battery with a motor vehicle which knowingly and intentionally cause great bodily harm or permanent disability while operating a motor vehicle while committing a battery. This would make it a Class I felony punishable by four to 50 in prison. This is a duplicate Bill I introduced last year which passed the House of 115-0. I ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3989?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. There are four people not voting. Have all voted who wish? Mr. Clerk, take the record. On House Bill 3989, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 22 of the Calendar, appears House Bill 4483. Representative Moore."

Clerk Bolin: "House Bill 4483, a Bill for an Act in relation to breast feeding. Third Reading of this House Bill."

Moore: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4483 exempts breast feeding from an issue that relates to jury duty. It exempts mothers who

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are breast feeding from jury duty. It also makes it illegal to prohibit breast feeding in public with an Amendment to the Human Rights Act under the Public Accommodations Article. It also encourages employers to provide a place to express milk during work hours on the normal break times. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I just want to rise in strong support of this Bill. I think that many of us are aware of a lot of the research, new research, going on about brain development in infants. And part of what the research shows is that... excuse me, is that breast feeding is a very important, not only to the mother and the child, but also for brain development in making sure that our children are equipped to learn. So I urge a very strong 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Davis. Turn on Representative Monique Davis."

Davis, M.: "Representative, is this permissive? I mean, if a woman who is breast feeding chooses to serve on her jury, a jury, can she do that?"

Moore: "Yes, Representative."

Davis, M.: "Okay. I think that's... "

Moore: "It makes it optional."

Davis, M.: "I think that's very important because sometimes women pump the milk from their breasts, put it in the refrigerator and leave it for the babysitter. So it doesn't really limit or hamper what they do that much."

Moore: "No. It allows for flexibility."

Davis, M.: "I support your Bill. I think it's a great Bill."

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Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Moore to close."

Moore: "Thank you. Even though such benefits of breast feeding, notwithstanding the personal benefits, are clear, some in our society consider this natural act taboo. We're much more tolerant of suggestive even lewd behavior and dress than we are of nursing mothers. Hopefully, this legislation makes it clear that women today and in the future can comfortably choose to breast feed their children. And I would respectfully ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4483?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 4483, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar, appears House Bill 3315. Representative Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3315, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Chairman and Members of the House of Representatives. House Bill 3315 will create after school programs as a pilot program that would sunset in the year 2003. Through the Illinois State Board of Education, 40 schools will be selected throughout the State of Illinois that are not meeting academic standards to determine on their local needs what an after school program would look like in their particular community. And this will give us the opportunity to have, if you will, a field test of what

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we know is so important as young people between those school ages between the time of 2 p.m. and 8 p.m. are at the highest risk of delinquency and other dangerous matters out in society. This is a Bill that was worked on between some of the Members on Education Committee and worked on in a bipartisan manner. I would ask for your 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3315?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are two people still not voting, now one. Mr. Clerk, take the record. On House Bill 3315, there are 114 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar, appears House Bill 3636. Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3636, a Bill for an Act amending the Liquor Control Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 3636, a few years ago ethical standards were placed on manufacturers and distributors and importing distributors. What this Bill does it will apply to brokers, it adds them to the list. I'd be open to questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Is this the Bill that repeals the Wirtz Bill that we shouldn't have passed last year?"

Schmitz: "It's not in this piece of leg..."

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Speaker Hartke: "Are you directing the question to me or to the Sponsor?"

Skinner: "I'll take either."

Speaker Hartke: "Does the Sponsor yield? Yes, he will. Mr. Schmitz."

Schmitz: "No, Representative, that's not contained in this legislation."

Skinner: "Phooey."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Schmitz to close."

Schmitz: "I ask for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 3636 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3636, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar, appears House Bill 3430. Representative Schoenberg. Representative Schoenberg. Out of the record. On page 18 of the Calendar, appears House Bill 3256. Representative Novak. Representative Novak, would you like to call your Bill? 3256. Out of the record. On page 20 of the Calendar, appears House Bill 3881. Representative Kosel. Mr. Clerk, read the Bill. Representative Kosel, do you have an Amendment to file with this Bill?"

Kosel: "Yes, I do."

Speaker Hartke: "Okay. Out of..."

Kosel: "The Amendment was filed... was taken back to Second..."

Speaker Hartke: "Okay. Let's take it out of the record. On page 20 of the Calendar, appears House Bill 3986.

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Representative Schmitz. Out of the record. On page 20 on the Calendar, appears House Bill 3993. Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3993, a Bill for an Act amending the Public Community College Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. House Bill 3993 has two or three different aspects to it. And the affect of the Bill is it amends the Community College Act and it enables the State Board to provide grant awards for the AFDC opportunities fund to the public community colleges for work force training and technology. This would be subject to appropriations. Removes requirements that the board of a community college obtain prior approval of the Board of Higher Education before entering into any installment loan arrangement with a financial institution. It removes the provision that allows the board of the community college district to enter into a installment loan agreement with the purpose of transferring funds to the Illinois Building Authority. That's the crux of the Bill and certainly be willing to respond to any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

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

Speaker Hartke: "He indicates he will."

Mitchell, J.: "Representative Wirsing, is this based on prior education? In other words, to get these grants, does the recipient have to have a high school diploma?"

Wirsing: "This Bill... it doesn't deal with... this is not the thousand dollar Bill that your... Okay. This deals with community colleges, and as I indicated, it provides grant

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awards through the AFDC program. What has been occurring is that there's been dollar amounts went for, under the AFDC. That the federal funds for that particular program have ended. There's about a million dollars left in the account which cannot be touched. Now, that assistance program is still in place 'cause it comes under another federal situation. But one of the issues here that we need to deal with is tapping into that million dollars. It cannot be spent and it's sitting there. This legislation would allow those dollars to be spent for tech training, to be spent and disbursed in that way. Okay. That's one aspect of it. The other thing is, that right now when a community college goes for a loan they have to have approval of the Community College Board, the local community college board, as well as the Board of Higher Education."

Mitchell, J.: "I understand that. In other words..."

Wirsing: "This would cut that down to two, it's just a time element issue."

Mitchell, J.: "It takes away the need for the blessing of the Board of Higher Ed."

Wirsing: "Yeah. And it speeds up, it still has the oversight of two boards, but... yeah."

Mitchell, J.: "So this is your community college red tape cutter?"

Wirsing: "That's right."

Mitchell, J.: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Wirsing to close."

Wirsing: "Thank you, Mr. Speaker. I just would ask for support on this. This simply clears up some issues, as the previous speaker indicated, to eliminate some red tape and

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allows the access to some dollars for some needed programs.

I would ask for your support."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3993?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3993, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20, on the Calendar, appears House Bill 3901. Representative Fowler. Jim Fowler. Mr. Clerk, what is the status of this Bill?"

Clerk Rossi: "House Bill 3901 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Mr. Clerk, take that Bill back to Second for the purpose of an Amendment."

Clerk Rossi: "Floor Amendment #1, offered by Representative Fowler, has been approved for consideration."

Speaker Hartke: "Mr. Fowler, the Amendment."

Fowler: "Thank you, Mr. Chairman. House Bill 3901 is a Bill to create a Correctional Employee Memorial Fund."

Speaker Hartke: "Representative Fowler, you're on the Amendment."

Fowler: "Yes."

Speaker Hartke: "Would you present the Amendment?"

Fowler: "Yeah. Okay. On the Amendment, when the Bill was argued in committee, Mr. Chairman, it had the renewal fee of \$27. That was not in keeping with the normal fee for other special plates. So what the Amendment done was to correct that so it would be in line with other special plates."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Why would somebody that's been released from a

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correctional facility want a special plate?"

Speaker Hartke: "Mr. Skinner, are you asking me that question?"

Skinner: "I'll ask the Sponsor, if you don't know."

Speaker Hartke: "Sponsor will yield. Yes. Representative Fowler."

Fowler: "Would he repeat that question, again?"

Skinner: "Why would somebody who has been released from a prison want a correctional plate?"

Fowler: "This is not for those that are released from the prisons, Representative Skinner. It's for the employees of the correctional facilities. They would purchase these plates, part of that money would be set aside to create this memorial for correction employees, not the correctional inmates."

Skinner: "Two point five of the correctional employees tested positive for drugs last year. Will those people be eligible for these plates as well?"

Fowler: "If they're an employee of the correctional facility and they wish to pay the fee, yes, they would be."

Skinner: "Why should we reward drug abusers with a special plate?"

Fowler: "Well, I think, under this Bill it would be pretty hard to set aside this memorial just for those employees who passed the drug test."

Skinner: "If they are fired from the Department of Corrections, how soon do they have to turn their plate in?"

Fowler: "That is not covered in the Bill."

Skinner: "Would they be eligible, under your legislative intent, to keep the plates after they are fired?"

Fowler: "It would not be the intent of the Bill, no."

Skinner: "Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking

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recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3901?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 19, of the Calendar, appears House Bill 3850. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3850, a Bill for an Act concerning state monies for medical schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3850 very simply would create a means by which those who would like to make contributions to our medical schools for the purposes of endowing chairs to become entitled to a 50% match of that contribution and I believe, it's a very good Bill. It will strengthen our medical schools and it's a Bill that's time has come. And I would ask for your support."

Speaker Hartke: "Any discussion? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I just want to rise in strong support of this Bill. It's a Bill that received unanimous support in the Higher Education Committee and I urge everyone to support it."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Leitch to close."

Leitch: "Ask for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 3850 pass?' All those in favor will signify by voting 'yes'; those

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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 House Bill 3850, there were 114 Members voting 'yes', 0 voting 'no' and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 22 of the Calendar, appears Senate Bill, on Third Reading, Senate Bill 563. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 563, a Bill for an Act amending the Hospital Licensing Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. This Bill would set up just a very limited situation for a hospital licensure for a 20 bed facility in my district. We've had problems there. We had to close an old hospital, losing 331 beds. This facility has been licensed under other provisions and now we have to go to this. We need the 20 beds in this facility to help alleviate the problem we got with the number of hospital beds in my district. This would simply set up a very narrow provision. We researched and found no other facility that would match the requirements in this Bill so this would only deal with my area. The committee asked that we put a sunset on it of 18 months and that was fine, we did that and committee approved the Bill. And I would ask for your support in passage of this Senate Bill so we could help alleviate a problem in my district."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 569 (sic-563)?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 563, there were 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21, of the Calendar, appears House Bill 4043. Representative Osmond. Representative Osmond. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4043, a Bill for an Act amending the Liquor Control Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Osmond."

Osmond: "Thank you. This Bill came to me as a request from the Lake County Board asking that we review the fee structure for liquor violations. And they asked that the fees be doubled from their current level of a thousand dollar maximum for a first offense to two and a maximum over a period of a licensure from 10 to 20,000. That's the only changes in the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4043?' All those in favor will signify by voting 'yes'; 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 House Bill 4043, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar, appears House Bill 3256. Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3256, a Bill for an Act to create the Momence Dam Transfer Act. Third Reading of this House Bill."

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Speaker Hartke: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill just simply transfers the responsibility for a small concrete dam on the Kankakee River, in the eastern part of my district, from the City of Momence to the Division of Water Resources in the Department of Natural Resources. This is an old dam that was built in the 1930s. It was a WPA project. And it probably will need some repairs in the future. It doesn't need any repairs right now, but the department indicates that they are neutral on the Bill. They gave me some communication with respect to some private property that is very close to where the dam is located so they want to make sure that if they do take over the responsibility to maintain this dam, that they have full and complete access to the dam through a person's private property. So we're in the process of getting those agreements put together with the city council, the city attorney and the landowner. So other than that, I don't know of any known opposition. This is not an unusual request. If you look through the statutes, there a number of dams located on Illinois waterways that have been transferred from municipalities to State Government. So I'll be more than happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, in committee we brought up the fact that Momence had yet to acquire some property before they... is this been completed?"

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Novak: "They are not... Representative Black, they are not acquiring property. There is an individual that owns land that is right next to the end of the dam, okay? And DNR, through the director's office, said that they have a little concern because they want to make sure that once they assume control of this dam financially and otherwise, they want to make sure that to get to this dam they don't want any problems from any private property or landowners that might prevent them from entering their land, so we're working out a little easement agreement with the private property owner. There are no plans from the City of Momence to purchase any land."

Black: "And I assume, conversely then, the department would not be asked to purchase this parcel?"

Novak: "Yes."

Black: "Okay. And the parcel in question would not impede the accessibility of the department to the location or we won't face a year from now, when you may be only limited to one Bill. I guess what I'm concerned about is if this isn't resolved, the individual could put up a barrier of some kind and say, 'You don't have access to this side of the dam because you're not gonna go through my property.'"

Novak: "Right. Right. Right. That's exactly what we're working out, Representative Black. I did receive some correspondence, as a matter of fact, I requested it from Mr. Manning's office. And that's being sent to the City of Momence and they are in the process of working this arrangement out."

Black: "Okay. So, I assume it's your intent, as well as the department, that this agreement will not be completed until they have clear access and there's no question..."

Novak: "Correct."

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Black: "... of property rights."

Novak: "Absolutely."

Black: "Thank you very much."

Novak: "Absolutely."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Novak to close."

Novak: "Yes. I'd ask for an 'aye' vote please. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 3256 pass?' All those in favor signify by voting 'yes'; 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 issue, there were 111 Members voting 'yes', 4 persons voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, appears House Bill 4092. Representative Myers. 4092, excuse me. Representative Myers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4092, a Bill for an Act concerning county officers. Third Reading of this House Bill."

Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker. House Bill 4092 amends the Property Tax Code and the Public Officer Prohibited Activities Act, by adding language that states 'a portion of the member of a county's board of commissioners may serve on the appointed board of review of property assessments if one or two of its members are not able to pass the examination to become a member of the board of review'. The situation is this, there are several counties in the State of Illinois that operate under the commission form of government. And those three commissioners, if the county does not have an elected board of review, those

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three commissioners serve as the appointed board of review, but to serve as a board of review member, you also have to pass a test. The law, as it stands today, would require that if one of those members could not pass a test, that county has to appoint an entirely new board of review and then pay subsequent cost to those board of review members. This simply amends the law to say that if one or two out of those three can pass the test, one maybe can't, that those members who can pass the test will continue to serve on the board of review and the county will then appoint somebody else to replace the one commissioner that can't. Those commissioners that will continue to serve, of course, will serve without added remuneration or compensation. The appointed member that is not the commissioner would serve with compensation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4092?' All those in favor will signify by voting 'yes'; 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 House Bill 4092, there are 114 Members voting 'yes', 0 voting 'no' and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar, appears House Bill 3968. Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3968, a Bill for an Act in relation to East St. Louis area economic development. Third Reading of this House Bill."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the Assembly. 3968 reestablishes the East St. Louis Area Development

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Authority. This authority was first established in 1985 and was funded for two years and then ceased to and was repealed. And my effort is to reestablish it because it is very much needed to do community economic development in the East St. Louis area. There are about five towns that are involved or are affected by this legislation, East St. Louis, Centerville, Brooklyn, Washington Park and Allerton. There would be a board of ten members, the executive director of IDA, IFHA and DCCA would serve along with the mayors of the cities that I have named. The authority would be able to establish a demonstration enterprise zone which is greatly needed and would do project development in finding financing, a long range plan and all the areas commercial, industrial, housing development in this area. And it is very much needed and I ask for your support to reestablish this authority."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Hartke: "The Lady will yield."

Stephens: "Representative, didn't we used to have an East St. Louis Area Development Act?"

Younge: "Yes. It was, as I said, Representative Stephens, it was funded for two years and then it was not funded anymore mainly due... that was an understanding that the Southwest Development Authority would be enacted, but it would not affect the funding for the East St. Louis Area Development Authority."

Stephens: "Well, in fact, didn't very little happen during the period when we did have the East St. Louis Area Development Act in place? Very little came of that Act?"

Younge: "The authority was able to gather statistics, get its

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furniture set up for operation and really do the preliminary things to get going. I think for the two year period it made a reasonable accomplishment. Development is a two to five year process and so I think..."

Stephens: "Is that a no?"

Younge: "... that the accomplishment at that point was reasonable for the time period."

Stephens: "Representative, was that a yes or a no?"

Younge: "That was a... I think that the accomplishment of the authority was not unreasonable for the time period that it was funded which necessitated the start-up period. The big part, Representative Stephens, now, is that this authority is needed. There are large tracts of land in the East St. Louis area and these other cities that need..."

Stephens: "Why was the development Act repealed?"

Younge: "It was repealed because of inactivity as a result of nonfunding. It was only funded..."

Stephens: "Inactivity and nonfunding?"

Younge: "Yes."

Stephens: "And nothing's going to change if we implement this Act again, in my opinion. Inactivity and nonfunding. I... Representative, you have always been a loyal trooper in regard to your district. You continue to do the difficult work of representing an area that is always in need of new ideas and development and the sort of action that government can and indeed, sometimes does take place in that causes development, but this is not one of those ideas. This Act was on the books before, nothing came of it. No action and no money, to use the Representative's words. No action and no money. Why should we take the time of the General Assembly today to pass an Act that's going to cause no funding and no action? It's gonna only

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do this; it's only gonna cause more frustration in the City of East St. Louis. And I respectfully rise in opposition to a well intended, but not very well worded piece of legislation."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Lady yield?"

Speaker Hartke: "She indicates she'll yield."

Morrow: "Representative Younge, who is opposed to this Bill? Is there any agency opposed to this Bill?"

Younge: "Not to my knowledge. The executive director of the Illinois Finance Authority is very anxious to serve on the board as is the director of IDA, the housing director of the Illinois Housing Development Authority. I know of no agency opposition to this Bill."

Morrow: "Thank you, Representative. To the Bill. I've been around here for 14 years or going on 14 years this July and in my time I've seen a lot of things change in here. But one thing I don't want to see change is our respect for a Member trying to solve a problem in her district. If any of you have had a problem in your district and had a Bill that dealt with the issue or the problem in your district alone and it did not affect no one else's district in the state, I would 100% support you on that Bill. House Bill 3968 deserves 118 'yes' votes because this Bill does not affect any district but Wyvetter Younge's. Only Wyvetter Younge's. I'm looking at the home rule impact note. This Bill does not preempt home rule. One of the people said that there's no money for the Bill. Well, we've passed a lot of Bills in this General Assembly that are unfunded mandates. This Bill is not a mandate. This is a Bill

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requested by a Member, probably one of the most senior Members in this Body, who has voted time and time again for your Bills to help your district. I urge green votes on House Bill 3968. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative McKeon."

McKeon: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

McKeon: "I'd like to join with Representative Morrow and Representative Younge. Most of us know the history of the East St. Louis area and the immense struggle that that area is going through and they are making progress and we need to do whatever we can to support Representative Younge and the leaders in that community to continue that progress. To argue because of an authority that existed before accomplished little is not a sufficient argument against this Bill. It has new ideas, new energy, new blood. Let's support Wyvetter Younge in this effort and larger community of East St. Louis and vote 'yes' on this Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Jones."

Jones, L.: "Thank you, Mr. Speaker, Members of the House. I stand in support of Representative Younge's legislation and again, not to be redundant in what the previous speaker said, this only, this only is in her district. I have looked at the East St. Louis Development Act a lot of times since I've been here and this Representative has worked very hard to get this legislation passed and I think it's very disrespectful for any Member in this House to say it's a waste of time when she's not gonna get the funding, it's a waste of time for her to try to represent her district. And I don't care if she brings it back ten more years from

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now, she's still trying to represent the people that sent her down here and I think that's what we all do. And I think sometime Members should think about what they say because you don't like the Bill and the Bill has nothing to do with you then I think you should keep your opinions to yourself and let all of us represent the districts that we come from. And that's what Representative Younge is doing and I think it should be all 'aye' votes."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I simply rise in support of the Lady's Bill. You know, perhaps, none of us represent our districts with as much energy and fervor as Representative Younge does. She deserves to be complimented and encouraged for the work she does for East St. Louis. I think, we're all aware of the difficulties her community has had in education, in public services, in economic development and nobody works harder to alleviate those problems within their own district than Representative Younge. Representative Jones said it correctly. This Bill does not affect anybody else's district. If you don't think it's a worthwhile Bill and doesn't affect your district, why not let the Lady have her Bill. Why not let her do what she thinks she needs to do to have a positive impact on her district. If it doesn't cost your taxpayers any money, if it's not a hardship to them, let the Lady have her Bill. It's a good piece of legislation, well-thought-out and I strongly support it."

Speaker Hartke: "The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would simply ask you to give this Lady the

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courtesy of helping her help her district. All of us serve our districts. We do the best we can to help our constituents and help our people. The Lady from East St. Louis is doing just that. And I think we ought to give her that courtesy, extend her that courtesy. She's doing the best she can to help her district. It affects no one else's district. Let's give her that ability. Let's give her an 'aye' vote and let's help her help herself."

Speaker Hartke: "Representative Younge to close."

Younge: "Thank you, Mr. Speaker. The East St. Louis area will be and will be developed into one of the second most prosperous areas in Illinois. There's a need for housing, there's a need for economic development and I have every belief that this Bill will be funded and will be enacted into law. I ask your support for it."

Speaker Hartke: "The question is, 'Shall House Bill 3968 pass?' All those in favor signify by voting 'yes'; 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 House Bill 3968, there are 70 Members voting 'yes', 44 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, appears House Bill 4116. Representative Turner. John Turner. Out of the record. On page 20 of the Calendar, appears House Bill 4030. Representative Hannig. Gary Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4030, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House."

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This proposal would change the method that we calculate school aid and it would provide that all sections of the State of Illinois would get some additional funding. From the calculations that our staff put together, this Bill would provide for an extra \$16.4 million for the Chicago school districts, 13.2 for the suburbs, 12.9 for downstate and the suburban Cook County area would get about 4.9. The proposal costs, I believe, around \$47 million. We've already amended the appropriations Bill from the Education Committee to account for about half of that, and clearly as we go through the process and work with the Governor, I'm optimistic that we could find the balance of money to fund the program. So this is a proposal that helps everyone's school district. There are no losers. I think it's time. We're in a time of good economic expansion and prosperity and clearly, I believe, we can do better than we have done for education and this would be certainly a step in the right direction. I'd be happy to answer any questions and ask for a 'yes' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Will Representative Hannig yield for question?"

Speaker Hartke: "Mr. Hannig will yield for a question."

Skinner: "See, I'm learning. Representative Hannig, could you tell me how much District 300 in Kane County is gonna take home from your benevolent Bill?"

Hannig: "Representative, we've got some print outs here. Which Representative district is it that you're interested in?"

Skinner: "Well, it's in Representative Lindner's district and it's in my district."

Hannig: "Did you say Community Unit District 300, Representative? It's a little noisy."

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Skinner: "Yes, I did."

Hannig: "Pardon me?"

Skinner: "Yes, I did."

Hannig: "The difference if this Bill were law, is \$711,118."

Skinner: "Seven hundred and eleven thousand dollars?"

Hannig: "Right. Three quarters of a million almost."

Speaker Hartke: "Further discussion? Seeing that nobody is seeking recognition, Representative Hannig to close."

Hannig: "This is a proposal that's good for everyone. I'd ask for your 'yes' vote."

Speaker Hartke: "The question is, 'Shall House Bill 4030 pass?' All those in favor will signify by voting 'yes'; 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 House Bill 4030, there were 115 Members voting 'yes', 0 voting 'no' or 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, appears House Bill 4138. Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4138, a Bill for an Act amending the Clerks of Courts Act. Third Reading of this House Bill."

Speaker Hartke: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4138 would amend the Clerks of the Courts Act. It'll be able to, for the first time, let a debit card be used to pay fines and such things like that. Most of you maybe are aware that these cards that look like credit cards or ATM cards and when used it comes directly out of your checking account. And I'd be happy to answer any questions anyone has."

Speaker Hartke: "Is there any discussion? The Chair recognizes

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the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, I'll ask the same question I had when we started doing this on credit card. The credit card companies charge a premium. You know, you can go pay your taxes now by credit card, but the credit card company is gonna get a piece of that action. I don't know what it is, 4%, 5% and as I recall, we changed the fine structure to cover that credit card cost. Is there a corresponding cost for a debit card? Does the bank that issues the debit card take 2% or a 2% fee or a dollar fee or whatever? I have no idea how they work."

McAuliffe: "No, not that I'm aware of. By using the debit card, it's almost just as good as using cash without using cash. So I don't think there is one."

Black: "Okay. So if the fine is a \$100, fine and costs, and you use a debit card, that means that the county or the city or whoever has levied that fine will get the entire \$100, not \$95 and \$5..."

McAuliffe: "Right."

Black: "... going to the company that issued the debit card."

McAuliffe: "Right. No, though it's..."

Black: "As far as you know, we don't have to juggle the fee structure... that's all I'm concerned about..."

McAuliffe: "Right."

Black: "... is that if it's a \$100 fine, the debit card or the bank, whoever issued the card, forwards the full amount to the entity. Correct?"

McAuliffe: "Right."

Black: "All right. That's fine. Thank you."

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Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative McAuliffe to close."

McAuliffe: "I ask for a favorable vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 4138 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There's one person still not voting. Have all voted who wish? Mr. Clerk, take the record. On House Bill 4138, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 18, of the Calendar, appears House Bill 3223. Representative Turner. Art Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3223, a Bill for an Act concerning fees for administrative review of nonmoving traffic violations. Third Reading of this House Bill."

Speaker Hartke: "Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I bring to you House Bill 3223 which is a Bill that I would refer to as a good government Bill. What it does, in summation, is that if a person currently receives a parking ticket in the City of Chicago there's an administrative hearing that is held to determine whether that person is innocent or guilty. If, in fact, a person does not agree with the administrative hearing, currently the law says that you have to put up a fee of over \$200. I think it's \$225 you have to pay in order to have a court hearing on that particular parking ticket issued. What we're trying to do with this legislation is lower the fee from \$225 to a cost of \$25 in order to have this hearing heard in court. And I move for the favorable adoption of

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House Bill 3223."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Jackson, Representative Bost."

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

Speaker Hartke: "He indicates he will."

Bost: "Representative, I just need to know. Is this gonna do anything about all those tickets that people down in southern Illinois get, that have never been to Chicago and have quite often just left their vehicles in a garage, elderly people that have received these tickets and everything like that. Has it got anything to do with that?"

Turner, A.: "Are you talking' about those scofflaws from southern Illinois who come up to Chicago and visit us at our museums and come to the Taste of Chicago and come up for all those other nice events that Chicago has to offer? Yes, this would... "

Bost: "No, I'm not talking about those particular ones. I am talking about the ones that never come up and get those tickets sent to 'em in the mail."

Turner, A.: "Let me say this, Representative. We have set up a procedure for those whose car happens to be in Chicago or at least, the person who wrote the ticket thought they were there and they in no way was visiting our fair city. We have set up a procedure for them, in fact, we've made it relatively easy where they now have a 1-800 number that they can contact and they can file a petition to vacate those particular tickets. So there is an option and there is a mechanism in place or will be in place to help those individuals who don't live in the City of Chicago."

Bost: "But this Bill doesn't deal with that?"

Turner, A.: "About past tickets?"

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Bost: "No, this Bill doesn't deal with that?"

Turner, A.: "No. This Bill does, in fact, it does. And in fact, it also makes it cheaper so that if they don't like the judgement that's given by the administrative hearing officer, that person from southern Illinois, just like the person from Chicago, would only have to pay \$25 to take it to court."

Bost: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, it was a little hard for me to hear that last dialogue. It is not your intent to finally free those downstaters, who are so often and erroneously ticketed from this great burden. You're not eliminating the ongoing phantom parking ticket situation. You're not exempting downstaters from having to pay the fee?"

Turner, A.: "Representative, I don't have... you know, if I had that kind of power, I certainly would do that. Unfortunately, I can't take care of the past. I can only try to help them with the future. And so with this legislation we can help them with the future, but with the past, I did get a card from a young man in the City of Chicago who told me that if you know somebody who has a problem with the past, if you let me know... I should say this, if they let you know, you can contact them and they can work it out."

Black: "I carried that Bill about four years ago and it was remarkable, I'd never heard from the City of Chicago 'till I filed that Bill that said those parking tickets were only

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enforceable if you were a resident of the City of Chicago. And I had a lot of fun with that. Let me just say this, in all seriousness, I think your Bill is long overdue. You know, the Chicago parking ticket system, I can't remember how many millions of dollars of revenue it brings in. It is a substantial amount of money. And anything that increases someone's right of due process at a reasonable cost, is long overdue. And I think, this will be helpful and I will say, on the record, Representative, the City of Chicago has worked with us for the past four years on these issues of downstate parking tickets, when in fact, they may not be valid. And I will say, in all due respect to the Department of Revenue, particularly Hugh Murphy, they have gone a long, long way in helping give downstaters the right of due process. And we've gone from 12 of these tickets a month to probably fewer than 12 a year and I do appreciate that fact, but I think your Bill lowering the administrative fee from, what to me is, an outrageous amount of money to a more reasonable fee is not only good government, it's common sense. And I think, we should always be willing to stand on this floor and stand up for the people who send us here to make these charges reasonable, payable, so that they can have the right of due process and a full and fair review hearing without having to mortgage their house. And I commend you for what you're doing and it's long overdue and I hope it gets a unanimous vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Davis, M.: "Representative Turner, it appears that this Bill is

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an attempt to more fairly allow representation on issues, perhaps, of dispute with citizens and the city. Is that correct?"

Turner, A.: "That's exactly the intent of the legislation, Representative."

Davis, M.: "To the Bill. To Representative Arthur Turner, Representative Fritchey, Representative Osterman and Representative Flowers, I'm very proud to join you as a cosponsor on this legislation. I think it will be one of the most important constituent-issued Bills that we pass this term. I think when we look at the prices of parking and the prices of so many things, it is truly a very big hardship on working families and because of these admirable, honorable Legislators, I, again, am pleased to join you as a State Representative in support of this issue. Thank you, Sir."

Turner, A.: "Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing nobody is seeking recognition, Representative Turner to close."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I think, as is stated earlier from the previous speakers, this is a good government Bill. It only makes sense. It's one that, when I look at it in retrospect, I don't know what we were thinking about. I can't say we, because I didn't implement this policy, but for a person who may get a \$30 ticket to have to pay \$225 to have it heard in court, I think certainly was a bit much. And so this legislation with this changes will now make it fairer for individuals to, at least, be able to respond to government and be able to have their day in court at a fee that certainly makes sense and I move for the adoption of House Bill 3223."

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Speaker Hartke: "The question is, 'Shall the House pass 3223?' All those in favor will signify by voting 'yes'; 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 issue, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, appears House Bill 4160. Representative Lindner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4160, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Lindner."

Lindner: "Thank you very much. This Bill passed the House last year overwhelmingly and got stuck in the Senate. We know that economic self-sufficiency is the goal of TANF, but some people have trouble attaining this because of domestic violence. This Bill adopts the Social Security definition of for the family violence option in the Social Security Act and I would ask for a positive vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4160?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 4160, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, appears House Bill 4404. Representative Smith. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 4404, a Bill for an Act amending the Illinois Farm Development Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Smith."

Smith: "Thank you, Mr. Speaker. House Bill 4404 creates a new program under the Farm Development Authority called the Value-Added Virtual Equity Program which would provide low interest loans to producers of value-added products, Illinois producers. It would be a subordinated debt program. It would be a low interest rate. And there would not be a repayment required within the first seven years creating virtual equity, as the title of the program says, for the producers. The state would invest 50¢ of every dollar of cash invested by the owners. The owners would be expected to invest at least 25% of the project cost. The state match would not exceed 17% of the total project cost. This is, I think, a great program that's been developed to help Illinois farmers and Illinois agriculture along with the Value-Added Grant Program which we created last year and which the Governor has seen fit to include in the budget proposal for this fiscal year. I know of no opposition to this legislation and I'd ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates he'll yield."

Lawfer: "I didn't hear all of that because of the noise, Representative Smith, but what this does is... how will this help the farmers in the State of Illinois?"

Smith: "Well, Representative Lawfer, this is one more tool to help producers add value to their products. This would

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create a new loan program under the Farm Development Authority, low interest loans for Illinois producers."

Lawfer: "Thank you very much. Mr. Chairman, to the Bill."

Speaker Hartke: "To the Bill."

Lawfer: "Illinois agriculture is going through some extreme difficult financial times right now and Illinois farmers are looking at how can they get more profit and they're looking at how they can expand beyond the farm gate. How can they follow their produce beyond the farm gate and I think that this is a step in the right direction. It had good support or almost unanimous support in the Agriculture Committee and I would urge a 'yes' vote on this. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Smith to close."

Smith: "Thank you, Mr. Speaker. I just ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4404?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There's one person not voting. Have all voted who wish? Mr. Clerk, take the record. On House Bill 4404, there were 114 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 of the Calendar, appears House Bill 4265. Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4265, a Bill for an Act concerning career scholarships. Third Reading of this House Bill."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker and Members of the House. House Bill 4265 creates the Illinois Career Scholarship Program

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which will provide high school graduates, who are not seeking a baccalaureate degree with a one-time 1000 scholarship to pursue a vocational or occupational training. This would begin on July 1 of 2000. Eligibility training programs will be those certified by the Illinois Work Force Investment Board or certified as occupational or vocational programs by the Illinois Community College Board, State Board of Education or the Board of Higher Education. And then preference would be given to students enrolled in the jobs for Illinois Graduates Program and the Tech Prep Program. The Illinois Student Assistance will administer the program and conduct an evaluation by April 1 of 2004. A little background that Governor George Ryan first proposed the idea of career scholarships during his run for the election as Governor. These career scholarships will provide a financial incentive for nonbaccalaureate degree seeking or noncollege bound students to successfully graduate from high school and pursue alternative post secondary training opportunities. I would answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. Addressing the Bill. I'm supporting the Bill. I'm a cosponsor of the legislation, but there is a portion of it that I do have concerns with and as I hope the Representatives for the education group and the Governor's Office is listening to this because the way the legislation is drafted, is it does not allow an individual who has received their GED to be able to receive one of these career training scholarships. I believe that if a young person at 16 drops out of school for whatever the reason may be, they've been pregnant, they've got

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problems at home or whatever it may be, as they get their life back together and they're an older person, they go forward and get their GED. If they are under 21 years old, because of having a GED, and not a regular high school diploma, they are ineligible for these types of career scholarships. I do not believe that a \$1000 scholarship is incentive to keep a young person from dropping out of school. There are bigger reasons that they would do that. I hope that as the Governor's Office and this fine Sponsor, who I know has worked very hard on this, will look someday in the future to see if we could possibly address this as an issue to allow those individuals that are under 21 years old that do wish to go ahead and attain additional vocational and training opportunities, that they will allow these for students that have received their GED."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I rise in support of House Bill 4265 which we did hear in the Higher Education Committee. I'd like to point out, however, that I do, in following up to Representative Rutherford's comments, I would concur that I think that is something that hopefully the Senate will take a look at and is certainly worth an improvement, I think, an enhancement of this basic concept. This is a really important initiative of the Governor's in terms of labor force issues and the labor shortages that exist in many of the trades throughout our economy. I think it's a wonderful program and with that improvement, we hope that can be made in the Senate, I would urge an 'aye' vote."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Morrow from Cook."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. Would the Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Morrow: "Representative Wirsing, this Bill, House Bill 4265, if it's passed and signed by the Governor, how will a average person be able to inquire or be notified that this program exists?"

Wirsing: "Well, I think that in my opening comments there are some areas that are in place that the program would be certified under the Work Force Investment Board, also, under the relatively owned the Illinois Graduates Program and the Tech Prep Program. Those are programs that are in place and that would certainly, be one way in which high schools would become aware. High school counseling departments would become aware that that type of program is there. That's how this program would work. That over a period of time, a couple of years, at least in my estimation, that high school students who are desiring to graduate from high school, but really do not have a desire to go on to higher education. Our current system says that you need to graduate from high school so that you can go on to higher education. That sometimes causes students to drop out, 'cause they don't really want to go on to higher education. That's what the emphasis of this legislation and the way it's written is all about. It's saying, stay in school, finish high school, and right out of high school, then go into a Tech Prep Program or some program that puts you in a profession or gives you a trade. So, I think because that's how it would work, that information would be there through high school counseling departments, first of all. Okay? And then once at it evolves over a period of time the awareness that the program is there to students who are sophomores or juniors in high school, not

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just seniors would be aware of that."

Morrow: "Well... and letting high school guidance counselors be notified are fine, but a lot of school districts, at least in the city, maybe they don't have a high school guidance counselor that can get this information out to young people. Would there be some type of brochure printed up that we as Legislators could pass out to young people in our districts who'll make sure that high school students in our district at least are notified? The only thing that alarms me about this Bill, Representative Wirsing, is that this Bill is only limited, just reading the analysis of the Bill, this Bill is only limited to basically 12 thousand students. And I just want to make sure that when this program comes on-line that inner city kids have the same opportunity to apply for this scholarship or apply for this program as someone that may say lives in one of the collar counties, DuPage County or somebody like that, where their high school has a very active guidance program, guidance counselor program that notified the students of all programs that they should seek in order to get grants for college. One of the things that I find out, that every spring I get a lot of high school kids calling my office confused and wondering what programs that are out there that they could see. Okay? Besides the waiver that we give. And it's hard sometimes because we don't know, even as Legislators, all the programs that are funded by the state that our kids can benefit from, so that's my only concern about this Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

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

Speaker Hartke: "He indicates he will."

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Mitchell, J.: "Representative Wirsing, this Bill does indicate that a student must have high school diploma in order to receive this particular scholarship or grant. Does this cover both public and private schools?"

Wirsing: "Yes, it does."

Mitchell, J.: "When you look at private schools in the State of Illinois, the definition of 'private school' does encompass homeschoolers, as well. Would they be covered by this program?"

Wirsing: "Yes, I believe it does. Let me just try to clarify that a little more certain, but I think it does. And that may, now, I just... My staffer here is trying to determine that detail, but I do believe it does."

Mitchell, J.: "Okay. I guess my only question is, how are we gonna distinguish that they truly do have a high school diploma. Is it based upon 12 years of study at an acceptable level or is it predicated on a piece of paper that simply says you graduated?"

Wirsing: "Well, I think, that the way that would work is that based on individual districts however they deal with homeschoolers. I think, there are some parameters if the homeschooler is wanting to show that they are, in fact, at a high school graduate level. They would have to show that for a variety, other than this particular program, they would have to be able to show that for other programs, as well, that may be out there for them. So I think, if someone is truly interested in this they're gonna talk to their local school district to ensure that they can then qualify as a high school graduate."

Mitchell, J.: "And oftentimes, again, a lot of times homeschoolers do go on to four-year universities and they haven't had a problem with that simply by taking GED, ACT."

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But in this situation, if a youngster maybe wants to take over the family business and has been homeschooled and needs to go to a technical school of some kind, I would hope that they still have the right or at least are in line for this. Again, and I understand what you're saying with this Bill, it's not a penalty to those that do not have a high school diploma, rather an incentive for those in school to stay in school and receive a high school diploma. I think, we very well should probably track and most high schools do track their students as to what happens once they graduate and to ask that very pointed question, if this did serve as an incentive to keep them in school. If it appears that it's not a real incentive, then maybe we could, down the road, take another look at those people with a GED, so that it isn't viewed as a penalty. I am sensitive to those that discover later in life that they do need a high school equivalency and I would hate for them to think of it as a penalty. I don't look at it that way and I know you don't. As a former school board member, I know that you, as well as I, were always looking for incentives and I think, this is a good one. So I certainly am gonna support your legislation and I appreciate your bringing it forward. Thank you."

Speaker Hartke: "Representative Wirsing to close."

Wirsing: "Thank you, Mr. Speaker. I think that the issue of whether this should be expanded to students who have a GED and do not have a high school diploma is certainly an issue that can be dealt somewhere in the future. I don't think it is, now. That's not what this legislation is about. My experience serving on a school board tells me that there are students who do not desire to go on to higher education and there are students because of that and they aren't real

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excited, that means they're not real excited, basically, about being an academic, about getting good grades and that's not a hot button in their life. And they will have a tendency to want to drop out of school, perhaps in their senior year because right now there is no program for that high school graduate who does not choose to go on to higher education. This is a beginning that says to that high school graduate, that potential high school graduate who can do that, that to let them know at a sophomore or junior year there is something out there other than going on to higher education. That's the thrust of this Bill and that's what it's all about, so, that it says they do complete their high school education. I would sooner see a program like this attach itself to someone who's a sophomore or a junior in high school or a senior in high school and say, you don't have to go on to higher education, you can learn a trade, you can learn a profession that you can make a living at without going on to higher education for those of you who choose not to go that route because you aren't turned on by the academic realm and that's what you have to be if you go on to higher education. That's what this Bill does and that's the direction of it. And I think, at this point in time, to want to expand it beyond that would take away from the emphasis. I would sooner get a junior in high school to stay in high school rather than trying to spend money when they're 19 or 20 and because they dropped out, they dropped through the cracks, they made a lot of bad judgments because of that and that's what is exciting to me about this Bill and it's long overdue. Here in Illinois, we start to recognize that we do have a good pool of students who need this opportunity other than going on to higher

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education. I would ask for your 'yes' vote. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 4265 pass?' All those in favor will signify by voting 'yes'; 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 House Bill 4265, there are 114 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar, appears House Bill 3869. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3869, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Speaker. House Bill 3869 sets up a pilot program within Corrections to create a institutional facility to be smoke free by January 1 of 2001, if it's built after that date and allows the director to pick other locations at which he feels that he may, at this time on those constructed before that, institute it. The Department of Corrections is in support of this Bill. I know of no opposition. I think it's a good Bill for both the taxpayers, our state employees and for the inmates."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 3869?' All those in favor signify by voting 'yes'; 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 House Bill 3869, there are 112 Members voting 'yes', 2 Members voting 'no', 1 Member voting 'present'. This Bill, having

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received a Constitutional Majority, is hereby declared passed. Representative Tenhouse. On page 21 of the Calendar, appears House Bill 4280. Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4280, a Bill for an Act to amend the Illinois Public Accounting Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Really, 4280 is more or less a clean up from the language of what we had done last year with House Bill 2169 when we inadvertently made some changes that need to be corrected. Basically, this almost looks like a shell Bill, but it is not and it is just the way it's intended. One Section deals with changing the word 'board' to 'department' or 'board', from 'department', and the other one just deals with licensure by endorsement. It's a requirement that's added that licensed CPAs from other states who want to obtain an Illinois CPA license must first obtain a CPA certificate from the Illinois Board of Examiners. And it's the actual practice since '93, but we're just correcting a problem that needs to be straightened out."

Speaker Hartke: "Is there any discussion? There being none, the question is, 'Shall the House pass House Bill 4280?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 4280, there are 115 Members 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 22 of the Calendar, appears House Bill 4593.

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Representative Giles. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4593, a Bill for an Act in relation to evidence. Third Reading of this House Bill."

Speaker Hartke: "Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4593, what this does is amend the Criminal Code of 1961 and the Code of Criminal Procedures of 1963. What it does, provides that in a homicide prosecution or in a prosecution for certain sex offenses, law enforcement agencies and state's attorneys office shall preserve, subject to continuous chain of custody, any physical evidence secured in relations to a trial on sufficient official documentation to locate that evidence. It also establishes the time period in which the evidence shall be retained. And it provides that the failure to preserve the chain of custody of evidence or to retain the evidence for the specified period is a Class IV felony. A couple of years ago, we here in the General Assembly, we passed a Post Conviction Forensic Testing Act which allowed a convicted person, under certain circumstances, to obtain DNA testing and other forensic testing on evidence from his or her trial when the technology for the testing was not available during the trial period. Since that time, in post conviction and DNA evidence has figured in the exoneration of several wrongfully convicted defendant in Illinois on death row. Also in recent years, innocent men have been released from prison when using the DNA testing that proved their innocence, and moreover, in some cases this testing also even caught the perpetrator. What this Bill is intended, is to ensure that the evidence that is retained and available for post conviction testing. This Bill got 13 votes out of committee; no 'no' votes. And

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there's no opposition to my knowledge of this Bill. And I ask for its passage."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, I have two concerns. One, maybe you can explain, maybe something has happened up in the City that I'm not aware of. But I don't understand why it's necessary to, if the police and the state's attorneys don't do their job as they're supposed to do, is it really beneficial to the public welfare that we make felons out of them, charge them with a felony for failure to maintain the chain of evidence? I thought that was their job."

Giles: "I think, Representative, on the original legislation, I think it was presented as a Class III felony."

Black: "Right."

Giles: "I think this legislation says, Class IV felony."

Speaker Hartke: "Mr. Black, are you finished with your question?"

Black: "Okay. All right. Thank you. I just wanted to check with staff. The only other problem I have, Representative, from a downstate county where many of our courthouses were built a hundred years ago, it's the requirement to store the evidence for a considerable period of time, and I think in many downstate counties we simply don't have room and I don't know what we're going to do. I mean, obviously, I would assume the intent of your legislation is that the evidence will be stored in some kind of secure fashion. I don't think you want us go out and rent one of those monthly warehouses, you know, those you U-Store-It, and fill up that 10 x 10 warehouse off the highway, with

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evidence. I mean, and I'm not against the Bill, and I'm not going to vote against it. But it is a real problem for downstate counties who are completely out of room. And I know some of us downstate will get calls from our sheriffs, our chiefs of police, our county boards who will say, 'We don't have any problem with what the Bill does, you tell us where we're going to store it, for how long, and if we have to rent space, how we're going to pay for it?' I think it's a reasonable question."

Giles: "Well, let me just say, Representative, I think that's a reasonable comments that you have made, especially for communities that may have a little hardship to address that issue. But I think my argument, and that's not the point of my legislation, is to try to punish anyone. And I think those fees will be minimal, and I don't think they'll be exacerbated. But I think that if we could somehow preserve these records and make sure that each and every individual, I think... That's what I'm trying to get at, to make sure that this evidence is retained, and that individual will have the opportunity for recourse, or to prove their innocence, or to make sure that we got the right person, and try to go after the individual who have committed the crime. So, and I understand your concern."

Black: "And I don't have any problem at all with what you're trying to do. And I don't want to make it a regional issue, even though my courthouse was built decades and decades ago. I would imagine it would be a more serious problem for the City of Chicago simply because of the sheer volume of cases they're going to have, to do a lot more storage and maintenance of records than any downstate county. But as you said, the city doesn't seem to be in opposition or the County of Cook, so I assume they feel

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they can... that they can in fact, store this. Although I'm sure there will be some expense."

Giles: "Well, let me just also add that each county I'm sure, has a mechanism or a way to store records, currently. I think what we're just simply trying to say, is to make sure that they retain those records. I think they have some mechanism in place. If it becomes an excessive situation where there's a lot of files and there's a lot of evidence laying around, that means we are arresting more people, and that becomes a whole another issue."

Black: "Well, and of course, that issue I think, is already upon us. We are arresting more people. The Department of Corrections, I think, we're at an all time record, not only in the state, but nationally. I think we now are the leading country in the world, in the number of people that we have incarcerated in our jails, and prisons, and what have you. So, I think we may already be there. But, again, and I haven't heard from my county, so I assume they are ready to assume the burden and the expense of the storage. And your Amendment did change, as I understand it, simplify the chain of custody somewhat, so that there isn't that problem with, well I gave it to sergeant so and so, who retired; but he told me he gave it to lieutenant so and so, who passed away; so therefore, we don't know who has it now. So you've clarified the chain of custody, so that you don't anticipate a problem in that?"

Giles: "I don't. I don't, Representative."

Black: "Okay. Because as I recall, they had a chain of custody problems right here in Springfield three or four years ago, when they got into the evidence room, I think some things were... that they thought were there were, in fact, not there. So, but you're only requiring this in sex offenses

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and capital cases?"

Giles: "That's correct."

Black: "Okay. Fine. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Yes. To the Bill. I rise in very strong support of the Sponsor's Bill. I think that this is a natural progression of what we did in here about three or four years ago when we passed the forensic DNA test. And I think that this Legislature and this Assembly ought to be very proud of what we did in here a few years ago, because I think for a change we led the nation in terms of taking the bold step that as technology moves forward, especially as it relates to solving crimes, that we should not be afraid to keep the evidence around to permit the motions, and the discovery, and the reopening of cases, where in fact, we can find out if in fact, somebody has claimed that they are innocent once and for all, if that is the case. Because of that action that we took several years ago, there have been, probably if I'm not mistaken, about 8 to 15 individuals who have been incarcerated for crimes that they were convicted of, that have subsequently been released and exonerated because of the DNA testing. I think in light of the issues that we have surrounding the death penalty, I think that this is very, very appropriate that we take all steps as technology moves forward, to make sure that we preserve that specific type of evidence in those specific types of crimes, that will assure this public in the criminal justice system, that we will never have the wrong person incarcerated. And I congratulate the Sponsor for bringing this piece of legislation."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Gentleman from Cook, Representative Durkin."

Durkin: "Representative, I'm not quite sure why we need to do this. Can you explain to me again, what is the compelling situation which you want to penalize and make state's attorneys felons in Illinois for not preserving some evidence after the fact?"

Giles: "Well, Representative, I think currently, legislation has it that an individual will be tried under, I think it would be a Class III felon, and I think this legislation makes it a Class IV. So I think what I'm doing here is actually lessening the penalty. But that's not the emphasis of this legislation. I think what we're trying to do here is to make sure that, that evidence is not destroyed through careless measures or malicious measures. We're just simply trying to secure and retain the evidence here. That's the thrust of this legislation. It's not to punish anyone."

Durkin: "Well, the way it usually works when the case is tried and this person's found guilty... if found not guilty, obviously it's not an issue, but if he's found guilty, the evidence is secured and it's usually stored by the clerk of the court. Now, I don't exactly see that... how can the state's attorney have any type of involvement or have to be, as we're doing, they have to be proactive, and they have to make an affirmative act to be the person who has to secure this chain of custody when it's evidence which is not going to be in their hand?"

Speaker Hartke: "Further discussion? The Chair recognizes... "

Giles: "I'm sorry..."

Speaker Hartke: "Oh, excuse me."

Giles: "I'm sorry, Representative. Just repeat that. I'm sorry."

Durkin: "Sure. The way I read it is, that first of all, you're

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requiring the state's attorney to have to maintain this chain of custody and is to preserve the integrity of the evidence. However, when the case is tried and the person is convicted, the evidence when it is sent off, it's usually sent off into the clerk of the court and they keep it in their own warehouse, usually. Now how is the state's attorney supposed to be the person who has to be proactive and has to maintain the integrity of the evidence, as you say in this Bill, when the evidence is not going to be in their hands? It's going to be in the clerk of the court."

Giles: "I'm sorry, that last statement you say, 'when the evidence will be in the...'"

Durkin: "It's preserved. What is right now, the clerk of the court holds on to the evidence. It's not the state's attorney following after the trial. It's sent off and the clerk sends it... takes the evidence and they put it off in a warehouse. And that's their job. And that's their duty right now. And you're telling the state's attorney that they're the ones right now, they have to preserve the integrity of the evidence from up to seven or nine years, but they're not... But this is evidence and this is material that was used in trial which it's not going to be in their hands, or it's really going to be... they don't have any control over after the trial."

Giles: "Are we talking about... I mean, which counties are we talking about? Are we talking about all the counties throughout..."

Durkin: "The same county that me and you live in..."

Giles: "... the whole state?"

Durkin: "It'd be the same county both us live in."

Giles: "Okay. Well, let me just say, you know, there are law enforcement agencies that handles this information, that

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handles these files and records."

Durkin: "The clerk of the court is not mentioned as a person who has to maintain. I don't see them in there. They say, 'As being a person who has to be proactive.' The way the Bill reads, it's the state's attorney or law enforcement officer who has to maintain this chain of custody for up to seven years, but when it's not in their hands following trial, because it goes to the clerk of the court so they have no control over it. So, I think that by placing some type of criminal sanction on them for an act to which is committed by someone in the clerk's office, I don't think that that's exactly what you're trying to do, but that's the way it reads."

Giles: "I think, Representative... I believe the Amendment will address that, which includes the circuit clerk."

Durkin: "Well, I'm looking at the Amendment right now that, Amendment #1. All it did was change the mental state from a 'knowing' to an 'intentional' state of mind. That doesn't address the situation they've brought up. And I think it's not fair for people who are state's attorneys to be subject to felonies when they have no control over the evidence after trial, after it's sent away, when the court orders it to be shipped off to the clerk's office. That's the problem that I see with this Bill and why I'm troubled by... in that scenario where we're going to expose these people as felons for acts which are done by third parties, the clerk of the court. That's the way your Bill reads."

Giles: "Thank you, Representative."

Speaker Hartke: "Further discussion? Mr. Turner, do you have some questions, also? The Chair recognizes Mr. Turner."

Turner, J.: "Thank you, Mr. Speaker. Representative, guess as I read through your Bill, I'm just wondering, how is a

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state's attorney to examine the evidence before he or she goes to trial, under your Bill, without being in violation of your legislation, and subject to a Class IV felony?"

Giles: "I'm sorry, Representative. Can you repeat that, I couldn't hear?"

Turner, J.: "How is a state's attorney to examine the physical evidence in preparation for a trial without violating your proposed legislation, and thereby, becoming guilty of a Class IV felony?"

Giles: "Representative, I believe it's no different the way of the procedures of the way it is now."

Turner, J.: "Well, the way it is now, certainly, the state has the right to examine the evidence, as does defense counsel. And it seems to me that your Bill, if the state or for that matter, if the attorney for the defendant examines the evidence, there could be a question of whether the chain of custody has been broken. Not only then would the evidence be inadmissible, but there would be a violation of your statute, making it a Class IV felony. Do you not see a problem with that in the Bill?"

Giles: "Representative. No, I do not see a problem..."

Turner, J.: "All right."

Giles: "I think..."

Turner, J.: "You've got these measures in here that if the state's attorney, or if a member of law enforcement breaks the chain of custody of physical evidence, they're going to be guilty of a Class IV felony. What if the defendant or the defendant's attorney breaks the chain of custody of important evidence, are they going to be guilty of any offense?"

Giles: "Yes, they will be."

Turner, J. "All right. Is that in the Bill? If it's in there,

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I'm not seeing it."

Giles: "That is not in the Bill, but it would be under... it's current statute and it'd be under law, any law enforcement agencies."

Turner, J.: "I'm not talking about a law enforcement agency. I'm talking about the defendant or the defense lawyer. What if they violate the chain of custody of physical evidence? All right, why aren't they included in the Bill? Why would it be a felony for someone in law enforcement to break the chain of custody of physical evidence, but not for a defendant or the defense lawyer, to break the chain of evidence? Why wouldn't they be guilty of an offense?"

Giles: "Representative, the defendant would not have access to the current information."

Turner, J.: "Well, I beg to differ. Now, any defense lawyer is going to have access to the physical evidence. If the defense lawyer's doing his or her job, they're going to want to see that physical evidence at some point before it's presented in open court before a jury, or in the case of a bench trial, in front of the judge. So, the defendant and the defendant's lawyer is going to have access to the physical evidence, and they therefore, may be in a position to break the chain of custody. And I would submit to you, that if the state's attorney and the police officers are subject to a Class IV felony for breaking the chain of custody, so should the defendant and the defendant's lawyer be subject to the same penalty, if they break the chain of custody of physical evidence. Do you disagree with that?"

Giles: "Representative, currently this legislation was a Class III felony for an individual, for state's attorneys or any law enforcement agency that would have violated."

Turner, J.: "Yes, I understand that. I'm suggesting to you

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though, that it doesn't seem fair, right, correct, however you want to say it, for law enforcement to be guilty of a felony if they break the chain of custody of physical evidence but not for any other person, including the defendant or the defendant's lawyer. That's my point. I'm not hearing anything from you to suggest that my point should not be well taken other than to say, it includes law enforcement and no one else."

Giles: "Representative, you know, I think what this Bill has to do is to maintain these files and to retain these records after the trial. And so, there's a procedure that's in place, and what this Bill is simply saying, to retain these records after trial, that no one maliciously, or no one shall carelessly, lose these files."

Turner, J.: "Chapter 725, Section 116-4, chain of custody, appears to me subsection (a) to apply to pretrial procedures, pretrial proceedings if you will, as well as proceedings during the trial. I don't believe your Bill is confined only to post trial proceedings where there's been a conviction. In fact, I'm not sure how you could make that argument when you look at subsection (a)."

Giles: "Representative, I just can't see... What we're doing here is not anything differently what is currently being done."

Turner, J.: "Okay, then, if it's not any different, if it's doing nothing, then I guess that begs the question, why are we passing legislation, then?"

Giles: "Well, this is the post trial, this is the post trial after..."

Turner, J.: "No. Subsection (a) is not post-trial. That is not what it says. It's talking about a chain of custody, a chain of custody for evidence that's going to be used at the trial. And then your Bill goes on to say that, 'if

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there is a conviction', and you don't want to address if there's not a conviction, and I understand that, because there's no right to an appeal for the state, if they lose. It goes on to say, what you expect from prosecutorial authorities, 'if there has been a conviction.' But subsection (a) appears to me, to apply to pretrial proceedings, as well as proceedings at the trial itself. Well anyway, to the Bill."

Speaker Hartke: "To the Bill."

Turner, J.: "It appears everybody's ready to go home, so I'll shut up. But I do want to say this."

Speaker Hartke: "Thank you."

Turner, J.: "I think that subsection (a), unequivocally, absolutely, applies to pretrial proceedings, and in fact, it indeed gets to the heart of preparation for trial, in maintaining the chain of custody. I think that while it's a well-intentioned Bill, it is problematical, problematical not only as to subsection (a), it's a problem for the reasons that Representative Durkin has previously pointed out. And I also think it's a problem with the point I made earlier, that it makes it a felony for law enforcement to violate the chain of custody of physical evidence that is important for proof in a criminal case, whether it be proof of guilt, or proof of innocence, but it doesn't have any penalty for any other person who may violate that chain of custody, and that certainly could be the defendant, in certain situations or the defendant's lawyer. I would prefer you take it out of the record. I suppose you're not going to, and it'll probably fly out of here, but I have to vote 'no', Representative."

Speaker Hartke: "Representative Giles to close."

Giles: "Thank you, Mr. Speaker. I think what the previous

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speaker has allowed us to get off the actual... the thrust of the Bill. And the Bill is to protect the innocent, the individual that may be innocent, that may be on death row, to give that individual some recourse. In the State of Illinois we have overturned 13 convictions of individuals that are on death row. Now, if we did not have forensic testing; if we did not have a measure in which these individuals can have recourse to prove their innocence; or in some case to actually catch the perpetrator, then, I would say that this state would totally be at a travesty. But we do have some laws on the book. And this is a measure that I think that will make it better. And I think that every individual should have the opportunity of DNA testing if they are on death row. They're at the end of their row, and they should have that opportunity. And I think that if this Bill will help in any case, I think we should pass this Bill. And this Bill simply states, 'that individuals should have their records retained... these records should be retained until that individual have the opportunity to exonerate themselves. And I ask for passage of this legislation. And, of course, we have numerous of proponents of this legislation. We have James R. Thompson of Winston and Strawn. We have Honorable George Leighton a retired United States District Attorney (sic-Judge). We have Brian Crowe with a law firm. So we have numerous of individuals, and I could go on, that support this legislation. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4593?' All those in favor will signify by voting 'yes'; 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, there's one person not voting.

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Mr. Clerk, take the record. On this issue, there were 102 Members voting 'yes', 13 Members voting 'no'. Representative Black."

Black: "Yes, I clearly said before you closed the board, I'll seek a verification should my side lose the argument. What side am I on? All right. I'll verify the 'no' votes. Aah, the heck with it."

Speaker Hartke: "Your request is not timely, Representative Black."

Black: "You know, for once.. for once, Mr. Speaker, I agree with you. Thank you very much."

Speaker Hartke: "I apologize... On this issue, there are 102 Members voting 'yes', 13 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcements."

Clerk Rossi: "The following committees will meet tomorrow morning. At 8 a.m. the Judiciary-II Criminal Law Committee in D-1. At 8:30 the Executive Committee in C-1. Also, at 8:30 the State Government Committee in 118. At 8 a.m. the Appropriations-Human Services Committee will meet in Room 114. The following committees will meet at 9 a.m.: the Higher Education Committee in D-1, the Registration and Regulation Committee in 122B, the Revenue Committee in C-1 and the Transportation of Motor Vehicles Committee in Room 118."

Speaker Hartke: "Representative Hoffman for an announcement."

Hoffman: "Yes, the Transportation Committee that's scheduled to meet at 9:00, it will be cancelled. It will be cancelled so Members of the Transportation Committee do not have to come in the morning."

Speaker Hartke: "Representative Erwin."

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Erwin: "Thank you, Speaker. The Higher Education Committee is scheduled and it will meet at 9:00 in D-1, so I'd appreciate it if everybody would be there. We have four or five Bills and Resolutions to do. Thank you."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In two weeks the Sportsmens Caucus will be having their event at the Artisan Building at the Fairgrounds. And just like to remind everybody that's a Caucus Member that anything you can get for the auction will be appreciated. We're raising money for youth and handicapped activities in the Department of Natural Resources, so March the 8th, two weeks from today, we'll have the auction reception at the Artisan Building at the Fairgrounds. Thank you, Mr. Speaker."

Speaker Hartke: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. The Human Resources Appropriations Committee will meet at 8:00 and Department of Children and Family Services will be testifying, so if there are any Members who have questions about the Department of Children and Family Services budget, they will be welcome to be at the Human Service Committee at 8 a.m. in Room 114."

Speaker Hartke: "The Chair would like to make an announcement. We will be in Session tomorrow from 10 until about 7 p.m. We will be in Session Friday, as well, so plan accordingly. There being nothing further at this time, Representative Sharp moves that the House stand adjourned until the hour of 10 a.m. tomorrow morning, Thursday morning, allowing perfunctory time for the Clerk. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House stands adjourned."

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Clerk Rossi: "Perfunctory Session will come to order.
Introduction of Resolutions. House Resolution 584, House
Resolution 585 and House Resolution 599 are assigned to the
Rules Committee. There being no further business, the
House Perfunctory Session stands adjourned."