

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

100th Legislative Day

February 25, 2000

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Reverend Allen Speer of the First Baptist Church in Golconda. Reverend Speer is the guest of Representative Fowler. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Speer: "...That we pray together. Our Father, today we thank You for this great land in which we live. Lord, we're thankful for a country that is free and, Lord, we're thankful for the way that You have guided this country. Lord, we thank You for this great state, our home state. Lord, I pray today for these men and women who represent various portions of this state in this Assembly today. I pray for wisdom upon them. I pray for guidance. I pray for leadership. And, Lord, I pray for Your protection upon them. Lord, we thank You for them and we pray that You would bless them. That, Lord, You would make Your face to shine upon them and You would be real in their lives. Our Father, we love You and we praise You now for this day. We offer it to You, we give it to You. For it is in the name of Jesus Christ that I pray. Amen."

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

Delgado - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representative Stroger is excused today."

Speaker Madigan: "Mr. Bost."

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Bost: "Yes, Mr. Speaker. Representative Cowlshaw and Hassert could be excused today."

Speaker Madigan: "Let the record reflect those excused absences. Mr. Clerk, take the record. There being 114 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Mr. Hartke in the Chair."

Clerk Rossi: "Representative Monique Davis, Chairperson from the Committee on Appropriations/Human Services, to which the following measures were referred, action taken on February 24, 2000, reported the same back with the following recommendations: 'do pass, as amended, Short Debate' House Bill 3216."

Speaker Hartke: "Committee Reports."

Clerk Rossi: "Representative Jack McGuire, Chairperson from the Committee on Aging, to which the following measure was referred, action taken on February 25, 2000, reported the same back with the following recommendation: 'recommends be adopted' Floor Amendment #3 to House Bill 3036. Representative Mike Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measure was referred, action taken on February 25, 2000, reported the same back with the following recommendation: 'recommends be adopted' Floor Amendment #1 to House Bill 3559. Representative Mike Boland, Chairperson from the Committee on Elections and Campaign Reform, to which the following measures were referred, action taken on February 25, 2000, reported the same back with the following recommendation: 'recommends be adopted' Floor Amendment #3 to House Bill 1776. Representative Howard Kenner, Chairperson from the Committee on State Government, to which the following measure was referred, action taken on February 25, 2000, reported the same back with the

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following recommendation: 'recommends be adopted' Floor Amendment #1 to House Bill 3610. Representative John Fritchey, Chairperson from the Committee on Tobacco Settlement Proceeds, to which the following measure was referred, action taken on February 25, 2000, reported the same back with the following recommendation: 'recommends be adopted' Floor Amendment #1 to House Bill 2924. Attention, Members. The House Rules Committee will meet at 10:15 in the Speaker's Conference Room. The Rules Committee will meet at 10:15 in the Speaker's Conference Room."

Speaker Hartke: "On page 27 of the Calendar appears House Resolution 561, Representative Crotty."

Crotty: "Thank you, Mr. Chairman (sic - Speaker). House Resolution 561 urges the Secretary of State to initiate a program to provide parents of student motorists with signs or a sticker bearing the words 'student driver' or 'permit driver' to be displayed while the student is performing his or her mandatory hours for practicing driving. And I would urge a 'yes' vote."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Parke: "Representative, in committee, did anybody speak against this Bill?"

Crotty: "Absolutely not."

Parke: "And in essence, where will the sticker go?"

Crotty: "That's going to be left up to the Secretary of State to address the location of the sticker. We've talked about it being either on the front or the back windshield."

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Parke: "So, it's just for what age group?"

Crotty: "I'm sorry, I didn't hear you."

Parke: "For what age will the sticker be on for a student driver?"

Crotty: "This would be for the student drivers that the mandatory... the mandatory 25 hours practice driving with their parents in their own vehicle. And these vehicles aren't marked like the other student cars are from the high school when they're having driver's ed. So, parents..."

Parke: "Would this apply to an adult, also? It wouldn't have an age limit then, would it?"

Crotty: "No. If... if just the 24...5 hours mandatory is for the..."

Parke: "And the purpose is to inform law enforcement officers of what? Or why?"

Crotty: "Well, not only law enforcement officers. Anyone that's driving on the streets. It just... It just allows all of us to realize that there is a rookie behind the wheel, and we need to be a little more careful and a little more courteous to that person, so we give them a little more distance as they're practicing their driving. And it also makes the student that's learning how to drive far more comfortable, too, realizing that everybody knows not to lay on the horn because he's making a wide turn or whatever, so..."

Parke: "How big is this sticker?"

Crotty: "Well, there was an example of a sticker, and it's about a little larger than what the funeral sticker would be."

Parke: "All right."

Crotty: "And it's taken on and off only when the student is driving."

Parke: "So, it's put on the back window or..."

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Crotty: "It could be. That would be up to the Secretary. This is just urging the Secretary to adopt this program."

Parke: "Thank you very much."

Crotty: "You're welcome."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Resolution 561. Representative Crotty had individuals from her district, and I also had individuals from my district, who came up with essentially the same idea. And these people were students who were going through the permit process. As we know, as the Representative indicated, we have... We have student driver's signs whenever you're actually doing the student driving with an approved vehicle. However, we... Many... A few years ago, required that you also have so much time on a permit behind the wheel. And Representative Crotty's constituents, as well as mine, experience the problem with their child, when they're going through this permit process, being concerned with other drivers who don't know it's necessarily a permit driver driving. This would allow for individuals to be put on notice so that they can give that student driver more room, and I think it will be a safety measure that can avoid accidents. I'd also like to thank Secretary of State White's Office for working on this... this matter with us. I urge an 'aye' vote."

Speaker Hartke: "Further discussion? The Gentleman from Cook, Representative Durkin."

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

Speaker Hartke: "She indicates she will."

Durkin: "My staffer said that the Secretary of State is a

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proponent of this Resolution. Correct?"

Crotty: "Yes, he is."

Durkin: "Then why are we wasting our time here with the Resolution? Why can't they just do it on their own?"

Crotty: "Well, they had suggested that we do a Resolution and not a Bill. Just urging them. And they're also... That would also help them, I think, in acquiring a grant from the Federal."

Durkin: "Well, we really don't need to urge them to do something which they've already signed on to do. Wouldn't you agree?"

Crotty: "It's something that they asked me to do. I said I'd be more than happy to do that."

Durkin: "All right. Thank you."

Crotty: "You're welcome."

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

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

Crotty: "Yes."

Speaker Hartke: "She indicates she will."

Fritchey: "Are there penalties provided, or does the Secretary of State envision having penalties if a student's driving without the sticker?"

Crotty: "No."

Fritchey: "So there's no enforcement mechanism here."

Crotty: "Not that I... Not that I know of."

Fritchey: "So this is a Resolution to req... to ask the Secretary of State to adopt a voluntary program."

Crotty: "To look at this program, and it would be up to him to set all the guidelines and the rules to it, yes."

Fritchey: "Couldn't a parent right now put a sign whenever their son or daughter is driving that says 'student driver'?"

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Crotty: "I would imagine that they probably could. But instead of trying to find the sign that would be too large, that may block vision, another sign... Again, you know, this is just in discussions with the Secretary of State. Another sign... A sign that's homemade may not work well at night. So there were a whole lot of issues, and that's why they've asked me just to bring forward a Resolution, and they were all for the program."

Fritchey: "So would the Secretary, then, provide the stickers to whoever requested them?"

Crotty: "He's... he's looking at that, yes."

Fritchey: "And that would come out of the Secretary of State's budget?"

Crotty: "Well, no, he's also looking at funding for that."

Fritchey: "Is there an estimate on that?"

Crotty: "No, because they aren't quite sure which sticker they'll go with."

Fritchey: "Do they have any idea how many stickers they would need to provide?"

Crotty: "They haven't shared that with me, no. But they... they really do like the program."

Fritchey: "Okay, thank you."

Crotty: "Thanks."

Speaker Hartke: "Representative Crotty to close."

Crotty: "I just would ask for a favorable..."

Speaker Hartke: "The question is, 'Shall the House pass House Resolution 561?' All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. On page 2 on Second Reading appears House Bill 2374, Representative Boland. 2374, Representative Boland. Mr. Clerk... Out of the record. On page 3 of

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the Calendar appears House Bill 2961, Representative Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2961, 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. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. The Chair recognizes the Gentleman from Cook, Representative Parke. He declines recognition. On page 9 of the Calendar on Second Reading appears House Bill 3831, Representative Lang. Lou Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3831, a Bill for an Act concerning higher education scholarships. Second Reading of this House Bill. Amendments 1, 2, 3, and 4 have been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 16... On page 23 of the Calendar appears House Bill 4047, Representative Meyer. Jim Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4047, a Bill for an Act amending the Elder Abuse and Neglect Act. Third Reading of this House Bill."

Speaker Hartke: "Mr. Clerk, take that Bill out of the record. On page 10 of the Calendar appears House Bill 3929, Representative Lyons. Joe Lyons. Out of the record. On page 10 of the Calendar appears House Bill 3936, Representative Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3936, a Bill for an Act concerning driver's licenses. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."



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Speaker Hartke: "Third Reading. On Second Reading appears House Bill 3360, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3360, a Bill for an Act amending the Property Tax Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 11 of the Calendar appears House Bill 4136, Representative Brosnahan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4136, a Bill for an Act amending the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 16 of the Calendar appears House Bill 4409, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4409 has been read a second time previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. ...Second Reading appears House Bill 3482, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3482, a Bill for an Act amending the Illinois Procurement Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 260?"

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Clerk Rossi: "House Bill 260 is on the Order of House Bills, Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purposes of an Amendment at the request of the Sponsor. On page 5 of the Calendar, on Second Reading, appears House Bill 3267, Representative Davis. Steve Davis. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3267, a Bill for an Act amending the Charitable Games Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 14 of the Calendar appears House Bill 4349, Representative Slone. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4349, a Bill for an Act amending the Park District Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Slone, has been approved for consideration."

Speaker Hartke: "Representative Slone. It's Amendment #3. Would you like to table Amendment #2?"

Slone: "I would like to table Amendment #2, please, Mr. Speaker."

Speaker Hartke: "Representative Slone, you filed Amendment #3 last night. It's still in Rules. Do you want to now table Amendment #2?"

Slone: "That's right, Mr. Speaker."

Speaker Hartke: "Withdraw."

Slone: "Table Amendment #2, please."

Speaker Hartke: "You would like to withdraw Amendment #2. Amendment #2 is withdrawn. Leave that Bill on Second Reading. Clerk, what is the status of House Bill 992, Representative Sharp?"

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Clerk Rossi: "House Bill 992 is on the Order of Consideration Postponed. The Bill has been read a third time previously."

Speaker Hartke: "Place that Bill on Second Reading, at the request of the Sponsor. On page 22 of the Calendar appears House Bill 3535. What is the status of that Bill?"

Clerk Rossi: "House Bill 3535 is on the Order of House Bills, Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. On page 23 of the Calendar appears House Bill 4047, Representative Myers (sic - Meyer). Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4047, a Bill for an Act amending the Elder Abuse and Neglect Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4047 provides rules for commencement of the civil actions for ex parte orders authorizing services to be provided to elders according to the service care plan. It also provides rules for commencement of those civil actions for access by provider agencies to persons found to be or reported as victims of elder financial exploitation, abuse, or neglect. Ladies and Gentlemen, this Bill was suggested by the Chicago Bar Association. It merely puts into effect the rules... or the procedures by which currently the courts are functioning, but that needed to be put into law. I'd 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 4047?' All those in favor will signify by

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voting 'yes'; those opposed vote 'no'. The voting is open. This is a Third Reading Bill. Have all voted who wish? Mr. Clerk, take the record. On House Bill 4047, there are 114 Members voting 'yes', 0 voting 'no' or 'present'. And this Bill, having received a Constitutional Majority, is hereby passed. Mr. Clerk, what is the status of House Bill 4116?"

Clerk Rossi: "House Bill 4116 is on the Order of House Bills, Third Reading."

Speaker Hartke: "Move that Bill back to Second for the purpose of an Amendment at the request of the Sponsor. Rules Committee Report."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken February 25, 2000, reported the same back with the following recommendations: 'to the Floor for consideration' Floor Amendment #1 to House Bill 2967; Floor Amendment #1 to House Bill 3005; Floor Amendment #3 to House Bill 3049; Floor Amendment #2 to House Bill 3093; Floor Amendment #1 to House Bill 3490; Floor Amendment #1 to House Bill 3557; Floor Amendment #2 to House Bill 3838; Floor Amendment #3 to House Bill 4039; Floor Amendment #2 to House Bill 4182; Floor Amendment #1 to House Bill 4263; and Floor Amendment #1 to House Bill 4369."

Speaker Hartke: "On page 6 of the Calendar appears House Bill 3383, Representative Lopez. Mr. Lopez, would you like to call that Bill? Out of the record. House Bill 3929, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3929, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No

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Motions filed."

Speaker Hartke: "Third Reading. On Third Reading appears House Bill 4176, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4176, a Bill for an Act concerning prescription drug information cards. Third Reading of this House Bill."

Speaker Hartke: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. This is a Bill that the idea of it is to provide and require some mandatory units or fields on prescription drug cards to make it easier for customers and pharmacists to be able to provide prescription drugs to... that the pharmacist could provide. What it's suppose to do also is to make it easier so pharmacists need to spend a little bit less time on the telephone getting approval for prescription drugs. I'd be happy to answer any questions."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, as amended, the various groups that had expressed concern about the Bill, were they neutralized by the Amendment?"

Hultgren: "Well, several were. The insurance people that are listed on there, I think, are still opposed. They would prefer to see a national standard set on this. That hasn't happened. We're not opposed, necessarily, to a national standard at some point, but right now I think that's the only group that still would be opposed to this."

Black: "Okay. And the effective date of the Bill is January 1, 2001?"

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Hultgren: "That's correct."

Black: "All right."

Hultgren: "And also it puts in a provision where they wouldn't have to reissue new cards until the old cards expire. So, it won't even become effective until 2001, January. And then also it won't... they won't have to take any action on it until their old cards expire or there's a change."

Black: "Okay. Thank you very much."

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

Hultgren: "I would request a favorable vote on this. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4176?' All those in favor will signify by voting 'yes'; all 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 four people who are not voting. Mr. Hoffman and Mr. Giles. Clerk, take the record. On House Bill 4176, there are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 5 of the Calendar appears House Bill 3192 on Second Reading. Representative Turner. Art Turner. Out of the record. House Bill 3229, Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3229, a Bill for an Act to amend the Illinois Library System Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 6 of the Calendar appears House Bill 3426, Representative Slone. Out of the record. House Bill 3547, Representative Slone. Out of the record. On page 11 of the Calendar appears House Bill

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4074, Representative Scott. Out of the record. On page 24 of the Calendar appears House Bill (sic - Senate Bill) 239, Representative Bradley. Clerk, read the Bill. Clerk, read the Bill"

Clerk Bolin: "Senate Bill 239, a Bill for an Act to amend the Real Estate License Act of 2000. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 22 of the Calendar on Third Reading appears House Bill 3854, Representative Fowler. Jim Fowler. Would you like to present your Bill? Out of the record. On page 23 of the Calendar appears House Bill 3935, Representative Flowers. Out of the record. The Chair recognizes Representative Novak. For what reason do you seek recognition?"

Novak: "Yes, thank you, Mr. Speaker. Point of personal privilege."

Speaker Hartke: "State your point."

Novak: "Tomorrow is a special day for one of our colleagues. Although we're not going to be in Session on Saturday, but I would like to extend a warm birthday wish to one of our most respected colleagues on... in the General Assembly. He's been here since 1983. And you know how old he is? If... for us math majors, you can figure it out. He's two score and eighteen years old. So if you didn't go... If you weren't too well in math, he's 50... He'll be 58 years old tomorrow. Happy birthday, Representative Joel Brunsvold."

Speaker Hartke: "Ladies and Gentlemen, we're going to be on Second Reading and we're going to be adopting Amendments to Bills that have been recommended in committees that they 'be adopted'. House Bill... House Bill 3005,

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Representative Myers. Mr. Myers, do you want to call that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3005, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Myers, has been approved for consideration."

Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker. Floor Amendment #1 is just a technical Amendment that further defines what the towing vehicle would be in the... in the Bill. The... It's... It just adds another definition that makes it a lot more clearer, and I would request adoption of Floor Amendment #1."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3005?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 21 of the Calendar appears House Bill 3049, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3049. The Bill's been read a second time previously. Amendments 1 and 2 have been adopted to the Bill. Floor Amendment #3, offered by Representative O'Brien, has been approved for consideration."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you. Ladies and Gentlemen of the House, Floor Amendment #3 represents a compromise that has been worked out with the universities, Members of the Higher Education Committee and myself. And what it does is it requires that



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on an annual basis universities notify incoming freshmen and transfer students about the transmission of meningitis and the number of cases that have been reported there the year before and also to make available meningitis vaccine to these students if the vaccine is actually available. And it has all been negotiated and worked out, and I don't know that there are any opponents at this point."

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

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

Speaker Hartke: "She indicates she will."

Black: "Well, Representative, forgive me, I'm not on the Higher Education Committee. I'm just curious. Why were the universities opposed to the original Bill?"

O'Brien: "Representative Black, my original draft required that they give the vaccination to each student that requested it at the cost to the university. And we've taken that provision out, that mandate out."

Black: "I see. I hesitate to even ask. Was there any cost estimate? I can't imagine we were talking about a great deal of money, were you?"

O'Brien: "No."

Black: "And how many students have died in the last 18 months? At least two that I recall at the University of Illinois. I think one at Eastern. I'm not sure about the others. I wonder what the cost... Wonder what that cost was?"

O'Brien: "Well, I think that there's probably, you know..."

Black: "Yes. Yes."

O'Brien: "Those lawsuits haven't even been filed yet."

Black: "Yeah, well... As you can tell, I was a much stronger supporter of your original Bill, but I realize the process that we have to work with, and at least your Bill is a very

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positive step forward from where we've been. And this particular illness has been in the news a great deal the last two years. It has been very deadly on some college campuses."

O'Brien: "Yes."

Black: "I think... I commend you for taking the initiative with certainly... I wonder sometimes why all of us didn't see this two or three years ago. So at least you have. You've done something about it, and hopefully it'll have a positive impact on the students' health on our campuses. And I thank you for your work on the Bill."

O'Brien: "Thank you, Representative Black."

Speaker Hartke: "Further discussion? Seeing no one... Representative O'Brien, would you like to close?"

O'Brien: "Just would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Amendment #3 to House Bill 3049?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A Fiscal Note has been requested on the Bill, as amended, and that Note has not yet been filed."

Speaker Hartke: "The Bill will remain on Second Reading. House Bill 3490, Representative Moffitt. Out of the record. House Bill 3557. Representative Tenhouse, are you ready with that Bill? Out of the record. Representative Bugielski, are you ready with House Bill 3838? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3838. The Bill has been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Bugielski,

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has been approved for consideration."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 3838 addresses concerns that were raised by the Illinois Trials... Illinois Trial Lawyers' Association. What this Amendment does, it clarifies that the immunity protection that financial institutions obtain under this Bill is no different from the immunity protection that financial institutions are already entitled to under the Elder Abuse and Neglect Act and the Domestic Violence Act. This was something that the ITA asked for, and we obliged them, and now they are fine with the Bill."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, did anybody object to this Bill... this Amendment in committee? Anybody object to your Amendment in committee?"

Bugielski: "No. What happened was, the Bill came out of committee, but the Trial Lawyers had some concerns with just this wording of this Amendment, and with this wording they're fine now. But the Bill... Everyone else was fine with the Bill itself."

Parke: "So it's... Everybody agrees to it?"

Bugielski: "Yes, Sir."

Parke: "Thank you."

Speaker Hartke: "Further discussion? Representative Bugielski to close."

Bugielski: "I'd just ask for the adoption of this Amendment."

Speaker Hartke: "The question is, 'Shall the House adopt Amendment #2 to House Bill 3838?' All those in favor

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signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it; the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3557, Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 30..."

Speaker Hartke: "Mr. Clerk, for an announcement."

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

Speaker Hartke: "Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3557, a Bill for an Act to amend the Legislative Information System Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Tenhouse, has been approved for consideration."

Speaker Hartke: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The board should reflect this is a Tenhouse/Currie Amendment. I'm happy to say that we've reached agreement with both sides in terms of being able to deal with this very, very important issue. And, really, what this would allow is some reasonable compromise in terms of being able to post roll calls on the Internet after two working days. It also would allow the posting of transcripts prior to the beginning of the next session, and it would also begin it at a more reasonable agreement, I think, in terms of being able to start this with the beginning of the 92nd General Assembly. I would ask for agreement on this Amendment, and we'll get a chance to debate it next week."

Speaker Hartke: "Is there any discussion? The Chair recognizes

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the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you, Mr. Speaker. Will the Sponsor yield? Yes, Representative, I'm just very pleased that you and the Majority Leader are sponsoring this. It's kind of the Majority Leader and the Deputy Minority Leader. Years ago, before C-Span, there was a weekly radio show. It was Ev Dirksen and Charlie Hallock. They had a weekly radio show and they'd sit, and you know, on the radio and talk about what went on in Washington. Would you and the Majority Leader, are you planning to do kind of a live audio show, you know, before each session or right after each session? Sort of the, you know, the Arthur and Barbara show or..."

Tenhouse: "I don't know whether they'd want to read that in the transcription or not, but, yes, I suppose. I would certainly be willing to do that, but I don't know what... I guess we'd have to switch going back and forth between Quincy and Chicago. I don't know whether that would work or not."

Black: "Well, and with those two... with those two media markets, Quincy and Chicago, I would see that not only would ratings increase, but I would see super stations all across the country wanting to carry this. So, based on that premise, I think this Amendment is in fine shape. And I look forward to this ongoing dialogue between the two Leaders on the other sides of the aisle. I think this will put the memories of the Ev Dirksen, Charlie Hallock Show behind me, shows how old I am, and I look forward to this new dialogue in this new millennium. And I congratulate you for this hard work on this Amendment."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, would Mr. Tenhouse answer a question or so?"

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Speaker Hartke: "He will yield."

Skinner: "This Amendment is not on my screen. Maybe I haven't updated it. Can you repeat what it does?"

Tenhouse: "Sure. The Amendment is going to be dealing specifically, actually it would increase the penalties that will take place if someone gets onto the screen, if someone gets into the web site and does something to it. That's one issue we dealt with that was added as part of an agreement. One of the things it does, it begins everything with the beginning of the 92nd General Assembly, as opposed to doing it right away. We would have roll calls posted after two business days, two working days, as opposed... because obviously making sure everything was copacetic as far as its accuracy. The transcripts would be posted at the beginning of the session that follows. So bas... or the next year. So, basically... or as soon as practicable. So what would happen is, let's say the transcripts of what our discussions that are taking place here, assuming we were in the 92nd General Assembly, Representative Skinner, we would... they would really be up by January of the year following. Now I know that's something we would have liked to have done sooner, but it's part of the agreement process of trying to accommodate people."

Skinner: "Well, assuming that you wanted the roll calls posted five minutes after the vote was taken, which would certainly be possible..."

Tenhouse: "They could be posted..."

Skinner: "...because all you'd have to do would be... would be... scan it in."

Tenhouse: "Representative, they could be posted as soon as five minutes after. But I think what this does is allow up to 48 hours to make sure that they're... that they're reviewed

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as far as accuracy if we do have a problem. I think the issues in terms of... We're also talking about going to real audio, that would allow... And really, we can more properly discuss, probably the Bill when we get to Third Reading, but these are what the Amendments we're talking about are dealing with these specific issues."

Skinner: "Well, I'm trying to limit my questions to the Amendment. Assuming that you wanted the roll calls posted instantaneously, who did you have to compromise with? Who didn't want them posted immediately? Who wanted to allow people to... I mean, it's not..."

Tenhouse: "Well, either... Representative..."

Skinner: "Let me finish the question."

Tenhouse: "...even under the original legislation it was 24 hours."

Skinner: "All right."

Tenhouse: "Because we're not sure, in terms of the technology, yes. I think eventually we may well be able to do this, but we have to... let's... we have to deal with the cards we're dealt with right now. We're not sure that the technology, we can do that immediately, within five minutes under the present..."

Skinner: "Representative, when the Legislative Information System was originally developed, it was deliberately developed to keep people from getting roll calls. And, so, if I am asking questions that appear to think that we're trying to hide something from the public, it's only because of the history of this institution. We have tried to hide things from the public. Now the question I'm asking is, why shouldn't we allow the public to know how we vote the day we vote? Why should we have their... If they're angry at a vote, why should we give it... them a two day cooling off

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period? Why shouldn't we allow the feedback to come to us immediately?"

Tenhouse: "I don't think there's any question that we'd like to do that immediately, Representative, but I'm just not sure that technologically we can do that at the present."

Skinner: "Well, I think you have..."

Tenhouse: "That's the concern. That's the reason... that's the reason we worked this out. But like I say, under the original legislation that was proposed by Common Cause and Independent Voters of Illinois was a 24 hour period."

Skinner: "Well, I would like to suggest..."

Tenhouse: "But still it's nothing..."

Skinner: "...that someone has... someone has insufficient faith in technology."

Speaker Hartke: "Further discussion?"

Tenhouse: "Representative, I certainly agree with what you're saying and I think... And again, we're going to be talking about the practical aspects when we move into the future, but we have to deal with what we have right now, today."

Speaker Hartke: "Representative Tenhouse to close."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just ask for a favorable roll call on House Amendment... Floor Amendment #1 to House Bill 3557."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3557?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 3 of the Calendar appears House Bill 2967, Representative Dart. Mr. Clerk, read the Bill."



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Clerk Bolin: "House Bill 2967, a Bill for an Act to create the Illinois Legislative Medal of Valor Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 was suggested by the Adjutant General to make some clarifications into the Bill. It's nothing more than technical as far as where the medal can be worn and along those lines, and allowing designees to be appointed in place of individuals. It also contains a provision in there that was suggested by the committee allowing for a posthumous granting of the medal. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2967?' 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 Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 12 of the Calendar appears House Bill 4182, Representative Winkel. Rick Winkel. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4182, a Bill for an Act to amend the University of Illinois Trustees Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Winkel, has been approved for consideration."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. Floor Amendment #2 makes a

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technical change to House Bill 4182. In that Bill, it defines conflict of interest for a student trustee as including a vote on faculty, tenure and promotion. In the original Bill, it included a qualifier that required a pre-existing or existing student/teacher relationship. In this Amendment, that qualifier is deleted. And that's a technical change and I ask that the Amendment be adopted."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4182?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 4263, Representative Silva. Out of the record. ...report."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures were referred, action taken on February 25, 2000, reported the same back with the following recommendations: 'direct floor consideration' for Senate Bill 43; 'referred to nonconcurrency' House Resolution 620 - Rules recommends 'be adopted'."

Speaker Hartke: "Supplemental Calendar distribution. Representative Harris, are you ready on House Bill 3858? Out of the record. Representative Gash, are you ready with House Bill 4525? Out of the record. On Supplemental Calendar #1 appears Senate Bill 43, Representative Parke. The Order of Nonconcurrency."

Parke: "Thank you, Mr. Speaker. I move on Senate Bill 43 to nonconcur with a... with a... Amendment #2. Senate Amendment (sic - House Amendment). And I would like it

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sent to a Conference Committee. Excuse me. I refuse to recede, is the correct statement on Senate Bill 43 from the Senate and ask for a Conference Committee to be established."

Speaker Hartke: "The Gentleman has refused to recede from House Amendment #2 to Senate Bill 43. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede and a Conference Committee has been requested. On Supplemental Calendar #1 appears House Resolution 620, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House... Resolution 620 simply increases the size of the Telecommunication Committee by two Members, one by each Party."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Resolution 620?' All those in favor signify by voting 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Resolution 620, there are 113 Members voting 'yes', 0 voting 'no' and 1 Member voting 'present'. And the House does adopt House Resolution 620. On Third Reading appears House Bill 3113, Representative Beaubien. Mr. Clerk, read the Bill. Excuse me."

Clerk Bolin: "House Bill 3113, a Bill for an Act concerning evidence. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Beaubien, has been approved for consideration."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Thank you. I wish to table #2. As to #3, this Bill

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deals with the release of evidence kit in child sexual molestation cases. And it allows the kit to be released directly to the law enforcement officer. There's no objections to the Bill, and I would like it moved to Third Reading, then... adopt the third Amendment."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 3113?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 11 of the Calendar appears House Bill 4039, Representative Davis. Monique Davis. Are you ready to move that Bill? Amendment has been approved for consideration."

Davis, M.: "It has? Okay, good."

Clerk Bolin: "House Bill 4039, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Second Reading of this House Bill. Amendments #1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis, on Amendment #3."

Davis, M.: "Amendment #3, Mr. Speaker, just moves the old language from this Bill, and it puts the language that mirrors Speaker Madigan's language on this Bill. It requires... It requires videotaping of confessions of capital offenses. It requires that an attorney be present when a youth is being interrogated. It requires that a youth cannot have his or her rights waived."

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

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

Davis, M.: "Yes, Sir."

Speaker Hartke: "She indicates she will."

Dart: "Representative, just a clarification. This was the Bill that was in committee, and there was some confusion as to what Amendments were going on or not. This was the one that, then, just strips the original Bill out. And so, and just so I'm clear, though, because the other Bill dealing with videotaping was not in our committee. That was in another one. Is it your understanding that what... by putting this Amendment on, it would leave your Bill in the identical form of the other one as it exists now, though?"

Davis, M.: "That is correct. That's what this Amendment does, Representative."

Dart: "Okay. And just for further clarification, then. So, as well as you're aware of right now, it would represent the status of the other Bill. Cause I know they've been changing it a little bit here and there."

Davis, M.: "Well, to be... I'm going to be honest and tell you, Speaker Madigan's Bill is continued to be changed. And at this point, this Bill mirrors exactly what his says, and all of my... the old stuff is gone from it."

Dart: "Okay. So this would mirror exactly what they passed out of committee."

Davis, M.: "Yes, that is correct."

Dart: "Got it. Thank you."

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

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: "She indicates she will."

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Black: "Representative, it's difficult to get at some of the questions. Let me see if I can focus on just the Amendment. You're removing language referring to videotaping confessions of capital defendants. Obviously, a crime that would... could result in the death penalty. And I'm not sure why you're doing that. I would think that would be the kind of tru... excuse me, that that would be the offense that you would most want videotaped, because the..."

Davis, M.: "That is what we want videotaped. Confessions of those who commit crimes that could result in the death penalty. That is absolutely correct."

Black: "Okay. I... I need to get that clarified from staff. And the Amendment, as I read the Amendment, it is... Well, no wonder I can't do this. I'm looking at Amendment #2. I'm sorry. Amendment #3 requires... allows for grants for the purchase of videotape equipment from the Department of State Police. Now..."

Davis, M.: "That's correct."

Black: "Would there be a companion Appropriation Bill or is there a trailer Bill?"

Davis, M.: "At this point, there is not, but there will be."

Black: "There is not. Okay."

Davis, M.: "But there will be."

Black: "Okay. Well, the other questions I have really don't pertain to the Amendment; we'll address those on Third Reading. Such as, an identifiable source of funding, because without it small police departments will really be in a bind."

Davis, M.: "But that's..."

Black: "But that's not germane."

Davis, M.: "But that's why we..."

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Black: "That question is not germane to this Amendment."

Davis, M.: "But that's why we put it in, remember, before we..."

Black: "Sure. Okay."

Davis, M.: "...talked about it and you explained how some small police departments could not afford a video camera. So, we would find a small appropriation and put it in a grant line..."

Black: "Okay."

Davis, M.: "...in which state police, oh, I'm sorry, police districts who could not afford the video equipment, that we would allow them to seek grants and get the equipment they need."

Black: "Well, could we call that the 'Davis Decision' and embody that in the language? Let's see, cause we could definitely tell the police departments, 'If you cannot afford a videotape machine, one will be provided for you, courtesy of Representative Davis.'"

Davis, M.: "Davis and Black. How about the Davis/Black Amendment?"

Black: "Okay. I have some additional concerns, Representative, but they would go to the actual Bill. I'll save them for Third Reading. I appreciate your indulgence."

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

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

Turner, J.: "Thank you, Mr. Speaker. Am I that predictable?"

Speaker Hartke: "Yes."

Turner, J.: "Cool. Representative, what is your intention with this Bill? And I'll tell you why I ask, before you answer that. We had a discussion in committee where it was pointed out to you that there was another Bill and you had

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indicated you were going to make your Bill identical to the other Bill. The other Bill, of course, is the one that Speaker Madigan is the Chief Sponsor of. And I thought you had said that you simply wanted to move your Amendment out of committee and that you would then hold the Amendment and hold the Bill and go no further with House Bill 4039. So, my question today is, what is your intention?"

Davis, M.: "Well, I thought we said we'd hold it until... Well, I mean, on Second Reading, we wanted to add this Amendment, Amendment 3..."

Turner, J.: "Okay, so..."

Davis, M.: "Hold on now. Hold on."

Turner, J.: "Are you saying, then, what you're going to do is adopt Floor Amendment #3 and then leave it on Second Reading and not move it to Third?"

Davis, M.: "That's what we're going to do, leave it on Second Reading and let the Speaker's Bill go forth."

Turner, J.: "Thank you."

Davis, M.: "You're welcome."

Speaker Hartke: "Further discussion?"

Davis, M.: "And then, if the Speaker's Bill does not survive, we'll have another vehicle."

Speaker Hartke: "Representative Davis to close."

Davis, M.: "I just thank you very much for this opportunity, Mr. Speaker. And I thank all of those who ask those very enlightening questions and I ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall the House adopt House Amendment #3 to House Bill 4039?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. Notes have been requested



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on the Bill, as amended, have not yet been filed."

Speaker Hartke: "The Bill will remain on Second Reading. On page 25 of the Calendar appears Senate Bill 452, Representative Capparelli. Mr. Clerk, read the Bill. Mr. Clerk."

Clerk Bolin: "Senate Bill 452, a Bill for an Act to amend the Private Detective, Private Alarm, Private Security and Locksmith Act of 1993. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Senate Bill 452, we addressed the other day. It makes a technical change within the Private Detective, Private Security Alarm Contractor and Locksmith Act. One, it allows 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 contractor's license. Two, the department added two new areas of experience that may be accepted in order for someone to sit in for the Private Detective Exam: investigative experience in a public defender's office or a licensed attorney's office. And, three, the department added language dealing with enforcement. The agency licensed under the Act; definitions added were associations, firms and corporations. I know of no objections to this Bill and I'd ask for an affirmative roll call. Thank you."

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

Black: "Mr. Speaker, inquiry of the Clerk, if I might."

Speaker Hartke: "State your inquiry."

Black: "There's some confusion as to the Floor Amendments that are on the Bill, vis-a-vis, those Floor Amendments that are not on the Bill. If the Clerk could clarify."

Speaker Hartke: "Mr. Clerk. Mr. Clerk, would you like to

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respond?"

Clerk Rossi: "Representative Black, with regard to Senate Bill 452, the Calendar reflects that Floor Amendments 6, 7 and 8 were adopted to the Bill. Floor Amendment #7 was not adopted; it was withdrawn."

Black: "All right. Since the Calendar is in error, does the Bill then have to be read an additional three times on three separate days in three separate sessions?"

Speaker Hartke: "No."

Black: "Oh! So we're technically, then, correcting the Calendar on its face, because Amendment #7 makes this a completely different Bill. And that's what confused me that was on the Calendar, because the Dean and I had talked about this, and I know he had said very clearly that Floor Amendment #7 was not on the Bill. And now today's Calendar says that it is on the Bill."

Capparelli: "We removed that Amendment. We tabled that Amendment."

Black: "Representative, I understand that's exactly what you said. In fact, you and I... I asked you a question about that. And then what confuses us today is that on the Calendar it shows Floor Amendment #7 having been adopted. And that, you know..."

Speaker Hartke: "Come on, Rossi. What you do?"

Black: "... if there's any... If there's any mistake or will be any mistake, that changes the entire structure of this Bill, and I don't think that's your intent. And I just want to make sure that the structure of the House, that when this Bill goes to the Senate, it will not show... Or excuse me, when this Bill goes to the Governor's desk, or wherever the Bill goes, I don't know. Wherever it ends up, I want to make sure Senate Bill or Floor Amendment #7 is,

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in fact, not on this Bill."

Speaker Hartke: "Mr. Black."

Black: "Yes."

Speaker Hartke: "Would you restate your question?"

Black: "Yes. The inquiry, Mr. Speaker, and I think it's just an oversight, but... but we have to make certain. The Calendar says Floor Amendment 7 shows... the Calendar shows that Amendment has been adopted. Our records and I believe the intent of the Sponsor is that Floor Amendment #7 was, in fact, not adopted and is not a part of Senate Bill 452."

Speaker Hartke: "Mr. Black."

Black: "Yes, Sir."

Speaker Hartke: "The Clerk has indicated that the Calendar is in error."

Black: "Oh, fine, is in error. That's... that's... I think the confusion was perhaps the Rules Committee approved it for consideration, but the Sponsor never did ask for consideration."

Speaker Hartke: "That is correct."

Black: "So, fine. That's all we care about, Floor Amendment #7 isn't on the Bill. That eliminates the confusion. And, again, for the record, if I might ask the Sponsor just one quick question."

Speaker Hartke: "You may."

Black: "Representative, now, the Bill without Floor Amendment #7 is in the order that you want it to be, correct?"

Capparelli: "Yes, it is."

Black: "And the Bill in its current form would allow someone in a small community, a police officer, let's say, or a municipal officer of any kind to attempt to unlock your car if you had locked it while visiting the grocery store or something. Correct?"

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Capparelli: "Absolutely right."

Black: "Thank you very much. I appreciate your indulgence."

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

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

Speaker Hartke: "He indicates he will."

Moffitt: "Representative, just... The window that's being created by this Bill, is that correct, for one of the provisions is it creates a window for those that were already locksmiths? Is that correct?"

Capparelli: "That's right. Right."

Moffitt: "If they meet certain requirements?"

Capparelli: "Yeah. Are you asking if the locksmith has to open the door on the automobile?"

Moffitt: "No. That doesn't create a window for them to become licensed to be grandfathered in. Is that correct?"

Capparelli: "Yeah, that was Bost's Amendment, right."

Moffitt: "Right. Now this would allow anyone that meets those conditions. You're not naming those locksmiths are you? This... anyone that meets those conditions could apply to the director and get a license and be grandfathered in. Is that correct?"

Capparelli: "What it says, it simply contains that locksmith window has been re-drafted to also include a window for certain alarm contractors. That's with the Amendment..."

Moffitt: "Representative, I... My question is simply anyone that meets this time line that's spelled out in your Bill could apply to the director. Is that correct?"

Capparelli: "That's what I understand, yes."

Moffitt: "Because you haven't named..."

Capparelli: "No, this... As a matter of fact, though, that last Amendment you're ... was eight, was Bost's Amendment."

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Maybe he can direct you to the answer on that. Amendment #8 was Bost's Amendment. Maybe he can answer that."

Moffitt: "Okay. I think... I think there are other people that probably have constituents that fall in this category, and I read it that anyone who was... who was in business during the time frame specified in this legislation, then would be allowed to apply to the director."

Capparelli: "The way I read Amendment #8, which you're talking about, simply contains that a locksmith's window has been re-drafted to also include a window for certain alarm contractors that also would have met the original grandfather requirement."

Moffitt: "Representative, thank you. We believe that others could... they didn't have to be named. You know, I think you mentioned Representative Bost. I think there are others that may have locksmiths that need to be grandfathered in, too. And that was my point, to make sure you hadn't eliminated the possibility of others. Thank you."

Capparelli: "You're welcome."

Speaker Hartke: "Further discussion? No one is seeking recognition, Representative Capparelli to close."

Capparelli: "Just ask for an Affirmative Roll Call. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 452?' 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 Senate Bill 452, there are 108 Members voting 'yes', 6 Members voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar on Second Reading appears House Bill

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2880, Representative Mitchell. Mr. Clerk, read the Bill.  
2880."

Clerk Rossi: "House Bill 2880. The Bill has been read a second  
time previously. No Committee Amendments. No Floor  
Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On Third Reading on page 16 on  
the Calendar appears... or Second Reading. Excuse me,  
Second Reading, appears House Bill 4409, Representative  
Mautino. Clerk, read the Bill."

Clerk Rossi: "House Bill 4409, a Bill for an Act in relation to  
gaming. Third Reading of this House Bill."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 4409 contains the work of a 20 month  
task force and working group, which was set up by the  
Department of Revenue. The Department of Revenue is in  
favor of the Bill and the objective of the task force was  
to ensure additional regulation for an area which has been  
a loophole in the law, the area of raffles. This Bill would  
allow for three-year licensing and annual renewals cutting  
down the amount of paperwork for the Department of Revenue  
and also for the sixteen hundred plus charitable  
organizations. It will close loopholes in our statutes to  
'permits only' legitimate organizations to obtain and  
maintain charitable games licenses, prohibits vertical  
ownership, regulates the taxes; and one of the more  
important points of this Bill, is that it changes our  
current tax structure from 10% of the gross to five percent  
of the net, which allows your charitable organizations to  
raise money to use within your community. The current tax  
structure for some of the smaller organizations, they have  
ended up having their fundraiser or playing the bingo for  
the night and at the end of the night, paying the balance

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or the biggest portion of their dollars on the Net to the Department of Revenue. So we needed to change that. There are quite a few other provisions in here. The Bill has been extensively debated, and I would ask for an 'aye' vote. Be happy to answer any questions."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Yes, Representative, is this a... I have a sheet here from the ILLCAAP, which is the Illinois Church Action on Alcoholic Problems and Church in Action. And they said in their flyer that the Bill increases the daily prize limit for bingo from twenty-two fifty, to thirty-two fifty. Is that true?"

Mautino: "That is correct. The group that you're referring to did also. I told Representative Black that I would mention this and clear up the debate. They did file a slip in opposition at the time the Bill was heard in committee. And currently there are three counties in downstate Illinois: St. Clair, Monroe and Madison that have a prize limit of thirty-two fifty on the daily prize. The rest of the state is at twenty-two fifty. And so, therefor, this would make it uniform across the State of Illinois."

Parke: "I understand it also increases the maximum prize per game from five hundred to a thousand."

Mautino: "That's correct."

Parke: "The Bill also allows prizes to be carried aboard as a progressive event game, which is not allowed by law at this time."

Mautino: "The progressive, and I'm glad you brought that up. Progressive event games fall under the new definition of

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event games, which will now be regulated in this Bill. Event games currently are being played, but they're being done under the guise of what are called raffles. They are unregulated and they are not taxed. So a lot of your charitable organizations are circumventing the law in... by creation of raffles or other games, which are not taxed and currently, prior to passage of this Bill, have no oversight."

Parke: "Okay. It also says here that currently there's a five thousand dollar per limit on pay out on pull tabs. Your Bill will allow from currently... Well, it'll allow six thousand tickets to be sold at two dollars each, which increases the pull tab limit from five thousand a day to twelve thousand a day. Is that true?"

Mautino: "The Bill currently removed the limit that's there. And on the example you used there, the six thousand tickets sold at two dollars each would be twelve thousand dollars gross. Now the pay out on that is 80%, so the net profit to the charity is twenty-five hundred dollars. So we'd be talking about twenty-five hundred dollars in your example, which would all go to charity."

Parke: "But it is an increase for what is current."

Mautino: "Yes, it is."

Parke: "And this also expands to youth athletic organizations that currently are not able to do this. Is that also true?"

Mautino: "No."

Parke: "Aren't they a qualified organization now, who may now operate charitable gambling?"

Mautino: "Let me... let me give you an example of this currently under the law. Back in Spring Valley, I have Hall Township High School. The Boosters went to one of the the bingo



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halls in our area and they went forward and actually they were licensed, certified through Board of Revenue, and they used this money to actually build the Hall High School track that was raised from there. So they can currently do it now. All the people who are registered and licensed are there. No one under 18 may participate in this. So that's kind of a red herring that the... that the group threw in there, And I would ask that that be disregarded because it is not correct."

Parke: "Okay. Well, thank you for clarifying that. To the Bill, Mr. Speaker."

Speaker Hartke: "Ladies and Gentlemen..."

Parke: "I believe that the Sponsor of this legislation is trying to solve a problem that he sees for specifically his area, but also this Bill affects statewide a number of church organizations who believe, as I do, that this is an expansion of gambling. You'll have to balance in your own mind, is this expansion worth allowing this increase to benefit the organizations that are represented. Obviously, he is trying to benefit by this. So I think you have to make your own call on it, but be aware that it is believed, and I concur, that this is an expansion of gambling, no matter what worthwhile cause is involved. So I will vote 'no' on it. Thank you."

Speaker Hartke: "Further discussion? Ladies and Gentlemen, we're on Third Reading and it's getting a little noisy in here, so let's tone down our rhetoric a little bit. Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. To the Bill. I wanted to let the Body know that the VFW is in favor of this Bill. As a matter of fact, Fred Albers, who's the legislative representative for the VFW, was here yesterday afternoon

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into the early evening. But he had to get back to his VFW Post last night. This is a guy who fought in Korea. He's probably in his mid 60's. But he had to get back to the VFW Post so they could strip the floors, so that they could wax them for this weekend's events. The VFW members and others who run similar posts for the American Legion, Disabled American Veterans, Purple Heart Association, these men and women, in many instances in downstate Illinois, are the soul and substance of social activity in their hometown. And I would just like for you to consider that. No matter where you come from in Illinois and where you are on this issue, please understand that the good-hearted people that work in the VFW's and the American Legions and the other small town centers of social activity are very much in favor of this Bill. We understand that some of you may have a question about whether this might be perceived as an expansion of gambling. I'm not in favor of an expansion of gaming, but I have to tell you, I know of the good works that these people do. People like Fred Albers, who last night was on his hands and knees scrubbing the floors of the VFW in his hometown to make it a little more presentable, so that folks there could have a little bit better quality of life. I would stand in strong support of the Gentleman's Bill and would ask you to do the same. Thank you, Mr. Speaker."

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

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

Speaker Hartke: "He indicates he will."

Biggins: "Representative, I know that this Commission has met for well over two years and they've attempted to correct a lot of inconsistencies, maybe unintended consequences of our

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current Charitable Gaming Act, and also enforce some stricter regulations included. But is there... What would be the penalty where someone who violated any of the new regulations, let's say, regarding raffles or any of the other charitable gaming activities?"

Mautino: "First of all, there's loss of license and ability to conduct gaming operations or charitable op... charitable gaming operations automatically. But, hold on a second... And revocation as well."

Biggins: "And if they find someone in violation, how would it be enforced?"

Mautino: "Department of Revenue. As a matter of fact, the lead on the Commission was Dave Bartholomew, who is the head of the Criminal Investigation Division. And so he is in charge of all enforcement over these three Acts, which are now combined into one."

Biggins: "I was told that there wasn't enough enforcement in the legislation that the law is fine, but if someone wants to violate it, they can still violate it. And it won't be... There'd be an investigative team out there. Could that be possible? I know the Department of Revenue..."

Mautino: "That becomes... Right, I..."

Biggins: "...is standing right behind you and they're... This is their Bill, isn't it, Representative Mautino?"

Mautino: "They have... Yes, they're in favor of it and they have worked very hard for it. It becomes then an enforcement issue. They do spot checks and have people that are out there, also, that'll respond to complaints of abuses. But there are over sixteen hundred church organizations, social organizations, fraternal organizations, which are conducting games. You know, bingo every Tuesday or whatever their schedule might be. So it's kind of an

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enforcement issue on that. They do the best they can."

Biggins: "And my concern... To the Bill, Mr. Speaker. My concern about this legislation is the aspect of expansion of gambling. And I just heard on the radio yesterday that there's a group in Eastern Connecticut that wants to petition the state for a license for a riverboat casino for Veterans. Now I know all the Veterans in Connecticut, probably very many of them would be happy to have this, but, I don't know where we're going to end this cycle of increasingly more opportunities for people to wager their hard earned dollars, most of which they will not retain, under the guise of it's a good goal and a noble cause. There are a lot of noble causes. I just think there are better ways to serve them."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. As you heard from Representative Stephens, many of our Veterans' groups support this. Our fraternal groups support this. Our churches support this. Our schools support this. This is what... The money we use for our scholarships for our kids from our groups, this is how we support our local band in my hometown of Belleville. All this Bill does is put some regulations on the raffles that were running wild. This was worked out with the Department of Revenue over a two-year period. This levels the playing field. Right now the state will have the same prize money statewide, rather than having certain areas cut out with different amounts. And most of all, I think this will set up on a level playing field for all of our fraternal and 501C3's throughout the state that are applying for this and give them a chance. They're being eaten alive now in many of the areas by the riverboats and

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other forms of gambling. These are our people that we live next door and that help out our communities, and I would urge an 'aye' vote on this Bill. Thank you."

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

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4409 is the result of two years worth of work, and it addresses some problems that the small organizations, religious organizations that conduct charitable gaming to do their works within their communities and in their schools, have been having. It addresses, first and foremost, the structure of the tax. So it changes from ten percent of the gross to five percent of the net, which means your small organizations and charitable organizations have more dollars available to your communities, as opposed to paying that money into the State of Illinois in the form of a tax on these games. Many of the organizations have stopped holding the games within their halls, because at the end of the night, they end up working for the State of Illinois and have not been able to go forward and do their works within their communities. It is also necessary to put into the law, enforcements around something which are currently being called raffles. They are unregulated and they are being used by organizations, who are actually forced to circumvent the existing law. If we don't pass this, we're forcing them to continue to do that, and we're putting at risk some of the smaller organizations who can't raise the money to provide their good works within the... their communities. There's been a lot of work put into this. It has stronger, stricter enforcements and it makes the laws uniform throughout the State of Illinois, which they have

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not been. So, with that, I would simply ask your 'aye' vote and appreciate your consideration and vote on this Bill."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4409?' 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's still three people that have not voted. Mr. Clerk, take the record. On this issue, there are 54 Members voting 'yes', 57 Members voting 'no' and 3 Members voting 'present'. Mr. Mautino."

Mautino: "I'd like to ask for Postponed Consideration."

Speaker Hartke: "Mr. Clerk, put this Bill on Postponed Consideration. On page 13 of the Calendar appears House Bill 4269, Representative Pugh. Coy Pugh. Would you like to move your Bill to Third Reading? Out of the record. On page 22 of the Calendar appears House Bill 3881, Representative Kosel. Representative Kosel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3881, a Bill for an Act concerning open meetings. Third Reading of this House Bill."

Speaker Hartke: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. This Bill would expand the Open Meetings Act to allow public boards to discuss security procedures in closed session. As we know, there's been numerous security threats to our children in schools. And anyone who deals with security knows that once a security procedure becomes public, it is a broken security procedure. So this would allow security procedures' safe rooms, camera mounts, those kind of things to all remain private. And I would ask for your approval of this Bill, please."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3881?' 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 3881, there are 114 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4116, Representative Turner. John Turner. Are you ready to call that Bill? Excuse me."

Turner, J.: "Mr. Speaker, I thought you have put this on Second."

Speaker Hartke: "We did. We did. I'm sorry."

Turner, J.: "Thank you."

Speaker Hartke: "On Second Reading appears House Bill 3036, Representative Franks. Out of the record. On House Bill... On Second Reading appears House Bill 3559, Representative Lawfer. Out of the record. Oh, Mr. Clerk, call the Bill."

Clerk Rossi: "House Bill 3559 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lawfer, has been approved for consideration."

Speaker Hartke: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. The Amendment becomes the Bill and it authorizes Southern Illinois University and the University of Illinois to conduct research on industrial hemp. It also provides a definition of industrial hemp. I'll be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt House Amendment #1 to House Bill 3459 (sic - 3559)?'"

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All those in favor signify by saying 'yes'; those opposed 'no'. 3559. 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. Representative Hamos, are you ready to call House Bill 1776? Out of the record. Representative Erwin, on House Bill 3610. Mr. Clerk, call the Bill."

Clerk Rossi: "House Bill 3610, a Bill for an Act concerning commerce and community affairs. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Erwin, has been approved for consideration."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you, Speaker. This Bill is nearly identical to House Bill 1406, Representative McAuliffe, during the Fall Veto Session. This will permit surplus state property, namely one building on the old Reed Mental Health Center Campus in Chicago, to be utilized for medically complex wards of the state that are served by Maryville Academy. And also permit some of the, again abandoned, I mean surplus state property to be used for developmentally disabled residents served by New Horizons. I'll 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 adopt Amendment #1 to House Bill 3610?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"



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Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On Second Reading appears House Bill 2924. Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2924, a Bill for an Act concerning proceeds from the tobacco litigation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker. Floor Amendment #1 incorporates Treasurer Topinka's suggestions as to the investment component and mechanisms of the Health First Proposal, which we have passed out of committee in a bi-partisan manner. With the agreement of Representative Black on the other side, this is a fairly complex Bill with the Amendment. And what we'd like to do is, if I move this on Third Reading, we'll discuss the Bill as a whole at that time. Accordingly, I request favorable consideration of the Amendment."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall House adopt Amendment #1 to House Bill 2924?' All those in favor signify by saying 'aye'; 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..."

Clerk Rossi: "But Notes... But Notes have been requested on the Bill that have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Mr. Clerk, what is the status of 3610 (House Bill)?"

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Clerk Rossi: "House Bill 3610 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. Third Reading, appears House Bill 3287. Representative Scott. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3287, a Bill for an Act to create the Local Planning Technical Assistance Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Scott."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3287 is an initiative that came from the Urban Revitalization Committee. As we went around the state and talked to different people, one thing that kept coming up was the fact that there are a lot of governments that are either... or areas that are either very fast growing or areas where they'd lost population and in both cases are in need of some technical support, some technical assistance with respect to planning functions. So that's where this Bill came from. We addressed the concern that was posed by Representative Black the other day in terms of making sure that this would be applicable on a statewide basis. The... There are a huge list of supporters for this, and I won't bore you by reading through that. But basically, there have been two arguments that have been raised in opposition to this by the Realtors Association and the Home Builders, and I'll do my best to say what their objection to this is. One argument is that DCCA can already do this, which on the one hand is either an argument to say, 'Well, if they can already do it, then, I guess that's not much of a problem with passing it.' But on the other hand, if you read the DCCA Act, it's pretty

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vague. There's a very limited addition in the DCCA Act that says that they can help with planning functions. We're trying to be much more specific about that and address a real problem that's out there, either in terms of fast growing or in declining areas. The other concern that's been raised is that this somehow infringes on local control. And I really think nothing can be farther from the truth, because this is a program where the municipality or county or whoever's involved has to first ask for assistance from DCCA. It's not something that's mandated. There isn't any 'one size fits all' approach to this. There are a series of factors that need to be looked at when DCCA provides this assistance, but the ultimate decisions of what zoning decisions are made are actually made by the individual units of local government. There's no string or tie to that money that says, 'If you don't do what we say, then you don't end up getting this assistance.' They get the assistance; they can choose to do nothing or they can choose to accept the assistance if they want to. I'm grateful for the large number of Co-Sponsors that are on the Bill, in addition to those that are on the board. It's received good bi-partisan support thus far. I'd ask for its passage and be glad to answer any questions."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Thank you. Representative, I served on the same committee that you did, Urban Revitalization. I believe that you're trying to address issues that were brought to the attention of that committee. But I must respectfully

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rise in opposition to this Bill as amended because of the vagueness of the legislation. The reason that the Illinois Retail... the Illinois Realtors Association and the Home Builders Association and also the Illinois Retail Merchants Association are opposed to this is because of the vagueness of the wording. Now, you had earlier said that one of the problems was that DCCA could do this already. And in fact some of this, DCCA could. But they also could delegate this out to a larger organization, such as Metropolis 2020, which sounds very much like what their agenda is, that they would like to have this. And I don't understand, again, why the municipal governments haven't risen in opposition to this, because it says that a regional authority, especially in Northern Illinois area, but also in some other areas in Southwest Illinois Metropolitan Regional Planning area, may find that a regional organization might be the one that makes the decision. They may have said that we may have a zoning area that may not meet certain criterias that may... that are vaguely written up in this Bill. What I'd like to see is for you to pull this Bill and go back to the realtors and home builders and try and amend it in a way that meets their needs, so that we don't have to argue between us and between groups that we would like to support them on. I understand the concept of what you're trying to do. Now, let me ask you this. If a area agrees to get a grant from the state, Representative, and they've gotten the grant from the state to do this, and I forget what the term is about what this particular grant is, what happens if all of a sudden after they've gotten the grant and received the money, they say, 'All right, we decide now that we don't want to do it this way.'? In the paper recently, we saw where there's a WAL-MART wants to go into

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a subdivision by... in Springfield and it gets approved and it goes through the criteria that you've established in your legislation. And then all of a sudden, the local county or the local municipal government says, 'We don't want this here. Yeah, we got the grant, but now we've decided we don't want it here, after all.' What do you... what does your Bill say will happen to the money, this grant that they gave to this municipal entity?"

Scott: "Well, nothing, nothing. And that goes to the heart of why, I think, you know, believe me, you know, I'm spending a lot of time on other Bills working... trying to work through issues and we've talked about this, too. But here's why I don't think that this is a real issue. And with all due respect to those groups that are opposed to this Bill, but here's the thing. We're overselling it to say that the state somehow, because of this grant, is gonna make the decision. That's the furthest thing from the truth. Here's how it would work in practice, and I'll go directly to your example that you're giving, Representative. A municipality that currently doesn't have a planning or zoning function, and there are lots of them out there; there are literally hundreds of municipalities that don't do that kind of stuff right now. They say, 'Look, we're either growing or we're declining in population. We want this kind of assistance, but because of the situation that we're in economically, we can't afford that.' So they ask DCCA for the assistance that's allowable under the Act. DCCA can come in, can help them with their assistance. If they would prefer that that be... that the assistance be given by another entity, they can request that because the law will allow for that to happen, as well. Then what happens is they're given technical

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assistance. They're given model ordinances that have worked in other places. If they choose not to adopt any of those, that's completely up to them. Nothing in this Bill, and that's why I say I think this Bill's been terribly mischaracterized by the people that are against it, and I have great respect for them and the job that they're trying to do. But I think that's a terrible mischaracterization, 'cause we're not saying that any of their decisions are made for them. All the local decisions in the WAL-MART case that you just raised, the local government, whether it's a city or a county, would still have the exact same ability to make the zoning decision that they do today. Nothing in this Bill would change that. What it might change is before WAL-MART gets there, they may have adopted a zoning ordinance that they didn't have before, but that still doesn't preclude them, even if they've adopted a zoning ordinance, from doing a map Amendment or doing a special use permit or making some other change that would allow that WAL-MART to come in there. So nothing in this Bill ties the hands down, and I think that's why we've gotten the amount of support that we have, and that's why local governments don't oppose this because for them, they get the benefit of it without being tied down and without having to have some kind of 'one size fits all' complete zoning plan for the whole state."

Parke: "Well, they mention that this legislation will bring in very... will be... bring control into the siting of facilities in municipal governments..."

Scott: "But that's completely..."

Parke: "...that will be com... that will be based on conformity and..."

Scott: "That's completely inaccurate though, Representative

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Parke. There is nothing in this Bill that anybody can point to where that's the case. If that were the kind of Bill that it was, I wouldn't support it. I would... not only would I not sponsor it, I wouldn't even vote for it. That's not what this does. What this does is allows people who want some assistance to help them plan, it allows them to do that."

Parke: "Well, let me point out then what you say is not there. The purpose of this legislation specified in Section 5 on page 1 of your Bill, lines 6 through 22 of Amendment #1, repeatedly uses conformity as a goal. Is that correct or incorrect on your Amendment? 'Cause a lot of their objection is to the Amendment, because you and I both think that giving technical assistance to local governments is ultimately your goal, and I like that goal."

Scott: "Well, here... Well, let me read the purpose of the Act 'cause I'm not sure I see... 'Define and disseminate the principles of sensible planning.' First of all, when we talk about sensible planning and you talk about a rational basis for developing a ordinance, that's already a requirement of any local government who's gonna develop a zoning ordinance. Because a zoning ordinance that's not developed on a rational basis is gonna end up getting bounced in courts, having defended 'em."

Parke: "Well, let me go to that. Isn't the definition of 'sensible planning' in the eyes of the beholder? I mean, isn't that a real... isn't that..."

Scott: "Well, actually, it's in the eyes of the law, 'cause that's in Section 10 of the Act. So we say the principles that we want 'em to look at when we do that. But here's what we're saying, we're encouraging counties and municipalities to engage in planning regulatory and

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development approaches and techniques that conform - there's your word - to the principles of sensible planning, provide demonstration grants to counties and municipalities to prepare and implement comprehensive plans, again, that conform to the principles of sensible planning, promote the... prepare and distribute model ordinances and promote the principles, research and report upon the results. But nowhere in there, nowhere in there, nowhere in the whole law is there anything that says that any of the money is tied to them adopting something that somebody else says is good or is sensible. That's completely up to them."

Parke: "Well, let me ask you. It says, 'The department must adopt rules establishing standards and procedures for determining the eligibility for the grants.'"

Scott: "Right."

Parke: "'Regulating the use of funds under the grants.' Now, let me..."

Scott: "Right. Well, just like they would anyway... I mean, geez, Representative, I mean in every other case where we're giving out money to units of local government, we adopt rules and procedures as to how that gets applied for and how it gets distributed. I don't really see that as any different than anything else."

Parke: "What happens if they want to change their plan after we've given 'em the money?"

Scott: "No problem. There's nothing in here that stops 'em... that... see that's... that's the problem that I have with the arguments on the other side of this Bill, is because they're talking about something that isn't in here. If there was that kind of control over local government decisions, you wouldn't have the counties in support of this, you wouldn't have municipalities in support of this."



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They're in support of this 'cause they need help, because in a lot of areas of the state, just as we heard everywhere we went, we've got lots of places where we're growing faster than our clothes, and we need some assistance in trying to help plan how all that is gonna occur 'cause we haven't done a real good job of it in a lot of places."

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

Speaker Hartke: "To the Bill."

Parke: "I appreciate the Sponsor's trying to explain to me and to the Body his concerns and he certainly has worked hard. The Committee has spent a lot of time and energy, but let me just point out that there's a lot of vagueness. This is open to a lot of interpretation. The Sponsor has an idea of what he wants to see happen, but the vagueness can allow this to be a lot more than his intent is to be. And that, to me, is why the Illinois Retail Merchants, why the Illinois Home Builders and the Illinois Realtors are opposed to this Bill. I stand in opposition and I would hope you'd vote 'no' also."

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

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

Speaker Hartke: "He indicates he will."

Winters: "Doug, some of this Bill, when it was introduced I think, had language in it that restricted it to either communities whose growth pattern was negative, in other words, they were shrinking or to the high and fast growing communities. Now, I understand and I'm just reiterating to the crowd that that is not the case at this point."

Scott: "Well, that's... those areas are given priority."

Winters: "Right."

Scott: "But the language that we took out, in reference to Mr.

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Black's question the other day, would have restricted it to metropolitan areas."

Winters: "Right."

Scott: "We took that out. So it applies statewide, but there's still priority given to either fast growing areas or the poorer areas that are declining in population."

Winters: "Right. But if there is a downstate county that today does not have planning or a community that does not have planning and wishes to apply for a grant, they're still eligible; they simply are not the highest priority."

Scott: "Right, well, and they may have declining population and so they may end up being a priority, but if not, they're still eligible to get it under this Bill."

Winters: "Okay. I just wondered 'cause there was some comment that you were disenfranchising some communities and that is not the case."

Scott: "Right, certainly wasn't any of our intention."

Winters: "Okay. The other issue that I wanted to talk a little bit about was the question brought up by the Home Builders, again of restriction, and Representative Parke certainly has explored that a little bit. But if a community is interested in receiving technical assistance and their county board or village council says, 'You know, we've got a community that is fairly extensive. I mean we have large wooded lots. We want to try to, maybe, put some new elements into that, but we're not going to... half acre or quarter acre lots in small, compact subdivisions.' Would they be eligible, if they chose as a community to not rely on all the different points of sensible planning? Now, maybe they wanted to plan for extension of sewer and water ahead of the development, so that the developers actually could see the infrastructure in place. Could they be

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eligible even if they did not become in compliance with each of the different goals of sensible planning?"

Scott: "Absolutely and they're... and that goes back to the point I was making with Representative Parke. There's nothing, nothing in this Bill that would stop any unit of local government from adopting anything that they want to, in terms of a zoning ordinance or in terms of a planning ordinance. There's nothing to stop that. All we're saying is that the assistance that's going to be given to them will try to impart these principles of sensible planning. If they choose to say, 'We don't think that's sensible', and reject them all, that's perfectly well up to them. There's nothing in here that locks anybody in to anything in the Bill."

Winters: "Okay. So, again, the intention is not to tie the hands of the local community in exactly what they can approve and disapprove."

Scott: "Right."

Winters: "And it is hard to talk to you without being able to see you, but..."

Scott: "It's just to provide assistance to people who want it. To do..."

Winters: "Pardon?"

Scott: "It's just to provide planning assistance to people who want help with planning assistance."

Winters: "Right. And it..."

Scott: "That's the goal."

Winters: "And it is not limited by statute, and it is not your intention to limit it to only those communities who seek to follow all of the guidelines in here of sensible planning."

Scott: "That's right. Exactly."

Winters: "That is more of a goal that we're trying to encourage,

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but not a strict standard that they would have to meet to be eligible."

Scott: "Exactly. And you know from serving on a zoning... 'cause you served on the zoning board in addition to the county board for a number of years. I mean, you know that not only within counties, but community to community within counties, the needs are different, the desires are different, how they want to approach development, and nothing in here stops any of that diversity from happening. It's just the counties who reach out and want the assistance, that's something we were told, you know, as we went around the state that a lot of people want and are... and can't get right now."

Winters: "As you and I both know, that even if there are plans in place, the county or the city can often simply ignore all the advice given by professional planners and by their zoning board and choose to do what they feel is in the best interest of their community and its growth."

Scott: "You probably did that as a zoning board member and I defended it as a city attorney, so I understand."

Winters: "I've done it both ways, I think. Okay, thank you."

Scott: "Thank you."

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

Zickus: "Thank you, Mr. Speaker and Members of the House. I rise in strong opposition to this legislation, because it clearly diminishes the local control that we now have in our communities and creates another government bureaucracy. If we look at our current law, the Department of Commerce and Community Affairs has the responsibility to provide the liaison between the states and regional local planning agencies. This legislation continues to ask the local

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communities to conform... with conformity as their goal and statewide planning is... your sensible planning is going to be determined by the state and state bureaucrats. Please take a good look at this if you are... you want to preserve local control for your communities. A 'no' vote would be a right vote."

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

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

Scott: "Yes."

Lindner: "I could have missed this. I don't know if Representative Parke asked this, but how much will this cost and is there money in the budget for this?"

Scott: "Well, we don't know how much it'll cost 'cause we don't know how many people will ask for it. There's two schools of thought on that. One, you know, you've been hearing a couple times DCCA can already do this. So under that assumption, you know, it wouldn't cost any more than they already have now. Although we've put some additional parameters on it, but not anything that's gonna end up costing them more money. I would like to see some additional funds in there, because... But the reality of it is, that even if that's not added to the DCCA budget this year, there are gonna be time to make... for some rule-making authority, as well. So I, you know, I don't see that as a real difficult issue for right now."

Lindner: "And are these grants limited to a certain amount of money?"

Scott: "No."

Lindner: "All right. One of the... My analysis says that one of the reasons that the realtors are against this is that they feel that this should be done on a local basis and are

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these... Could you tell me what the existing structure... that there is an existing structure to do this already and can you tell me what that is?"

Scott: "Well, I'm not really sure what that existing structure is 'cause everywhere we went... although there's a couple of vague words in the DCCA Act, if you read it, that says, 'planning assistance'. They don't really define that too terribly well. So... But the reality is, in terms of local control, this issue, to me, is a real spurious one, because all we're doing is provide... take it out of this realm and draw a parallel. If we said that the Criminal Justice Information Authority is gonna provide... We want them to provide assistance on a certain area of law enforcement to law enforcement agencies who ask for it; they don't have to adopt anything. They can take the information and choose to do whatever they want to. That's exactly what we got here, so all these arguments that somehow they've got to adopt some ordinance that looks the same throughout the whole state is wrong. I mean, it's just not a real argument. It's not a true argument. So I'm not sure where that comes from and if you read the whole Bill, please, read the whole Bill, you won't find that anywhere in here."

Lindner: "All right. Thank you."

Scott: "Thank you."

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

Mathias: "Thank you, Mr. Speaker. I rise in strong support of this Bill. As a former mayor, I was fortunate to come from a community that had the resources to hire experts to deal with developers and also experts to develop a comprehensive plan for our community. However, I also during that time spoke to many other mayors and officials throughout the

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area where they did not have those resources, from smaller communities where they could not afford to hire the experts when developers came to their town to deal with some of the projects that they wanted to bring into the town. Whether those projects were good or bad, they didn't have the resources to evaluate them. They also didn't have the resources to hire experts to develop a comprehensive plan for their town. I believe this Bill gives those small communities throughout the state the opportunity to hire experts and apply for these grants so that they can develop plans for their communities on the same level as some of the larger communities in our state. And therefore, I support this plan strongly, and I would not vote for this plan if I thought at any time that this Bill would lead to any sort of regional government or any regional oversight of what those plans should be. Thank you."

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

Scott: "Thank you, Mr. Speaker. I appreciate the... Representative Mathias's comments there. Again, he's exactly right. This isn't any statewide planning. This is just a voluntary program for municipalities and counties who want some assistance in planning, to get some assistance from the state. That's something that we heard was very necessary as we went around the state. In terms of the Retail Merchants, they never... they didn't slip at committee, I don't believe. They certainly didn't testify and nobody there has talked to me about why they might be opposed to it, so I have no idea where that's... where that would come from. It's not an extra bureaucracy; it's DCCA. And DCCA in their Act right now says they can provide planning services. All we're saying is, we think this is

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necessary for exactly the reasons that Representative Mathias just articulated. There's nothing in here that prevents any municipality or any county from adopting any zoning map, any zoning Amendment, any zoning change, any planning decision, any planning ordinance that they want to. This is a good Bill for local control. It just provides assistance to those communities that need it, and I'd ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3287?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Still three people that have not voted. Have all voted who wish? Mr. Clerk... Representative Hannig. Representative Currie. Mr. Clerk, take the record. On House Bill 3287, there are 40 Members voting 'yes', 69 Members voting 'no' and 5 Members voting 'present'. And this Bill, having received... not received or failed to receive a Constitutional Majority, is hereby declared lost. House Bill 3500, Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3500, a Bill for an Act amending the Public Community College Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. This Bill is the result of a negotiation involving the State Board of Higher Education, the Community College Board, and the State Board of Education in reference to an agreement to conduct a study to analyze the educational needs of the East St. Louis Metropolitan Area. This agreement grows out of a House Resolution 376, which was passed last Session, in reference



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to the reestablishment of a Community College District. Amendment #2 merely puts a sunset date of the 1st of July, 2001 on the Bill. I move for the passage of the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3500?' All those in favor will vote 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3500, there are 112 Members voting 'yes', 1 person voting 'no', 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Tenhouse. For what reason do you seek recognition?"

Tenhouse: "Mr. Speaker, Ladies and Gentlemen of the House, I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Tenhouse: "Directly behind us in the gallery, I'm joined today by the Quincy Leadership Academy. They're here today and enjoying the sights and sounds of Springfield. I hope you'd welcome to the Illinois House of Representatives."

Speaker Hartke: "Welcome to the House of Representatives. On Third Reading appears House Bill 3420. Representative McCarthy. Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3420, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In 1999 we passed the Electronic Commerce and Security Act, which was enacted to ensure the integrity of electronic documents and signatures and allow businesses in

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our state to take advantage of 21st Century technology. This proposal builds upon that legislation to allow the Secretary of State to process and issue title and lien documents electronically. This legislation also clarifies that the electronic records and signatures have the same force and effect as records and signatures generated manually on paper. As was agreed in committee, I amended the Bill on the floor in order to alleviate some concerns expressed by the Department of Revenue. The Amendment makes it crystal clear that any forms, records, electronic records and methods of electronic payment relating to the filing and payment of taxes shall be prescribed by the Department of Revenue and not by the Secretary of State. I appreciate unanimous support given this proposal by the Transportation Committee. And furthermore, I'm grateful for the proponents who assisted with this legislation, including Secretary of State Jesse White, the Community Bankers Association of Illinois, the Illinois Automobile Dealers Association, the Illinois Credit Union League, and the Illinois Financial Services Association, as well as the Illinois League of Financial Institutions. I would ask for the passage and I would 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 3420?' 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 3420, there are 113 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 23 on the Calendar appears House Bill

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4267. Representative Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4267, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "Representative Myers."

Myers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4267 amends the Unified Code of Corrections and provides that after a petition for executive clemency has been denied by the Governor, the Prisoner Review Board may not accept a repeat petition for executive clemency from the same person until three full years have elapsed from the date of denial. If the person on whose behalf the repeat petition is filed has been sentenced to death, a repeat petition may be accepted at any time, which it now reads one year must elapse from the last date of denial. And the Bill would be effective immediately; I ask for the Body's favorable consent."

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

Acevedo: "Yeah, Mr. Speaker, on the previous Bill that just passed, my intentions were to vote 'yes' and for some reason the 'no' button went on."

Speaker Hartke: "The transcript will reflect your wishes. The Chair recognizes the Lady from Cook, Representative Davis, Monique Davis."

Davis, M.: "Representative, are you suggesting or deciding that if a prisoner applies for release and he's denied by the Prison Review Board, that he cannot apply again for three more years?"

Myers: "Representative, the Prisoner Review Board has a very long backlog of petitions for executive clemency. And this is an executive clemency that supplies... that is being

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appealed to the Governor. And they appeal one and turn right around and appeal the next after the Governor has either denied it or not. This does not prohibit the individual from being granted the opportunity to apply within that three year period. If the Chairman of the Prisoner Review Board will grant that... that application."

Davis, M.: "Representative, these... The Prison Review Board consists of 6 or 7 people, is that correct?"

Myers: "I'm not sure what the makeup of the Prisoner Review Board is."

Davis, M.: "They're highly paid at 6 or 7 people and if they would come to work, they would remove the backlog. If they would come to work, they would remove the backlog. What they do is send one person, or two people at the most, to hear these cases. Now we're talking about a person whose freedom, whose life has been cut off and taken away from them. And I don't think we should limit their ability to apply to be released. Now, we're suppose to say, 'This man can apply again because he applied... because these people have a backlog'! Especially in the State of Illinois when we know we have kept people in prison and put them on death row who were innocent and we were about to kill them. Now you want to tell me that they will not have the right to appeal when the Prison Review Board shouldn't even be there. A person should be given a sentence, serve their sentence, and go home. But the Prison Review Board sits there to look at them and say, 'No, not this time'. So they're good and they try to be good. They try to learn something. They try to get some skills. They try to come back into society. But you want them to sit there three more years. This is bad policy. It's a disgrace for Illinois to even consider it. You have more people in

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prison in the United States of America than any country - than any country. You are maintaining more people in prison than South Africa, than China. Shame on you. And you want to deny them an opportunity to appeal for release, because seven people want to go... not come to work everyday. I say 'no' - 'no'. Take this Bill out of the record."

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

Stephens: "Will Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Stephens: "Representative, if the... an individual has a... had a case before the Commission last year, and your Bill passes, when does the clock start running? As your Bill becomes effective? Had they had a case before the Commission last year, would that count as their first case before the Commission, and then there would be a three year waiting period? Or if they had an application pending now, would that pending application be there first?"

Myers: "Representative, the clock would start running after the Bill becomes law."

Stephens: "Thank you for that clarification. And there's nothing in the Bill that says that the, in response to the previous speaker, exceptions can be made if there's any due reason for a special need. There doesn't have to be this three year waiting period. So if there's a case that needs special attention and it's less than three years, that can be granted, can't it?"

Myers: "Thank you for asking that question, Representative, because to clarify the previous speaker's concerns. If a person is... has been sentenced to death and is on death row, now an appeal can be made anytime under this current

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law... or under this new law or this proposal. Under the current law, anybody on death row must wait one year. The new proposal would be, an appeal for clemency can be made at anytime. In addition, even though this changes it from one year to three years for those not sentenced to death, anytime new information comes forward, an appeal can be applied at that time. But this is just saying that if no new information comes forward, if nothing changes, then the appeal goes from one year to three years."

Stephens: "Well, thank you, Representative. Ladies and Gentlemen, it's a commonsense Bill. In spite of the protest by the previous speaker, I rise in support. It's a good commonsense piece of legislation. I move in favor."

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 Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Morrow: "Representative Myers, where did you get this... the concept of this Bill?"

Myers: "This particular Bill is an initiative of the Prisoner Review Board."

Morrow: "The Prisoner Review Board. So the Prisoner Review Board is in favor of this Bill. Who... Is there anyone opposed to this Bill?"

Myers: "No one has stated their opposition to this Bill. It was before the Judiciary Criminal Committee. There was no opposition, witness slips signed in."

Morrow: "Why did you just... Why did you narrow the field to just people who are on a death sentence?"

Myers: "There is... We did not narrow it to those that have been sentenced to death. Actually, for those that were

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sentenced to death, we brought their ability, increased their ability, to appeal for executive clemency. It is the other individuals that are serving a regular sentence that we extended appeal time from one to three years. And again as I stated before, that is only in the event that no new information is forthcoming. If something new develops in that interim, then they can file an appeal at anytime."

Morrow: "Well, to the Bill."

Speaker Hartke: "To the Bill."

Morrow: "I rise to oppose House Bill 4267. And the reason why I rise to oppose this Bill, I had a situation with a Gentleman in my district that was charged with a crime in 1972 when he was in college. He never served time; he was put on probation. He thought that his record had been expunged. He went to go to apply for a job, the job says that you have a felony record on you, against you, even though you served probation. Because of this, you're going to be denied your right to employment. The Gentleman came to me for assistance, and fortunately the Prisoner Review Board when he sent his request for clemency to the Prisoner Review Board, in his case he was favorably reviewed. And he did receive a pardon from the Governor. But that's just one case of a Gentleman that knew who... that he should get in touch with his State Representative. I... as I've always said in the 14 years that I've been in office, I'm here to represent those that don't know me. And a person that would not have the knowledge or the wherewithal to say, 'I should get in touch with Representative Morrow to help with my bid for clemency.' He might become distraught or discouraged forever reapplying if he's denied the first time. And three years is a long time to wait. Three years is a long time to seek remedy, whether it be positive or

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negative, for a crime that you may or may not have committed. And to be held for a crime as the case that I mentioned, to be still judged for a crime that you committed in 1972, that you never received any jail time for, that you just received probation, I feel that this Bill is unfair to those who may not have the power to seek help from us. So I would urge red votes on House Bill 4267."

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: "Sponsor will yield."

Black: "Representative, I... There might be some confusion on the Bill. Currently if you're seeking parole or release, you petition the Prisoner Review Board. You have a hearing before that Board; that Board can grant parole or grant release. That's basically what they do, correct?"

Myers: "Yes, Representative."

Black: "What your Bill addresses is someone who appeals directly to the Governor for executive clemency: a pardon, a commutation of sentence, an expungement of his or her record. The two are not that closely related, as I understand them, correct?"

Myers: "That is correct, Representative."

Black: "All right. The caseload on the Prisoner Review Board where they do their yearly review, actually it's about every ten months, as to whether or not someone will be released early or be paroled prior to the end of the sentence, this Bill doesn't impact that at all. They... they're given their yearly parole or release hearings before the Prisoner Review Board. Correct?"



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Myers: "That is correct, Representative."

Black: "However, those people who have chosen, for whatever the reason, to bypass the Prisoner Review Board Process and appeal directly to the Governor for clemency, a pardon, commutation, I'm not a lawyer, but any of those terms... There aren't that many. I've been told that there... While there are a number of them, it takes months for the Governor's legal staff to review those. And once they are reviewed and after an extensive review that may take almost a year, if they are rejected for executive clemency, all it says is that unless you can present new evidence in a subsequent request for executive clemency, you simply wait three years. Right?"

Myers: "That is correct."

Black: "It doesn't mean that they still could not petition the Prisoner Review Board if they were eligible for parole or pardon... or parole or early release hearing. They could still petition the Prisoner Review Board. All right. It really, I don't think your Bill is as draconian as some people think it is. It's simply an attempt to get at... not because of the Prisoner Review Board's inability to meet, if that's the case, I don't know that it is. They meet rather regularly. But when you petition for an executive clemency that goes directly to the Governor, the process of review is so lengthy and so exhaustive that to clog that system, in fact one could argue makes it less fair to those individuals who are seeking a pardon or a review of their sentence or a commutation or whatever, by clogging that system because it can take months to review one request for executive clemency. And all this says is simply, unless you have gathered some additional evidence or new material, new information, it really is not fair to

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those coming into the process to just let you file automatically again and again and again. And so I really simply thank you for your indulgence, rise to support the Bill. It is not a Bill that pits anyone against their inherent right to a yearly parole or release hearing before the Prisoner Review Board. It does, however, limit those who are applying directly to the Governor for a release or a pardon to once every three years, unless new evidence or new information is forthcoming. And that simply is to clear the docket so that those waiting for a legitimate chance at their review by the executive branch of government would have that opportunity. And I think anybody familiar with the process, if they just stop... step back just a second and look at it would see that this is not draconian. It certainly isn't aimed at eliminating anybody's right of due process. In fact, one could argue that for someone in the system, it might enhance someone's ability to have gubernatorial review of their sentence. So I, I stand in complete support of your Bill."

Myers: "Representative, I'm glad you brought that up. You talked about not clogging the system up and in fact helping those who are applying, maybe for the first time or with new information. The representatives of the Prisoner Review Board and the Governor's Office have indicated that many of the applications that are now coming into Governor George Ryan's Office still have Governor Jim Edgar's name on the application for appeal, which would suggest that nothing has changed in their application. If in the event that there is new information and something changes, they are encouraged to file a brand new appeal to Governor George Ryan at this point in time or the future Governor's. With that new information and at that point in time, a

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determination can be made that, yes, this new information does warrant an appeal at this point in time rather than waiting an additional length of time."

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

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

Speaker Hartke: "He indicates he will."

Delgado: "Representative, you were pointing out that the Prisoner Review Board has a backlog. Did you mention what... how many... how much we're talking about here? What is that backlog?"

Myers: "I have no information as to the extent of that backlog at the Prisoner Review Board."

Delgado: "Representative, do you know... Is the Prisoner Review Board Members compensated?"

Myers: "I believe they are, yes."

Delgado: "And do you know how much that compensation is, Sir?"

Myers: "No, I do not."

Delgado: "Would you think it's about \$70,000 a year for compensation?"

Myers: "I would assume that would be a reasonable..."

Delgado: "About \$55,000 a year for compensation and me twice a year, Sir."

Myers: "If that's your information, then I have no reason to dispute it."

Delgado: "My concern, Sir, is that at a three year wait, everyday you're sitting in prison is a long time. But to have the right to be able to... to say the burden because of backlog on the Prisoner Review Board, I know one of the members of the Prisoner Review Board, and I'm very concerned about this type of legislation, because the burden must be on us who support the system who says, 'What are we doing about

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that backlog?' How can we... these members who have other jobs, they're lawyers, they're out there, and then they have to come together a couple times a year and review these particular petitions. I have a problem. That's a pretty good salary and for... I know this very, very detailed work, because I come out of the criminal justice system, Sir. But I would have to stand in opposition to this particular language in this legislation."

Myers: "Representative Delgado, I appreciate your concern, but I believe the backlog in this case is more regarding the Governor's Office and the executive appeals that go to the Governor's Office and his staff that review these executive clemency appeals. Now, granted the Prisoner Review Board may have a backlog as well, but as Representative Black stated, they have a number of other obligations and duties that occur with normal parole. This is an executive clemency appeal in the... that deals directly with the Governor's Office, and it's not to deny anybody their right as I stated earlier. In the event that there's new information forthcoming, then it's incumbent upon them to file a new appeal with that new information. And again as I stated, in the event that somebody is on... that has been sentenced to death, this allows them to appeal anytime. The current law reads that those that have been sentenced to death will be limited and can only apply once a year. The people... If we pass this legislation, those that have been sentenced to death will be able to apply anytime."

Delgado: "No, and I appreciate that, Representative. I guess my question is then, shouldn't the Governor possibly just handle the appeals and not the overall? And my second question is, why three years, Sir? Where do we get the number three?"

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Myers: "The number three I think comes from the Prisoner Review Board evaluating with the Governor's staff and office the appropriate length of time that would be sufficient to address the current appeals and allow them to review the appeal on an individual basis thoroughly."

Delgado: "I appreciate that. Can you help me with the first question in terms of why not just handle the appeals?"

Myers: "I'm sorry, Representative, I didn't hear the question."

Delgado: "My first question was, why can't we just have the Governor's Office deal just with the appeals then, and not across the board? If it's such a burden on that particular office, Sir. And what remedies can we create to have them eliminate this obstacle."

Myers: "Representative Delgado, the Governor is the only one that can grant executive clemency, so I think that at this point we're only talking about the executive clemency appeals to the Governor's Office. And he doesn't... the Governor doesn't address the other issues that the Prisoner Review Board also addresses in their normal duties. This is strictly for executive clemency."

Delgado: "Right, and so at this point, the Bill only deals with clemency. Is that correct?"

Myers: "That is correct."

Delgado: "All right. I... and no regular parole, is that correct?"

Myers: "I'm sorry, Representative, I didn't hear that comment."

Delgado: "And not just regular parole, is that correct?"

Myers: "That is correct."

Delgado: "Only clemency."

Myers: "That is correct."

Delgado: "Okay. Again, my concern, Sir, and I respect your work and I respect my friends on that other side, but we do have

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a tremendous problem with the three year period. And I understand the frivolous or this constant feel you're inside and you want to file all of these... keep them flooded over there at the Board. But at the same time, the three year creates an undue burden on family members that are outside who may be unaffected. Their loved ones, the spouses and all of the community folks that I have to hear about everyday being a member of the Prison Review Task Force and the Jud. II and other things that I'm responsible for here in the Legislature comes back home with me. And this one would be extremely difficult. To the Bill."

Speaker Hartke: "To the Bill."

Delgado: "At this point I do have some difficulties in terms of how this is structured and some of the remedies that can be taken at the level of the Governor's Office. I think that they have the capacity to modify this in terms of making it... The three years is a major problem. At this point, I would have to stand in opposition to this legislation, and I would have to ask my colleagues on this side of the aisle to please cast a 'no' vote."

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

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

Speaker Hartke: "The Sponsor will yield."

Pugh: "Representative, I'm sorry I missed the opening statements. When you spoke to the genesis of the legislation, you said that the... it was the Prison Review Board?"

Myers: "Yes."

Pugh: "And they've... they gave you this legislation to carry?"

Myers: "Yes."

Pugh: "How many of the members of the Prisoner Review Board did you speak to?"

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Myers: "I dealt mainly with the legislative liaison for the Prisoner Review Board."

Pugh: "So how many members are there on the Prisoner Review Board?"

Myers: "At this point in time, I'm not all together sure how many members there are. I did talk to a couple of the members of the Prisoner Review Board, and as I stated, I dealt directly with the liaison. That is their function in dealing with the legislature and they... the liaison was acting on behalf of the Prisoner Review Board."

Pugh: "Okay. So what are some of the other functions of the Prison Review Board that keeps them so busy that they cannot review clemency hearings?"

Myers: "Representative, the Prisoner Review Board does not necessarily deal with the executive clemency; that's the role of the Governor's Office, which we're talking about here. The Prisoner Review Board accepts the petitions for executive clemency, the appeals for executive clemency, and then submits them onto the Governor's Office for their... for the Governor's Office review."

Pugh: "I understand that, Sir. I... My question was, what other activities does the Prison Review Board participate in that keeps them too busy to review clemency, executive clemency hearings?"

Myers: "Representative, I'm not sure that that question is relevant in the view of the fact that the Governor's Office is the only one that can grant executive clemency. The Prisoner Review Board has numerous other duties, but even if they didn't have the other duties, they still don't have the responsibility for granting or making the determination on the executive clemency."

Pugh: "So, Representative Myers, it would be fair to assume that

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you don't know what the other responsibilities of the Prison Review Board is?"

Myers: "Representative, my role right here is of a Legislator, not as a..."

Pugh: "I mean..."

Myers: "...member of the Prison... or the Prisoner Review Board. I do know that the Prisoner Review Board reviews parole applications and other associated duties and functions dealing with those incarcerated, those that are trying to secure early release or parole or things like that. But, no, I don't know the inner workings of the Prisoner Review Board. And I'm not sure at this point in time that that's my role."

Pugh: "And you're right in regard to your role. In regard to relevancy, I think that their role in regards to submitting this piece of legislation is relevant, and I think that you as your role as a Legislator should know a little bit more about the host organization that you're carrying legislation for. To the Bill."

Speaker Hartke: "To the Bill."

Pugh: "The Prison Review Board is made up of 12 members. When they review petitions for parole, which they do once a year, they're not required, all 12 members are not required to be there to review the petitions. Only one of those 12 members are required to be there to review the petitions. In regard to the executive clemency, before an individual that have been... that has been wrongly convicted, like the 13 individuals that we have wrongly convicted in this State, before they can receive any type of redress, they have to have a clemency hearing. They have to have a hearing before the Clemency Board, which is provided by the Prison Review Board in order to have their cases or their



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records expunged or cleaned up. I submit to you that we're paying the Prison Review Board, which consists of 12 members, an exorbitant amount of money to sit in judgement on a few cases on an annual basis, and at that time we only have one of the 12 members reviewing these cases. I further submit to you, Sir, that these individuals are not overburdened, but they're overpaid. I further submit to you that when you're submitting legislation that you should become acquainted with these members, and maybe there's some reason why you didn't meet them. Maybe it's because they didn't want to come to work. It's apparent that they are not doing the things that they should. And I don't think that we should add to their leisure. I think it's their responsibility to review clemency cases. If an individual has been exonerated, particularly after he has been incarcerated for the better part of his life, I don't think that it is fair that we should say that he should have to wait an additional three years to have his case reviewed. I think this is a well intentioned piece of legislation, but not well researched. I would suggest a 'no' vote."

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

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

Speaker Hartke: "The Sponsor will yield."

Jones, L.: "Representative Myers, I'm not sure and I guess maybe I didn't hear your response to Representative Delgado. I do have a problem also with the three years. But I need to ask you, if a prisoner, excuse... If a prisoner is up for, in front of the Review Board now, and this is not a clemency request. This just is his regular time to go before the Review Board. And the Review Board says, 'No,

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you cannot go at this time.' Does that prisoner have to wait three years?"

Myers: "No, Representative. That is not the case. This is only executive clemency, not regular review by the Prisoner Review Board."

Jones, L.: "Okay. Another question I didn't hear you answer was, why is there a backlog?"

Myers: "Because the Governor's Office is limited in staff and scope, and there are numerous appeals and applications on a yearly basis to the Governor's Office for executive clemency. And I guess the Governor doesn't have enough lawyers to review them on an individual... There is... I've been told that there are over 400 appeal petitions for executive clemency in the Governor's Office at this point in time."

Jones, L.: "So, help me here. Does that... Does that go before the Review Board and then go to the Governor?"

Myers: "The Prisoner Review Board accepts the petitions and appeals. They hear the petitions and then submits them onto the Governor's Office for the Governor's final determination as whether to grant clemency or not grant clemency."

Jones, L.: "So the backlog is not with the Prison Review Board, is that what you're saying?"

Myers: "I'm saying that the... I think in all cases along the line that the large number of appeals for clemency have stretched the system from the Prisoner Review Board to the Governor's Office."

Jones, L.: "I didn't understand that answer. Are you saying yes or no?"

Myers: "I'm saying I think they're both backlogged."

Jones, L.: "So there is a backlog in the Prison Review Board. Is

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that what you're saying?"

Myers: "The Prisoner Review Board does not make the determination."

Jones, L.: "They make the recommendation, am I correct?"

Myers: "They can... They accept the petition and they make a recommendation. But then the Governor's Office is still responsible for reviewing in detail the application or the appeal from the inmate as to whether or not the Governor is going to grant the clemency or not."

Jones, L.: "I understand that. But I'm just trying to find out where the backlog is that is causing the problem, and the problem seems to rest on with the inmate, rather than the two bodies that actually make the decision. So I need... I'm trying to find out from you, is the backlog from the Prison Review Board or is it from the Governor's Office? And if it's from the Governor's Office, I don't think the inmates should be punished and have to wait three years because there's not enough help in the Governor's Office, and visibly with the Prison Review Board. There's 12 of them and they all... and as Representative Pugh said, they all don't have to meet. Then they also should not be punished because of a backlog that's not caused by them. This backlog is not being caused by the inmate. It's either being caused by the Prison Review Board or the Governor's Office. So I was just trying to find out, where does the real... Excuse me. Where does the real fault lie in here?"

Myers: "The point of this legislation is to reduce repetitious appeals. In the event that there is merit for an appeal, new information, that appeal will be heard at any point in time, because as the Lady... as the legislation states, new information forthcoming will be grounds for granting an

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appeal on an immediate basis. The attempt is to reduce the backlog of repetitious, continually repetitive appeals for clemency when no... nothing has changed, when there's been no new information. In fact, once an appeal is denied, the individual turns right around and files the appeal over again without even changing the name of the Governor on that appeal sheet."

Jones, L.: "Well, Representative, isn't an appeal a part of a right of an inmate?"

Myers: "That is correct."

Jones, L.: "Well, do you think that we really have... we have... we should really take that right? I mean it's hard for anyone in here to say because you're not behind bars. And to say it's repetitious and you've been denied, you could also put the same information out there and they might read it a different way or see it a different way and have a different opinion about it."

Myers: "Representative, nobody is denying their appeal."

Jones, L.: "Excuse me, excuse me. I think that if that appeal is his right and you're taking that right, you're reducing the time of that right, then I don't think we have the right to do that. I mean, maybe the... this time when he writes up whatever he rights up, he would right it up different. And not have to do... be any new information, but just a different way that you present the information. And the only thing that I'm saying is that I don't think the inmate should be punished because he did not cause the backlog. If that's the case, why do we need a Prison Review Board and then why do we need a clemency team in the Governor's Office, if neither one of them are doing their job? To the Bill."

Speaker Hartke: "To the Bill."

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Jones, L.: "I urge a 'no' vote on this because number one, I don't think the Representative has all the clear answers of his own Bill. And I think that if we pay someone \$55,000 a year to review the fact that whether a person stays in prison or get out of prison, they should be there to do their job. If it's a lack of people in the Governor's Office on the clemency team, then he should appoint more people to do this. The backlog is not being caused by the inmate. The inmate is incarcerated and he wants to get out and he has that right cause we gave him that right through the appeal process. And I don't think that he is the reason for the backlog and the blame should be put where it should be. And I urge a 'no' vote."

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

Myers: "I just ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4267?' 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 4267, there are 76 Members voting 'yes', 36 Members voting 'no', 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 3254?"

Clerk Rossi: "House Bill 3254, a Bill for an Act in... The Bill's on the Order of House Bills - Third Reading."

Speaker Hartke: "Move that Bill back to Second for the purpose of an Amendment."

Clerk Rossi: "Floor Amendment #1, offered by Representative Gash, has been approved for consideration."

Speaker Hartke: "Representative Gash."

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Gash: "Thank you, Mr. Speaker. Floor Amendment #1 removes from the Bill colleges and universities; and therefore, we believe removes the opposition in committee so that there is no longer any opposition that we're aware of."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

Cross: "Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Cross: "Representative, what's the underlying Bill do?"

Gash: "The underlying Bill creates the Dissection Alternatives Act and provides that schools may excuse a student from performing or observing dissection and may allow the student to instead perform an alternative project."

Cross: "What is the real purpose of the Bill? I did not follow... just..."

Gash: "The purpose of the Bill is to allow a student to opt out of dissection programs. Instead it provides for alternatives for them and they won't be penalized for that. This passed..."

Cross: "Would this apply to veterinarian students?"

Gash: "I'm sorry, what?"

Cross: "Would this apply to like veterinarian students?"

Gash: "This has nothing to do with graduate schools and no longer will have anything to do with this Amendment whatsoever with universities and colleges. It's only at the secondary school level and below."

Cross: "So, like a kindergarten student wouldn't have to dissect if he or she didn't want to?"

Gash: "That's... yes."

Cross: "Does it apply to K through 12?"

Gash: "Yes."

Cross: "All right. What about... What if a school doesn't..."

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Gash: "And I would like to point out for the record, I'm sorry. I would like to point out for the record that this actually passed out of the House without having the colleges and universities removed. In other words, in a much stronger form last year, with 116 'yes' votes. We also now have more than 20 Cosponsors on the Bill. Representative Cross, are you a Cosponsor?"

Cross: "Representative, I'm just trying to ask some questions about the Amendment right now. I want to make sure I understand. If you're in kindergarten to 12th grade only, you no longer have to dissect an animal. You can do it in a... You could do it some other way?"

Gash: "There are numerous programs that are electronic and various other things that are actually shown to be very, very effective, yes. This... and by the way, this became an issue at the University of Illinois recently where veterinary students did not want to have to perform, some for significant reasons, dissections and they became very upset. And they petitioned the school and the school is now allowing them opt out. But that's just for informational purposes. This Bill does not address graduate schools; this Bill does not address universities or colleges."

Cross: "Are you saying that veterinary students at the universities throughout this, at least in Illinois?"

Gash: "The University of Illinois is now allowing veterinary students to opt out of dissections. But this Bill does not address that. Just to show you how significant some of the concerns now are across the nation."

Cross: "So then my veterinarian could just fix my dog on a computer, instead of actually having to touch the dog? Is that what we're talking about? What are the... What are

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the alternatives? I guess in all seriousness for a second, what if a school doesn't have those alternative procedures available, other than the old procedure that most of us followed in high school of pithing the frog and dissecting it. What if they don't have the alternatives that you'd like them to have, Representative?"

Gash: "There are a lot of alternatives that are available, and groups like Humane Pack have all different types of alternatives that are available and they are available to the schools throughout Illinois now. Just for reference, the trend in medical and veterinary medical schools is away from dissection. In fact, they have found that it frequently doesn't yield relative data. A partial list of medical schools. Again this is informational because this Bill does not exempt medical schools or colleges, but only undergraduate schools. But medical schools, which do not require dissection in their medical programs, in Illinois alone, Northwestern, Rush Medical, Southern Illinois, University of Chicago."

Cross: "All right. Well, I appreciate your straightforward answers. Thanks, Representative."

Speaker Hartke: "Further discussion? Representative Turner. Yes, the Sponsor will yield."

Turner, J.: "Excuse me, Mr. Speaker. Sponsor yields you say?"

Speaker Hartke: "The Sponsor yields."

Turner, J.: "You know, Mr. Speaker, I don't know if your prescient or clairvoyant or both. You sure got me figured out. Representative, why do you want to put this mandate on the schools?"

Gash: "This Bill will allow an individual student to opt out of dissection. There are students who have come to us with stories across the state, in fact across the country, that



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are very, very poignant. This will allow a student to opt out by using some type of alternative. Several organizations have free loan teaching materials available, by the way on request. Those organizations include the National Anti-Vivisection Society, the Humane Society. Many people believe and many professors and teachers believe strongly that there is nothing taught by dissection that cannot be taught, often better, by using an alternative."

Turner, J.: "Well, I appreciate that, but at least in my district, I have always asked or admonish not to put a mandate on the schools. Doesn't this put another mandate on our local school districts?"

Gash: "I'm sorry, can you repeat the question."

Turner, J.: "Is this not a mandate?"

Gash: "This Bill will absolutely allow a student to opt out of dissection. And..."

Turner, J.: "Okay. But is it a mandate?"

Gash: "It does require the school to allow them to opt out of this... out of dissection."

Turner, J.: "It does not or it does?"

Gash: "It does require the school to not penalize students for opting out of dissection."

Turner, J.: "So it would be considered a mandate then."

Gash: "I suppose you could say that."

Turner, J.: "And you're... you're saying then that we need to pass this because local school districts can't already do this."

Gash: "Local school districts can do this, but one of the reasons for the Bill and that's a great question. One of the reasons for the Bill is that..."

Turner, J.: "Thank you."

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Gash: "...many people... You're welcome. Many people don't know. Many schools are not aware of this. And when they become aware that they can provide alternatives and that there are free places to get those alternatives, they are... they want more and more to be able to use those alternatives. This will allow them to get that information. Usually when they don't allow opting out, it's very often because they have no idea what the alternatives should be. It's not usually that they have a strong feeling that the students must dissect."

Turner, J.: "You know, I... We'll have to debate this at more length obviously on Third Reading, but it seems like that we've passed or that you've been arguing for this Bill like five years. All right. What happens? If it passes out of here, whatever happens to it? Who's killing the Bill?"

Gash: "It passed by a very large majority a couple of years ago and went over to the Senate; I don't know what happened over there. It passed last year in the House 116 'yes' votes. It then passed with 56 'yes' votes in the Senate. The Governor amendatorily vetoed it and changed the Bill completely, and it unfortunately was then... We were actually going to go along with the Amendatory Veto, but the Bill did not come out of the Rules Committee during the Veto Session. So we unfortunately, due to timing, now have to do it again."

Turner, J.: "Well, Representative, this could be your last chance to get it passed. If you move onto Congress, you won't be here next year to move it. So best of luck to you. We'll be talking on Third."

Gash: "Thank you."

Speaker Hartke: "Further discussion? Seeing that... The Chair recognizes the Gentleman from Livingston, Representative

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Rutherford."

Rutherford: "Thank you, Mr. Speaker. I wasn't going to ask a question, but following Representative Turner, do you think this should be a national policy?"

Gash: "I don't think that's at issue here."

Rutherford: "And if you did go on to Congress, would you try to have this become a law of the United States of America?"

Gash: "The truth is, I do think that kids should have an alternative to dissection. Thank you for asking that."

Rutherford: "No problem. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Seeing that nobody is seeking recognition, Representative Gash, to close."

Gash: "I ask for your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Amendment #1 to House Bill 3254?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it; and the Amendment is adopted. Third Reading. On page 22 of the Calendar appears House Bill 3538. Representative Righter. Dale Righter. Out of the record. On Third Reading on page 22 appears House Bill 3132. Representative Poe. Out of the record. On page 22 of the Calendar appears House Bill 3926. Representative Osmond. Representative Osmond. House Bill 3926, Representative Osmond. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3926, a Bill for an Act amending the Home Repair and Remodeling Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Osmond."

Osmond: "Thank you. The Attorney General at their... Representative Winter's last Session passed a Bill at the request of the Attorney General. And a part of the

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provision asked for a certain insurance coverage that was not readily available in the marketplace. The Attorney General after reviewing it suggested that that portion of the Bill be delayed implementation until 1-1-01. And this Bill just seeks to extend the implementation date on the \$10,000 coverage for home remodeling errors to be effective on 1-1-01. I ask for your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3926?' 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 3926, there were 103 Members voting 'yes', 11 Members 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 3132. Representative Poe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3132, a Bill for an Act in relation to county government. Third Reading of this House Bill."

Speaker Hartke: "Representative Poe."

Poe: "Yeah, Mr. Speaker, House Bill 3132 comes from some local constituents. I have a commission form of government in one of my counties. And what we'd like to do is to change that where they could elect from 3 commissioners to 5. And how this process would work is it would have to have 10% of the voters on the ballot. They'd have to file on the proper dates and then they could run that to an election. Can I have order in the... They could go have the election, and then that way it's not mandatory in each... This would be for every county in the state. There's 17 counties in the state having commission form of government. And so, I

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always like to have a favorable vote and 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 3132?' 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? Have all voted who wish? There are still four people who have not voted. Have all voted who wish? Mr. Clerk, take the record. On House Bill 3132, there are 112 Members voting 'yes', 1 person voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar appears House Bill 3995. Representative Beaubien. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3995, a Bill for an Act concerning cigarette taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Thank you. This is an extension of the Gray Cigarette Market Tax Bill that we passed last year. It puts additional teeth into the Bill. The Bill last year passed 115-0 out of the House, 58-0 out of the Senate and was a Public Act. Last year's Act dealt with the labeling of the cigarettes and basically what the industry did was they simply put the health warning on it, and we didn't have enough teeth in the Bill at that time. This Bill expands, it not only deals with the United States manufacturers sending cigarettes overseas and then flying them back without U. S. stamps, it also deals with cigarettes that are manufactured by foreign companies and U. S. companies in foreign countries from coming back into the country. The key is the intent to be sold in foreign countries. Now

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what we're trying to do here is give this additional teeth by allowing third parties and give a private right of action to enforce this particular Act. Why we want to pass this Act is two reasons. One, these cigarettes are sold without federal stamps at about \$9 a carton less, which of course it tends to be sold in your outlets and your tobacco shops. It encourages and helps younger people get cigarettes. But the main reason we need to pass this law is, the cigarettes sold under this process are not subject to the tobacco settlement agreement. So to the extent that this is going on, we will not be receiving funds out of the tobacco settlement agreements. And by the way, there's absolutely no opposition to this Bill. Thank you."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 3995?' 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 3995, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar appears House Bill 4231. Representative Brady. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4231, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Brady."

Brady: "Thank you, Mr. Speaker. This Bill is the substance of the Amendment, which we debated two days ago on the floor. I'd ask for your favorable consideration. It deals with allowing the authorities to seize personal and real property and gang activities."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4231?' 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... Mr. Clerk, take the record. On House Bill 4231, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar on Third Reading appears House Bill 4450. Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4450, a Bill for an Act establishing the Illinois Military Flags Commission. Third Reading of this House Bill."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 4450 amends the Military Code of Illinois. This was a piece of legislation suggested by the Adjutant General. It establishes the Military Flags Commission to advise the Adjutant General on how best to collect, preserve, and display the colors, flags, guidons, and military trophies of war. This is a necessary commission because many of the... We have the largest Civil War flag collection in the country. The flags are made of silk; they're biodegradable. They're shown in the Hall of Flags now, but after so many years, they've begun to deteriorate to a great extent. And before we lose these flags forever, a real treasure to our rich heritage here in Illinois, we need to have some guidance on how best to preserve these flags and that would be the purpose of this commission. And I would ask for your 'yes' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall the House pass House Bill 4450?' 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 4450, there were 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 22 of the Calendar appears House Bill 3538. Representative Righter. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3538, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hartke: "Representative Righter."

Righter: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3538 would amend the Criminal Code with regards to its thefts provisions and allow prosecutors to charge someone who had stolen money, firearms, or illegal drugs from a facility used by law enforcement or a circuit clerk to hold evidence for a criminal trial with a Class X felony. The reason for this legislation, and we've seen news reports throughout the state on problems that some municipalities have had with regard to thefts from their evidence lockers, and I think that it's good... would be good for this General Assembly and this state to make a statement with regards to these kinds of thefts. Because these thefts are not only property being taken away without someone's permission, they're also a theft from the Criminal Justice System as a whole, 'cause many people, especially the victims of these crimes, are depending upon this evidence to be presented in court, so that they can see some kind of justice be done. So I'm happy to answer any questions."



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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3538?' 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 3538, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar appears House Bill 3979. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3979, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. House Bill 3979 comes to me from the Greater Peoria Airport Authority and the rental car agencies. And thanks to the work of the rental car agencies and the airport, I believe with the two Amendments, there is no opposition to the Bill. It provides that consumers will have full disclosure of any fees that are made additionally and have them compatible with the advertised rates, so there'll be no surprises when you get to the airport. I'd ask for your favorable consideration."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3979?' 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 3979, there are 88 Members voting 'yes', 21 Members voting 'no', and 4 Members voting 'present'. And this

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Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar appears House Bill 4070. Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4070, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill would allow people with disabilities on supplemental security income and SSDI to purchase Medicaid coverage. The premium for this coverage would be 10% of earned income above 250% of the federal poverty level. This would allow the Medicaid Buy In Program to be designed to provide coverage to comprehensive health care working people with disabilities. And I ask for your favorable support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4070?' 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 4070, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar appears House Bill 4348. Representative Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4348, a Bill for an Act in relation to child safety. Third Reading of this House Bill."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This is a Bill that deals with child safety. It has about six or

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seven different aspects to it, but the common theme throughout it is safety for children. It clarifies DCFS's roles for its wards in regards to when they're released from Department of Corrections. It has... allows for the guardian to review, get review of unfounded cases. It allows for disclosure at DCFS records of malfeasants, which was so much of the Bill that we had passed the other day. It provides for a prohibition for child sex offenders to be at child care facilities, prohibits child sex offenders from loitering around 1500 feet of schools. It heightens the parole monitoring for sex offenders, and it allows for a pilot program for Department of Corrections to work in unison with probation and parole units. I would move for the adoption of this Bill and would 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 4348?' All those in favor will signify by voting 'aye'; 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 4348, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 11 of the Calendar appears House Bill 4118. Representative Brady, would you like to call that Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4118, a Bill for an Act amending the Department of Commerce and Community Affairs Law of the Civil Administrative Code of Illinois. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 11 of the Calendar

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appears House Bill 4119. Representative Brady. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4119, a Bill for an Act concerning educational services for children and adolescents with mental illnesses or developmental disabilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 4482, Representative Osmond. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4482, a Bill for an Act amending the Illinois Nuclear Safety Preparedness Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 21 of the Calendar appears House Bill 4703. Representative Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4703, a Bill for an Act concerning higher education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 4 of the Calendar appears House Bill 3093. Representative Granberg. Out of the record. On page 6 of the Calendar appears House Bill 3490. Representative Moffitt. Out of the record. On page 4 of the Calendar appears House Bill 3093. Representative Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3093 has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Granberg, has been approved for

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consideration."

Speaker Hartke: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Floor Amendment #2 really reflects a request by the Illinois Department of Transportation for clarifying language, so they would be exempt from the Bill during their normal course of business. I would move for its adoption."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

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

Speaker Hartke: "Question."

Cross: "Representative, does this take away any of the opposition that you know of?"

Granberg: "It addresses a concern by the Illinois Department of Transportation, so they will remove their opposition and be neutral on the Bill."

Cross: "Do you have any idea, and I know we can debate the Bill later, but with respect of like Beef Association, Farm Bureau, et cetera, is there opposition still there?"

Granberg: "This Amendment has no effect on those groups, Representative Cross. This is done at the request of the Department of Transportation."

Cross: "All right. Thank you very much."

Speaker Hartke: "Further discussion? Being none, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3093?' All those in favor will signify by saying 'aye'; 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. Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 607, offered

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by Representative Granberg; House Resolution 608, offered by Representative Granberg; House Resolution 609, offered by Representative Gash; House Resolution 610, offered by Representative Smith; House Resolution 611, offered by Representative Bassi; House Resolution 613, offered by Representative Woolard; House Resolution 614, offered by Representative Barbara Currie; House Resolution 615, offered by Representative Barbara Currie; House Resolution 616, offered by Representative Barbara Currie; and House Resolution 617, offered by Representative Barbara Currie."

Speaker Hartke: "Representative Lopez now moves that the Agreed Resolutions be adopted. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #59, offered by Representative Currie. BE IT RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, February 25, 2000, the Senate stands adjourned until Tuesday, February 29, 2000, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, February 29, 2000, at 1:00 o'clock p. m."

Speaker Hartke: "Representative Currie now moves for the adoption of the Adjournment Resolution. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Adjournment Resolution is adopted. Allowing Perfunctory time for the Clerk, Representative Lang now moves that the House stand adjourned till the hour of 1:00 p.m. on Tuesday, February the 28th. Excuse me, it's the 29th, February 29th. All those in favor signify

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by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Committee Reports. Representative Sara Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure was referred, action taken on February 24, 2000, reported the same back with the following recommendation: 'do pass as amended Standard Debate' House Bill 4478. Introduction and First Reading of Senate Bills. Senate Bill 1278, offered by Representative Daniels, a Bill for an Act amending the Illinois Health Facilities Planning Act. Senate Bill 1104... or 1304, offered by Representative Bost, a Bill for an Act to amend the Property Tax Code. Senate Bill 1503, offered by Representative Brunsvold, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1524, offered by Representative Daniels, a Bill for an Act amending an Act concerning real property. Senate Bill 1537, offered by Representative Wirsing, a Bill for an Act concerning Illinois prepaid tuition programs. Senate Bill 1602, offered by Representative Daniels, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1636, offered by Representative Daniels, a Bill for an Act amending the Illinois Parentage Act. Senate Bill 1645, offered by Representative Biggins, a Bill for an Act amending the Property Tax Code. Senate Bill 1718, offered by Representative Hultgren, a Bill for an Act amending the Property... the Workers Compensation Act. Senate Bill 1829, offered by Representative Andrea Moore, a Bill for an Act in relation to taxes. First Reading of these Senate Bills. Senate Bill 1276, offered by Representative

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Delgado, a Bill for an Act to amend the Property Tax Code. Senate Bill 1338, offered by Representative Meyer, a Bill for an Act in relation to State finance. Senate Bill 1339, offered by Representative Saviano, a Bill for an Act to amend the Barber, Cosmetology, Aesthetics, and Nail Technology Act. Senate Bill 1439, offered by Representative Stephens, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 1446, offered by Representative Holbrook, a Bill for an Act to amend the School Code. Senate Bill 1613, offered by Representative Daniels, a Bill for an Act concerning the care of Alzheimer's disease patients. Senate Bill 1653, offered by Representative Persico, a Bill for an Act to amend the Public Utilities Act. Senate Bill 1657, offered by Representative Daniels, a Bill for an Act to amend the Illinois Health Finance Reform Act. Senate Bill 1852, offered by Representative Winkel, a Bill for an Act concerning the University of Illinois. Senate Bill 1923, offered by Representative Winkel, a Bill for an Act concerning the University of Illinois. Senate Bill 807, offered by Representative Smith, a Bill for an Act concerning health facility planning. Senate Bill 1288, offered by Representative Reitz, a Bill for an Act concerning liquefied petroleum gas. Senate Bill 1391, offered by Representative Hartke, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 1426, offered by Representative Meyer, a Bill for an Act in relation to probation and supervision. Senate Bill 1440, offered by Representative Winters, a Bill for an Act to create the local government taxpayers Bill of Rights. Senate Bill 1504, offered by Representative Poe, a Bill for an Act to amend the Illinois Municipal Code. Senate Bill



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1510, offered by Representative McKeon, a Bill for an Act concerning Lyme disease. Senate Bill 1514... Senate Bill 1540, offered by Representative Biggins, a Bill for an Act to amend the Solicitation for Charity Act. Senate Bill 1567, offered by Representative Lang, a Bill for an Act to amend the Illinois Power of Attorney Act. Senate Bill 1655, offered by Representative Daniels, a Bill for an Act concerning orders of protection. Senate Bill 1841, offered by Representative Daniels, a Bill for an Act to codify state statutes to conform those statutes to existing state agency administrative practices in order to remedy audit findings made by the Auditor General. Senate Bill 1876, offered by Representative Winters, a Bill for an Act to amend the Illinois Farm Development Act. Senate Bill 1855, offered by Representative Cross, a Bill for an Act to amend the Attorney Lien Act. Senate Bill 1888, offered by Representative Daniels, a Bill for an Act to amend the School Code. First Reading of these Senate Bills. Being no further business, the House Perfunctory Session stands adjourned."