

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

139th Legislative Day

May 30, 2002

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Father Kevin Van of the Blessed Sacrament Church in Springfield. Father Van is the guest of Representative Joe Lyons. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Father Van: "Let us pray. In Psalm 96 we hear, 'This I know that God is on my side. In God whose word I praise, in the Lord whose word I praise, in God I trust, I shall not fear'. Oh, God, I will offer You praise. You have kept my feet from stumbling, that I may walk in the presence of God in the land of the living. God, we praise You for this new day and the opportunities that lie before us. Help us to trust in Your providence in all of our decisions today. Help us to praise You with each and every moment. Give us the strength that we need and shine Your light on our steps in deliberations this day for our good and the good of all whom we serve. Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that there are no excused absences among House Democrats today."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "Mr. Clerk, take the record. There being 117

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Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 30, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' recommends be adopted Floor Amendment #1 to Senate Bill 2392."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 2067?"

Clerk Rossi: "Senate Bill 2067 is on the Order of Consideration Postpone."

Speaker Madigan: "Mr. Clerk, put that Bill on the Order of Second Reading. Mr. Clerk, on... Mr. Clerk, on page 8 of the Calendar, on the Order of Concurrence there appears House Bill 1006. Mr. Dale Righter. Dale Righter. Mr. Righter."

Righter: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. I am asking the chamber to approve my Motion to Nonconcur with Senate Amendment #1. I have spoken with the Senate Sponsor, Senator Judy Myers, and expressed to her my concern with some of the elements of Senate Amendment 1. I think she agrees with those concerns and the plan would be for the Senate to Refuse to Recede from Senate Amendment 1 wherein the legislation would be put into a Conference Committee and hopefully, we'll have a report very soon. Happy to answer any questions."

Speaker Madigan: "The Gentleman moves that the House nonconcur. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does nonconcur in the Senate Amendment. Mr. Clerk, House Bill 3999. Mr. Saviano. Is Mr. Saviano in the chamber? Mr. Clerk, take that out of

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the record. Mr. Durkin. Is Mr. Durkin in the chamber?
Mr. Durkin. Representative Eileen Lyons on House Bill
5996. 5996. It's a Motion to Nonconcur."

Lyons, E.: "Thank you, Mr. Speaker. I would like to file a
Motion to Nonconcur with the Senate Amendments to House
Bill 5996."

Speaker Madigan: "But Mr. Clerk, has the Motion been filed?"

Clerk Rossi: "The Motion has been filed."

Speaker Madigan: "So, Representative, did you wish to move the
Motion?"

Lyons, E.: "Yes."

Speaker Madigan: "Speak."

Lyons, E.: "Yes. Yes, I would like to."

Speaker Madigan: "The Lady moves that the House nonconcur in
Senate Amendment #1. Those in favor say 'aye'; those
opposed say 'no'. The 'ayes' have it. The House does
nonconcur in Senate Amendment #1. Representative Julie
Curry. Julie Curry. Mr. Saviano. Is Mr. Saviano in the
chamber? Is Mr. Durkin in the chamber? One more time, Mr.
Saviano. Mr. Durkin. Representative Julie Curry. Those
people not being in the chamber, the Chair recognizes Mr.
Poe. Raymond Poe."

Poe: "Yeah, Mr. Speaker and fellow Republicans. We're thinking
here, real quick."

Speaker Madigan: "Take your time, Mr. Poe. Everybody's still
digesting the chicken and the beans."

Poe: "Everybody had a good night, I hope. Okay. At this time,
the Republicans are gonna caucus in Room 118, immediately.
Thank you."

Speaker Madigan: "All right. The Republicans will go to caucus
in Room 118 for approximately one hour. Therefore, the
House will reconvene at about 10:15. In the meantime, the

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House shall stand in recess. Correct that, 11:15. The House shall come to order. On page 11 of the Calendar, on the Order of Concurrence there appears House Bill 5652. Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment 1 to place House Bill 5652 into a Conference Committee."

Speaker Madigan: "The Gentleman moves that the House nonconcur. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The House does nonconcur. Is Representative Julie Curry here? On House Bill 6012."

Curry: "Thank you, Mr. Speaker, Members of the House. I would nonconcur with Senate Amendment #1 to House Bill 6012."

Speaker Madigan: "The Lady moves that the House nonconcur in Senate Amendment #1 to House Bill 6012. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. And the House does nonconcur in the Senate Amendment to House Bill 6012. Is Mr. Saviano in the chamber? Mr. Saviano. Is Mr. Miller in the chamber? David Miller. Mr. Saviano. On page 8 of the Calendar, on the Order of Concurrence there appears House Bill 3999. Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. I'd like to withdraw the Motion to Concur and ask that we approve the Motion to Nonconcur."

Speaker Madigan: "The Gentleman moves that the House nonconcur in Senate Amendment #1. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The House does nonconcur in the Senate Amendments. Mr. Miller, did you wish to call Senate Bill 698. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 698, a Bill for an Act in relation to children. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Miller."

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Miller: "Thank you, Mr. Speaker, Members of the House. Today, I bring to you Senate Bill 698 which requires public... public support of libraries to develop and implement a policy to prevent minor library patrons from using public access to computers to access or explicitly... to obtain explicit sexual materials on the Internet. Number two, in developing that policy, the public library should consider dedicating specific public access to computers for the sole use of minor patrons that is either equipped with filtering software or connected with an Internet service provider that has filtering... capabilities. That each public... number three, that each publicly supported library will be required to file a copy of their policy with the state librarian, the state Secretary of State in order to qualify for any state library grants. I ask for adoption and 'aye' votes."

Speaker Madigan: "The Gentleman moves that the House pass Senate Bill 698. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 5 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Saviano. On page 2 of the Calendar, on the Order of Senate Bills-Third Reading there appears Senate Bill 314. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 314, a Bill for an Act in relation to group insurance. Third Reading of this Senate Bill."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 314, as amended, simply extends the health insurance

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coverage for retirees: the Chicago Police Department, Chicago Fire Department, Chicago Labor, Chicago Municipal employees. There is no known opposition to it. And I would ask for your favorable vote."

Speaker Madigan: "The Gentleman moves for the passage of Senate Bill 314. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke in the Chair."

Speaker Hartke: "On Senate Bills-Third Reading appears Senate Bill 1689. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1689, a Bill for an Act concerning the regulation of professions. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Senate Bill 1689 is simply the renewal of the sunset to 2007 for the environmental health practitioners. As I said yesterday, when we put the Amendment on which became the Bill, this is a Bill that's been worked out over the last three months with all the pertinent groups and everybody is in agreement. Thank you... I..."

Speaker Hartke: "Representative Delwago... Delgado."

Delgado: "Thank you, Mr. Speaker. On Senate Bill 698, prior vote, I wish the Journal to reflect a 'no' vote for my position, please."

Speaker Hartke: "On the previous Bill, the Journal will so reflect. Is there any discussion on Senate Bill 1689?"

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Representative Fowler."

Fowler: "Thank you, Mr. Speaker. Also, on that vote on Senate Bill 314, I inadvertently punched the 'no'. Would like the record to reflect that I'm voting 'yes' on that."

Speaker Hartke: "The record will reflect. Is there any discussion on Senate Bill 1689? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1689?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 104 Members voting 'yes', 12 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3 of the Calendar appears Senate Bill 1627. Out of the record. Senate Bill 1635, Representative Wait. Representative Wait. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1635, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yes, this is Senate Bill 1635 would clarify some languages for municipal that allows them to stay at the same size. I'd be happy answer any question."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1635?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having

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received the Constitutional Majority, is hereby declared passed. Senate Bill 1983, Representative Delgado. Out of the record. Senate Bill 2214, Representative Hassert. Out of the record. Senate Bill 1983, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1983, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1983 will do the following: 1983 contains changes to the Illinois law necessary as a result of the passage of the federal No Child Left Behind Act of 2001. It requires school districts selected on a sample basis by the National Center for Educational Statistics to participate in the program if selected and if the Federal Government pays the costs of administering the assessments, increases notification requirements for parents whose children are placed in programs of transitional bilingual education. Notification includes among other provisions, that parents need to be notified of why students are being recommended for bilingual ed, what their English proficiency is, and what the differences are between the bilingual program and the regular education program. And I would entertain any questions at this time."

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

Black: "Thank you very much, Mr. Speaker. Inquiry of the Clerk. Can you tell me what Amendments are on the Bill?"

Clerk Rossi: "Committee Amendment #1 and Floor Amendment #2."

Black: "All right. My computer deals with them as House Amendment #1, House Amendment #2, and House Amendment #3. So, you're telling me it's Committee Amendment #1 and Floor

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Amendment #2 are on the Bill? All right."

Clerk Rossi: "Yes."

Black: "Thank you very much. Will the Sponsor yield? Representative, Committee Amendment #1 is the language simply dealing with the transfer of students from one attendance center to the other, correct?"

Delgado: "That is correct, Representative. And an agreement between ISBE and CPS."

Black: "Okay. And Floor Amendment #2, I think you discussed yesterday, that's simply posting the school report cards on the Web?"

Delgado: "Yes, Sir, the academics of the school itself."

Black: "The charter school language that was in Amendment #3 has been withdrawn?"

Delgado: "It was fully withdrawn by this Legislator. Yes, Sir."

Black: "Thank you. So, there is nothing in the underlying Bill now that relates to the number of charter schools in the City of Chicago or elsewhere in the State of Illinois?"

Delgado: "That is correct, Sir."

Black: "Thank you."

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

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

Speaker Hartke: "To the Bill."

Mitchell, J.: "Number one, I'd simply like to thank Representative Delgado for being open-minded and understanding that the Amendment... Floor Amendment #3 was very controversial. And we really, although concerned about it, just didn't have the opportunity to discuss it fully and I'm sure it will come back at a later date on another Bill. However, by withdrawing that Amendment, he's made this a very needed piece of legislation and a very

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good piece of legislation. And I certainly recommend an 'aye' vote. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Mr. Osterman."

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

Speaker Hartke: "Sponsor will yield."

Osterman: "Representative Delgado, you, over the last year, put a significant amount of work into Amendment #3 dealing with charter schools and I just was curious. Are you going to continue to try to include Amendment #3, in significant legislation, down the road?"

Delgado: "Yes, that is correct. Working with the nine groups and, by the way, I want to thank all of the groups, more than nine groups, including all of labor, IFT, IEA, CTU, LUDA, all of the groups, the civic committee, and on and on. We were able to come together and get some real work done for the State of Illinois. And we do anticipate... we're continuing negotiations and talking with other parties such as the IMA, and the Alliance... Management Alliance, but this is a project in progress, Representative Osterman. And I also want to thank you for your involvement and your leadership on this issue. And as you know, this project will continue in another vein. Yes, Sir."

Osterman: "Thank you."

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

Davis, M.: "Hello. I'm sorry, Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Davis, M.: "Can you tell us what this Bill actually does? What does this Bill do?"

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Delgado: "What this Bill basically does, it will... there's federal legislation about leaving no child behind. Well, it was at my estimation how I interpreted it, Representative, was there were portions of it that did not adequately address bilingual education, and the placement of children, and notification to parents when children are moved and put into bilingual education, or removed from bilingual education, or why they were even placed... for what reasons they were placed there. This underlying legislation addresses that for the State of Illinois towards that federal legislation."

Davis, M.: "Does it do anything in reference to charter schools?"

Delgado: "Absolutely not, Representative. As a previous Representative inquired, that would have been Amendment #3. And as you recall yesterday, I withdrew Amendment #3 completely from this legislation."

Davis, M.: "Okay. So, you took that out of the Bill?"

Delgado: "Yes, Ma'am, I did."

Davis, M.: "I thank you very much. Thank you, Representative."

Delgado: "Thank you."

Speaker Hartke: "Representative Delgado to close."

Delgado: "I would just ask for an 'aye' vote, Mr. Speaker."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1983?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 1 person voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 2214?"

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Clerk Rossi: "Senate Bill 2214 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. Senate Bill 2149, Representative Hoeft. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2149, a Bill for an Act in relation to forest preserve districts. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker, colleagues. Senate Bill 2149 is an initiative of the Will County and Kane County Forest Preserve Districts. The 2000 census put both these counties over a population limit that restricts them from being able to exchange parcels of land less than one acre. This Bill takes the threshold to 550 thousand. There has been no opposition in either chamber. And would allow the park districts to do things like straighten bike trails."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman... Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. I just want to rise in support of this measure. And Doug Hoeft has done a wonderful job on it. It does include Will County as well as his county of Kane. And I'd appreciate your 'aye' vote. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2149?' 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. Davis. Mr. Mautino. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0

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voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Repr... Senate Bill 1761, Representative Pankau. Representative Pankau. Out of the record. Senate Bill 1701, Representative Burke. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1701, a Bill for an Act concerning naprapaths. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Burke."

Burke: "Thank you, Speaker. This Bill simply permits the naprapathic profession to continue. It is the sunset of that profession. And I'd ask the Body's favorable consideration."

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

Saviano: "Mr. Speaker, Senate Bill 1701 as amended with Amendment #3 sponsored by Representative Granberg makes this the Elevator Maintenance Licensure Act. As Representative Granberg explained yesterday, the underlying Bill has been taken out and the Amendment became the Bill to license elevator maintenance workers in this state. We've put together groups: the IMA, the elevator union, all the companies that install elevators. Everybody is in agreement with this Bill. And I stand in support of Senate Bill 1701 as amended."

Speaker Hartke: "Is there any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Yeah. We had made an inquiry, since this preempts Home Rule for every unit of government other than Chicago, we had asked whether it takes a simple Majority or extraordinary Majority. I believe the Chair said you would

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get back to us on Third Reading."

Speaker Hartke: "Okay. I did tell you that. We will... We'll just put it on hold until we..."

Black: "All right. Thank you."

Speaker Hartke: "Mr. Burke. Mr. Burke."

Burke: "Oh, thank you, Mr. Speaker. I think we need to take this matter out of the record. And an inquiry of the Clerk, is there a way to change the heading of this matter at this time?"

Speaker Hartke: "Mr. Burke, we'll take it out of the record..."

Burke: "Thanks."

Speaker Hartke: "... until Mr. Uhe gets here. Okay. Thank you. Senate Bill 2227, Representative Mitchell, Jerry Mitchell. Mr. Clerk, read the Bill. Mr. Clerk, read the Bill. 2327 (sic-2227)."

Clerk Rossi: "Senate Bill 2227, a Bill for an Act concerning economic development. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you Senate Bill 2227 which passed the Senate overwhelmingly. It amends the County Economic Development Project Area Property Tax Allocation Act to allow for the creation of a tax increment financing district in Whiteside County. We are still working on replacing Northwestern Steel and Wire. We have agreements from all of our school districts that this is a good idea for our area. And we're trying to reestablish a TIF district for the downtown area of Sterling and other places in Whiteside County. 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 Senate Bill 2327 (sic-2227)?' All those in favor signify

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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. Stephens. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2269, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2269, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. This Bill would create a new civil order of protections for victims of sexual assault. It will be called a civil no contact order. This is a product of a series of round table discussions with sexual assault organizations, police entities and prosecutors. And it's attempting to get at the problem which is a rather a prevalent one of individuals who don't come forward in certain instances where there was a sexual assault, but yet they are still being harassed by the individual who committed it. This is an attempt to deal with this. This would send it over to the Senate where the Senate has a couple of suggestions on some minor changes as well. I'd appreciate a favorable vote."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I normally would... certainly give preference to your legal expertise, but let me make sure I

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understand this. A woman goes to civil court, seeks an order of protection... I think, you've changed the name a little bit in this Bill... on the preponderance of evidence. Now, under what grounds would she be able to seek this order of no contact?"

Dart: "The grounds would be that you would come before the court and make a case that you had been sexually attacked by an individual. And the... you would have to make it by the preponderance of the evidence of the individual there is the one who did it."

Black: "Do you define or is there a definition in the statute... what would define in this case a sexual attack? What I'm... the only thing that I'm concerned about was... would be that we distinguish between a case of verbal harassment vis-a-vis an actual case of assault."

Dart: "The way that the Bill is intended to work would be that the only people who would come under it, the way the language is, is an individual who has been the victim of nonconsensual sexual contact. So, a verbal assault would not come under the heading of what the language that we have there is."

Black: "All right. So, in your... given your legal expertise, what I just want to make sure is that this does not open the door for someone who is upset at a coworker for unwanted innuendo or language, so they go to court and seek a do not contact order based on unwanted language or harassment in their view because if this happens, I think you could quickly clog the courts..."

Dart: "Correct, correct."

Black: "... with literally hundreds of these a week."

Dart: "The threshold decision would be that there was some degree of sexual penetration and so they would have to bring forth

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the evidence of that."

Black: "All right. So, it's clearly a case of assault..."

Dart: "Correct."

Black: "... and not verbal intimidation or a perceived harassment."

Dart: "Absolutely."

Black: "Okay, fine. Thank you."

Dart: "Thank you."

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

Dart: "Thank you, Mr. Speaker, Members of the House. I'd appreciate a favorable vote on this. This would go a long way toward dealing with a very serious problem we have right now with women who have been sexually assaulted and the defendants have not been brought to justice, but yet they are constantly being followed, harassed, and sometimes stalked. This would provide an assistance and it would close a... somewhat of a loophole right now in the way the law exists now. And I would appreciate a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2269?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Forby."

Forby: "Mr. Speaker, Senate Bill 1983, I voted 'no' on that. I'd like that changed over to a 'yes' vote."

Speaker Hartke: "The record will reflect your..."

Forby: "Thank you."

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Speaker Hartke: "... the Journal will reflect your wishes.

Senate Bill 1701. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1701 has been a read a third time, previously."

Speaker Hartke: "Mr. Saviano and Mr. Black, we have a response to your question."

Parliamentarian Uhe: "Representative Black, in response to your inquiry on behalf of the Speaker, Senate Bill 1701 preempts Home Rule pursuant to sec... subsection 6(i) of Article 7 of the Illinois Constitution which requires 60 votes."

Black: "Yeah, Mr. Speaker."

Speaker Hartke: "Mr. Black."

Black: "Yeah. We have one other question that we'd like clarified because we're just not sure. Our staff feels that the underlying Bill is a Professional Regulation Bill and that somehow it stays... that the naprapath sunset clause stays in the Bill, but then the Bill is amended to become the Elevator Safety Act. We think it might... there might be an error on your staff's part. But we think there is a definite item of germaneness if the Professional Regulation language stays and else... and then the Bill that Naprapathic Act sunset is extended, and then the Bill also contains an Elevator Safety Act. We think that there's... those are two separate items and again, we could be wrong and staff has worked very hard this week and they're all tired, but they think, if you look at this very carefully, the naprapath language still is in the Bill, the Elevator Safety Act which was supposed to become the Bill is an addition to the Bill and therefore, we have a legitimate concern, not to try and defeat either Bill, we have a legitimate concern that the Amendment is not germane to the underlying Bill. And why go through the exercise

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when the court would probably so rule. So, I guess, that's a long-winded way of saying we question the germaneness of the Amendment."

Parliamentarian Uhe: "Representative Black, with respect to the germaneness question. As you know, this Bill has been amended and the proper time for an inquiry concerning germaneness of an Amendment is at the time the Amendment is proposed and adopted."

Black: "All right."

Parliamentarian Uhe: "So, at this time the question is out of order."

Black: "I don't disagree with that. We didn't catch the fact that we think the Bill is flawed. That the Amendment did not, in fact, take out all the underlying DPR language. I apologize for the lateness, but it may be that the Sponsor wants to try and get it cleared up rather than have the courts clear it up. We could be wrong, but staff feels very strongly that this has been an error, an unintended error, in amending the Sponsor's Bill."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. I hope that this Bill is valid in as much that it is germane or... that can be cleared up because the substance of this Bill is so good I sat in committee and was appalled to know that we did not have any safety standards for elevators and was very happy to hear that this Bill was being initiated by Representative Granberg... was grateful for that. I think we're all lulled into a false sense of security when we see on elevators that they have certificate of inspection and those are all local. I'd like to know that we have a statewide safety standards on elevators and commend the

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Representative for this Bill and urge everyone to vote for it."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass...' Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I was waiting for questions from the Members. So, let me... If I might in closing address a couple of concerns the Gentleman from Danville raised. First of all on the germaneness issue, when we amended the Bill in committee, we changed the Act to Professional Regulation, so that should make the naprapathic issue a moot point. And I want to thank Representative Lyons... This is a very important issue as Representative Lyons and others now understand. We have no statewide standard for the inspection and maintenance of elevators. Seventeen thousand people annually are injured in elevator accidents. It's important that we have a stringent statewide standard that people can look to for security and safety, especially in times such as these. So, I would appreciate everyone's 'aye' vote and I appreciate their support."

Speaker Hartke: "Now, all those in favor of Senate Bill 1701 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? Mr. Clerk, take the record. On this question, there are 95 Members voting 'yes', 22 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saviano on Senate Bill 449. Out of the record. Mr. Clerk, what is the status of Senate Bill 449?"

Clerk Rossi: "Senate Bill 449 is on the Order of Senate

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Bills-Third Reading."

Speaker Hartke: "Move that Bill back to the Second Reading for the purpose of an Amendment at the request of the Sponsor. On page 4 of the Calendar appears Senate Bill 1641, Representative Lindner. Out of the record. Senate Bill 1650, Representative Leitch. Out of the record. Senate Bill 1704, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1704 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Rossi: "Senate Bill 1704, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Mr. O'Connor. Out of the record. Senate Bill 1721, Representative Meyer (sic-Myers). Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1721 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Rossi: "Senate Bill 1721, a Bill for an Act concerning liens. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Myers, Rich Myers."

Myers: "Mr. Speaker, my folder for the Bill is on the way over here from my office in the Stratton Building. Could we hold this and come back to it a little later? Never mind?"

Speaker Hartke: "You don't want to wing it?"

Myers: "We'll have one right immediately."

Speaker Hartke: "That's a good idea."

Myers: "Thank you. Senate Bill 1721 amends the Code of Civil Procedure in the use... universe and the UCC to restore

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agriculture crop lien priority to the form that was in before the 2001 UCC rewrite. It is supported by the Illinois Bankers Association, Agri Bank, the Community Bankers, the Illinois Farm Bureau and the Illinois Society for Professional Farm Managers. I know of no opposition. Again, it is just restoring the ag lien status back to what it was before the rewrite and it was not an intentional... what it did in the rewrite was not an intentional action, but rather something that was unintentional."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

O'Brien: "Rich, I just have a question. This isn't any of the proposals that have come about that we've been working on in relation to the Ty-Walk grain elevator failure, is it?"

Myers: "No, it is not."

O'Brien: "Thank you."

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

Myers: "Again, I think I pretty well explained it. It's just to correct a previous mistake. And I ask for the support of the Body."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1721?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mulligan. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr.

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Clerk, the Rules Report."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 30, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' a Motion to Concur with Senate Amendment #1 to House Bill 4357."

Speaker Hartke: "On page 4 of the Calendar, on Second Reading appears Senate Bill 1809, Representative Leitch. Out of the record. Senate Bill 1839, Representative Osmond. Out of the record. Senate Bill 1966, Representative Mathias. Out of the record. Senate Bill 2030, Representative Lindner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2030 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Rossi: "Senate Bill 2030, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This Bill simply adds to the definition of aggravated assault or aggravated battery. That it is a crime if the person knows that that... is an employee of the Department of Human Services who is supervising a sexually dangerous or sexually violent person."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 2030?' 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? Mr. Clerk, take

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the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2192, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 2192 has been read a second time, previously. Amendment #1 or Amendment #2 was adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

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

Clerk Rossi: "Senate Bill 2192, a Bill for an Act concerning commercial development. Third Reading of this Senate Bill."

Speaker Hartke: "Mr. O'Connor. Just a minute. Proceed, Mr. O'Connor."

O'Connor: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2192, as amended, has two basic components. First, it amends and repeals certain obsolete language applying to the Department of Commerce & Community Affairs. Secondly, it makes changes to the Department of Commerce & Community Affairs Digital Divide Grant Program. The Digital Divide Grant Program is designed to increase access for low-income communities to computers and certain types of telecommunications. The Bill specifically does three things with respect to the digital divide. First, it removes an existing \$50 thousand per grant requirement on grant awards. Secondly, it permits the Department of Revenue to collect voluntary contributions to the Digital Divide Elimination Fund. And finally, it permits a small amount of interest to remain in the Digital Divide Elimination Fund. I'd be happy to answer any questions."

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

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the Gentleman from Cook, Representative Lang."

Lang: "Thank you. Inquiry of the Clerk, if I might?"

Speaker Hartke: "Yes."

Lang: "I thought the Clerk said that Amendment #1 was adopted, but I don't think it was. So, could we find out what Amendments are on the Bill?"

Speaker Hartke: "Mr. Clerk."

Clerk Rossi: "Committee Amendment #1 lost. Committee Amendment #2 is on the Bill."

Lang:: "Thank you very much, Mr. Clerk."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Howard."

Howard: "Thank you very much, Mr. Speaker. I rise to ask my colleagues to support this Bill. I strongly support it. It, in fact, it's going to assist with efforts to make certain that communities across this state are able to have access to funds from the Digital Divide Elimination Fund. In fact, there are some programs that require money in addition to the \$50 thousand and so that cap should be removed. I appreciate the fact that Representative O'Connor has agreed to add that to the Bill to help us get... to make that fund more available."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, Representative O'Connor to close."

O'Connor: "Appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 2192?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. On page 7 on the Calendar, on concurrences appears House Bill 136, Representative Schoenberg."

Schoenberg: "On?"

Speaker Hartke: "Senate Amendment #2."

Schoenberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I urge the Members to concur in Senate Amendment #2 to House Bill 136. These are Agreed Amendments. I'd be happy to answer any questions to them. I know of no objections whatsoever."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 136?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 136. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4321, Representative Kosel, on Senate Amendment #1."

Kosel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with the Senate Amendment on 42... 4321. It literally is a technical Amendment that changes the one word for clarity. And I would appreciate your adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4321?' All those in favor will signify by voting 'aye'; those opposed

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vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4321. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 9 of the Calendar... Regular Calendar, on concurrences appears House Bill 4354, Representative Winkel. Mr. Winkel, on Senate Amendment #1."

Winkel: "Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 4354. It makes a technical change. It changes the dollar amounts from 500 thousand to \$1 million."

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

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

Speaker Hartke: "The Sponsor indicates he will yield."

Lang: "Thank you. Representative, I missed your explanation. It changes the dollar amount from what figure to what figure?"

Winkel: "Senate Amendment #1 becomes the Bill. What essentially it does, is it increases the amount for which a county shall indemnify a sheriff or deputy for acts committed in the scope of their duties from 500 thousand to \$1 million. It makes that same change to Municipal Code for the amount municipalities must indemnify members of their police department."

Lang: "Well, didn't we thoroughly discuss this in the House Judiciary Committee and agree on a different figure?"

Winkel: "Not that I recall."

Lang: "Well, as I recall, there was a different figure in the original Bill and we had an Agreed Amendment that we put on the Bill, correct me if I'm wrong... I'm looking for

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that... I'm looking for that amount, if you'll bear with me."

Winkel: "Representative, you may be talking about somebody else's Bill, but not... not mine."

Lang: "All right. Then, perhaps I'm confused. Do you know of no opposition to this change?"

Winkel: "I think that the Municipal League is opposed."

Lang: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4354?' All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 3 Members voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4354. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4667 on concurrence. Representative Hamos on Senate Amendments #1 and 2."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'd move that we concur with the Senate Amendments 1 and 2. If you remember, the underlying Bill deals with a whole new world of natural gas deregulation. Your constituents and mine are now being recruited, really, by gas companies to switch suppliers and that is going on in our communities. The underlying Bill adds some consumer protections to that to make sure that those are being dealt with adequately in the law. Senate Amendment 1 deals with another aspect of this which is heating vent... heating ventilation and air conditioning suppliers who sometimes are affiliated with

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the natural gas company. And this Amendment attempts to impose some... a competitive market, if you will, a level playing field, so that when the h... when the consu... the customer is looking for information about where to get air conditioning or heating or ventilation assistance the gas company that happens to be there is not only offering their own services. That's what Amendment #1 does. And Senate Amendment 2 was the request of the Attorney General's Office to make sure that this Bill doesn't undermine in any way their ability and the state's attorneys' ability to still pursue these kind of complaints under the Consumer Fraud and Protection Act. And I seek your 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I simply rise to support the Lady's Motion. I appreciate the fact that Senator Sullivan added Senate Amendment #1. My family has been in the heating, ventilation and air conditioning business for three generations. I am not in conflict of interest. I have no financial interest in that business. It's currently run by my brother and my nephew, started by my grandfather and run 40 years by my father. I commend the Sponsor for allowing this Amendment on the Bill and commend the Senator for putting it in. Ladies and Gentlemen, as the utility business changes, I hope you all pay particular attention to this Bill. This will not be the first nor the last... this will not certainly be the last Amendment you'll see on this. As these companies look for new sources of revenue, they intend to get in the retail business and they have a distinct advantage because of their computer database when they get into a retail

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business by buying an established retailer. I think this gives the... as amended, gives the customer constructive notice that the company may not be the company they think it is, in fact, it may be owned wholly by the gas company or by the electric company and I think the customer has a right to know that. Again, I thank the Sponsor for her indulgence. I hope everyone can support the Bill."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 and 2 to House Bill 4667?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Jefferson. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Senate Bill 4409, Representative Lindner. Mr. Clerk. Representative Lindner on Senate Amendment #1."

Lindner: "Thank you. I move to concur with Senate Amendment #1 which includes the underlying Bill which honored out-of-state levies as well as liens concerning child support. And also is the... contains the housekeeping language for Bills needing Amendment by the Office of Banks and Real Estate."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4409?' All in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', and 3 Members voting 'present'. And this Bill... And the House does concur with Senate Amendment #1 to House Bill 4409. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4720, Representative Smith, Michael Smith on Senate Amendment #1."

Smith: "Thank you, Mr. Speaker, and Ladies and Gentlemen. This was originally a shell Bill that we sent over to the Senate 'cause we had not quite worked out the language. This affects... And at the request of the Ag Implement Dealers Association and affects the reimbursement rate for warranty work done on certain ag implements and heavy equipment implements. I know of no opposition to it. It passed out of the Senate unanimously. And I move for concurrence."

Speaker Hartke: "The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, when this Bill left the House, there was considerable opposition because of the perceived added expense to manufacturers, particularly large manufacturers who would stand behind warranties such as Caterpillar. Now, I'm assuming that the Senate Amendment that becomes the Bill, correct me if I'm wrong, the Senate Amendment becomes the Bill and removed most of that opposition. How did it do so?"

Smith: "Yes, Representative Black. You're absolutely right and at the request of Caterpillar Tractor which you probably know most of those tractors are made in my... either currently made in my district or next year will be made in my district, so I'm very sensitive to their request on that

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and we, because of the special contracts that they already have with their dealers, we added language to accommodate them to state that it would not apply where there's a contrary provision in the written dealer agreement and so they were happy with that and removed any opposition that they had to the previous language."

Black: "All right. Thank you very much. I appreciate your forthright answer."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4720?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Novak. Mr. Brunsvold. Mr. Giles. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 4720. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 48... excuse me. House Bill 4912, Representative Wirsing on Senate Amendment #1."

Wirsing: "Thank you, Mr. Speaker. Senate Amendment #1 just puts back into House Bill 4912 something that we had taken out. And this whole issue is relative from the Governor's Joint Education Committee and the development of these... part of the Higher Education Student Assistance Act. It was taken out originally and this was where a freshman would not... if they did not fulfill the obligation of the contract would not be required to pay back any monies. The Senate Amendment simply puts that back in that a freshman level would, in fact, have to pay back the monies through the

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scholarship program and it's simply all it does."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4912?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Turner. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendments #1 to House Bill 4912. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 9 on the Order of Concurrence appears House Bill 4933, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen."

Speaker Hartke: "On Senate Amendment #1."

Hoffman: "Yes. I move that you... we concur with Senate Amendment #1 to House Bill 4933. House Bill 4933, the underlying Bill, indicates that we will make sure that all ATVs have a license. This is simply cleanup language from a Bill that we passed, I believe, a year or two ago. The Amendment all it does is indicates that an ATV is anything under 900 pounds, currently it is 600 pounds, so it raises the weight limit to include all ATVs."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4933?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117

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Members voting 'yes', 0 voting 'no', 0 voting 'present'.
And the House does concur with Senate Amendment #1 to House
Bill 4933. And this Bill, having received the
Constitutional Majority, is hereby declared passed. Mr.
Schoenberg, for what reason do you seek recognition?"

Schoenberg: "Thank you, Mr. Speaker. Please let the record
reflect that for Senate Bill 698 I was inadvertently
recorded as voting 'nay'. I wish to be recorded as voting
'aye'. Thank you."

Speaker Hartke: "The Journal will so reflect your wishes.
Representative Stephens, for what reason do you seek
recognition?"

Stephens: "Thank you, Mr. Speaker. I'm trying to find out who
ordered a spaghetti dinner and this young lady will bring
it right to you, but if you don't identify yourself..."

Speaker Hartke: "There are eight hands up."

Stephens: "I think you need remedial..."

Speaker Hartke: "Representative Biggins, I do believe ordered the
spaghetti dinner. Did anyone order a spaghetti dinner? On
page 9 on the Calendar, on concurrence appears House Bill
4953, Mr. Jefferson on Senate Amendment #1."

Jefferson: "Thank you, Mr. Speaker. Senate Amendment #1 all it
basically does is lends language to the Bill to bring it in
compliance with the Federal Government. I want to
encourage an 'aye' vote on this Bill... on this Amendment.
Thank you."

Speaker Hartke: "Is there any discussion? Representative Lang."

Lang: "Thank you. Where are ya? Oh, there's Representative
Jefferson. Hello, Representative. How are you doing
today? You doing all right?"

Jefferson: "Be doing okay."

Lang: "Do you have any idea what's going on with the budget?"

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Jefferson: "None, whatsoever."

Lang: "Okay. Will you let me know if you find out?"

Jefferson: "Yes, would you, please."

Lang: "All right. Can you tell us the changes that the Senate made in your original Bill? What the original Bill did? And where you're going with these changes?"

Jefferson: "Basically, the changes were they identified the intoxicating liquids that would be prosecuted if, in fact, you were caught using these intoxications. And it also added... defined intoxicating compounds."

Lang: "And can you tell me who the proponents of this Bill might be?"

Jefferson: "I don't... Let me take a look."

Lang: "Representative Monique Davis says she's a proponent. That's..."

Jefferson: "The Secretary of State."

Lang: "Secre... Is it a Secretary of State Bill?"

Jefferson: "Yes, it is. This is basically a cleanup Bill through the Secretary of State's Office."

Lang: "What is he cleaning up?"

Jefferson: "Cleaning up language... he's cleaning up language to make sure that railroad crossings are identify if, in fact, there is a problem. He just wants to clarify the language as it pertains to railroad crossings."

Lang: "Well, are railroad crossings within the purview of the Secretary of State?"

Jefferson: "As far as traveling along the highways, yes."

Lang: "Would this be... have anything to do with his responsibility as a state librarian?"

Jefferson: "No, no."

Lang: "No. Are there any opponents to this Bill?"

Jefferson: "Not that I'm aware of."

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Lang: "Representative Monique Davis is also opposed to your Bill. She raised her hand both times. You may need to talk to your seatmate, Representative."

Jefferson: "That's natural."

Lang: "All right. So, you know of no opponents to this Bill?"

Jefferson: "No."

Lang: "All right. Thank you, Sir."

Jefferson: "Thank you."

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

Jefferson: "I would just encourage an 'aye' vote on the Amendment. It's a good Bill and it is through the Secretary of State's Office."

Speaker Hartke: "The question is, 'Shall the House concur on Senate Amendment #1 to House Bill 4953?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Would Mr. Mitchell like to vote on this? Would Mr. Mitchell like to vote on this issue? Mr. Clerk, take the record. On this question, there are 108 Members voting 'yes', 8 Members voting 'no', and 1 Member voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 4953. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 10 on concurrences appears House Bill 5000. Mr. Hoffman on Senate Amendment #3."

Hoffman: "Thank you, Mr. Speaker. Senate Amendment #3 to House Bill 5000 actually incorporates some provisions that were put in the Senate in their previous Amendments. The underlying Bill allows the Illinois Liquor Control Commission, at its discretion, to hire hearing officers and

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to appoint hearing officers to hear testimony and take proof regarding information concerning liquor licenses and violations of any law concerning liquor licenses. Currently, the commission is the only one that can... has the authority to do this. This would allow them to appoint hearing officers. We... With this Senate Amendment #3 we do a couple things. It indicates that the commission can only appoint hearing officers in cases which are complex in nature and/or have taken a protracted period of time to resolve. In other words, we limit their ability to appoint hearing officers. We also indicated an expanded current law a little bit. Current law indicates in a municipality of over 75 thousand if you have a liquor establishment and later there is a church that is built or a school that is built within a hundred feet that you can maintain that license. We said that'll also apply to all Home Rule municipalities as well."

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

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

Speaker Hartke: "The Sponsor will yield."

Hoffman: "The Sponsor will yield for reasonable questions, Mr. Speaker."

Brosnahan: "Representative Hoffman, could you please explain to me how the Amendment changes the underlying Bill."

Hoffman: "As I indicated in my... as I indicated in my eloquent opening statement, Mr. Brosnahan?"

Brosnahan: "Yeah. Sorry I missed that."

Hoffman: "My quasi eloquent opening statement. It essentially does two things. It indicates that with regard to the hearing officers what we would do is we would indicate that they can only be appointed in complex cases. And the

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second thing it does, it indicates that in Home Rule municipalities that we would allow you to maintain your liquor license if you already have a liquor establishment and there is a church that is built within a hundred feet. Current law, as you probably know 'cause you're very well versed in this area, indicates that you can only do that in municipalities of over 75 thousand. So, we expanded it to Home Rule municipalities downstate as well."

Brosnahan: "Now, when you presented the Amendment, was there any opposition to the Amendment?"

Hoffman: "Well, as you know the procedure, Mr. Brosnahan, this is a Senate Amendment, so the Senate... this was presented in the Senate and we are here on concurrence. When it went through committee on the issue of concurrence, the Senate Ame... there was no opposition to the Senate Amendment."

Brosnahan: "Representative, thank you very much for the civics lesson. Can be... Let me put it another way. Is there any opposition to the Bill that you know of?"

Hoffman: "There was no opposition to the Bill initially and I believe that by paring down some of the hearing officer provisions there probably... there would even be more support. So, last time it was unanimous. I believe it passed out of here with hardly any objection. We have... we were gonna have more support than that, Representative. I know that's not possible, but probable."

Brosnahan: "And who's in favor of the Bill? Who's a proponent of the Bill?"

Hoffman: "The Association of Beer Distributors of Illinois are the proponents of the Bill and I believe that there... I know of no opposition."

Brosnahan: "Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes

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Representative Lang. We'll come back to you. The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. First, I have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "I'm not sure that I understand Senate Amendment #2. So, I would ask the Chair to look into that language. It appears to me that the language... excuse me, of Senate Amendment #3 clearly preempts Home Rule. And I think it would clearly preempt Home Rule in the Section that would require an extraordinary Majority to do so."

Speaker Hartke: "Mr. Black..."

Black: "I know. You'll get back to me. And while you're..."

Speaker Hartke: "I'll... I'll..."

Black: "... taking that under advisement could I... Would the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield and we will check into that for you."

Black: "I appreciate that. Representative Hoffman, I... for the life of me, I really don't understand and I think... it's hard to hear. I think you and Representative Brosnahan were discussing this... for the life of me, I don't understand the language that the Senate included in your Bill. It says, if I'm reading it right, if I am a church or church-affiliated school and I find a lot, a building lot that would accommodate the money I have and the square footage that I need for my church or my school and there's a neighborhood grocery store on the corner and the neighborhood grocery store sells beer and wine, then I can't build my church there. I mean, that's just backwards from every... every time we've regulated it we have said a retail establishment that wants to sell beer and liquor

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cannot locate within a hundred feet of a church or a school. Now, if I'm reading this correctly, it says that a church or a school who may be in complete agreement with the lot, the location, and the price, but there is a retail establishment within a hundred feet, then they can't build their church or their school there."

Hoffman: "Representative, what we did or what the Senate did is all they did is took existing law. So, the existing law currently indicates that the provisions apply to 75 thou... inhabitants of 75 thousand people or more. So, they applied it then to downstate. Now, why initially it was written in this fashion, I can't tell ya, but if you look further, I believe it's page 10 of the Amendment and you look under the... all we did was add the last paragraph or second to the last paragraph is we added the term, 'in a Home Rule municipality'. So, that makes it... that allows this provision to apply and be utilized by downstate communities. If you look further in that paragraph, it indicates a mechanism whereby the church can be built. It says, in these instances... I believe it's the second sentence, Representative. 'In these instances the local zoning authority may by ordinance adopt simultaneously with the granting of initial and special use zoning permit..."

Black: "Okay."

Hoffman: "... for the church or the church-affiliate school provides a hundred foot restriction and this Section shall not apply to that church or church-affiliate school with future retail liquor licenses.' So, the prac..."

Black: "That makes a lot more sense."

Hoffman: "Yeah."

Black: "That's on page 10, correct?"

Hoffman: "Yes."

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Black: "All right."

Hoffman: "So, the practical effect is..."

Black: "Okay. Then..."

Hoffman: "... you have to go to a zoning authority..."

Black: "Right."

Hoffman: "... and get a special use permit."

Black: "Now, that was and I appreciate you clarifying that, but then that brings up my initial inquiry. If you're prohibiting... if you're usurping Home Rule, does that, in fact, allow the zoning board to rule in this case? I... I..."

Hoffman: "I... In this... Well, it..."

Black: "I agree wholeheartedly with ya, if... if..."

Hoffman: "Yeah."

Black: "... if that's the language and there's no usurping of the Home Rule authority to let the zoning committee rule, then I think, fine. This is a very workable Bill."

Hoffman: "Well, I think actually what we're doing, we're not usurping Home Rule, we're adding to the Home Rule authority by this Bill."

Black: "Okay. So..."

Hoffman: "Because we're allowing them the same power over the zoning issue as we gave to municipalities that have 75 thousand or more inhabitants."

Black: "Okay. All right. If the counsel to the Speaker agrees, I think... I appreciate you clarifying that and the Bill makes imminent sense, once you read the language in 10 rather than the language... the synopsis that's on the computer. I appreciate your indulgence."

Hoffman: "Representative, are you... are you withdrawing your request for parliamentarian?"

Black: "All right. He liked... I have found that he enjoys this

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part of the job very much and I wouldn't want to deprive him... every time..."

Hoffman: "And I think I just gave him the answer, Representative."

Black: "Well, and..."

Hoffman: "So..."

Black: "Well, and he would appreciate that, but every time he appears on the closed circuit television I think he gets a bonus."

Hoffman: "Which the odds are that my... that the answer may be incorrect. I..."

Speaker Hartke: "Mr. Black, you and I have a fortune coming."

Black: "Isn't that the truth."

Speaker Hartke: "The parliamentarian."

Parliamentarian Uhe: "Representative Black, in response to your inquiry and on behalf of the Speaker, House Bill 5000 does not preempt Home Rule authority."

Black: "Yeah. I... I appreciate your looking into that and once Representative Hoffman gets... pointed out the actual language, I think it's clear. But it helps sometimes to make sure we're all on the same page. In this case, we weren't on the same page, now we are. And I appreciate your indulgence."

Speaker Hartke: "The Chair recognizes Representative Crotty."

Crotty: "Thank you, Mr. Speaker. I just wanted to take the time. I know the group is starting to leave now, but this is their first time down to Springfield and it's Palos West school. If you could all applaud them, I'd appreciate it."

Speaker Hartke: "Welcome to Springfield. Representative Lang."

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

Speaker Hartke: "The Sponsor will yield."

Lang: "Representative, I was unclear as to the Amendment as it

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relates to liquor establishments near a school. As I understood, there might have been a change or two in that area. If you could outline those changes again for us, I'd appreciate it."

Hoffman: "I believe, a few years ago the General Assembly indicated that if you currently have a liquor establishment and a school or a church moves in within a hundred feet of that establishment, they still would maintain that license, if you had a municipality of over 75 thousand people. This... all this does is indicates in all Home Rule municipalities such as... an example of a Home Rule municipality, I believe, would be... would be Champaign... I'm not sure if Springfield's Home Rule. And there are Belleville, Illinois is Home Rule. So, this really enhances the power of the Home Rule municipality to regulate in this instance."

Lang: "What does all that mean, Representative?"

Hoffman: "It means what I just said."

Lang: "Well, that's good enough for me, thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 5000?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #3 to House Bill 5000. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5794, Representative Brunsvold. Mr. Brunsvold on Senate Amendment #1."

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Brunsvold: "Thank you, Mr. Speaker. I would move to concur in Senate Amendment #1 to House Bill 5794. The original Bill was unopposed. It had... turn around here, little guy. See the camera here. There you go. Senate or House Amendment #1 simply said that the Conservation Police officer would get all the money that on fee... on fines and any confiscation of arrests made in any state parks. The Senate Amendment simply erases House Amendment #1 and the original Bill still remains that the Conservation Police officer will get a portion only of some of the drug busts they would make in state parks. Come into the same situation that State Police would be in. So, I would move to concur in the Senate Amendment."

Speaker Hartke: "Thank you, Mr. Brunsvold. You and Mason did a fantastic job in that presentation. Does anybody have any questions for Mason or Representative Brunsvold? Representative Lang."

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

Speaker Hartke: "The Sponsor will yield."

Lang: "Representative, I'm just wondering if the staff person that's with you gave you all the answers on this particular Senate Motion?"

Unknown: "You're right. You're right."

Lang: "That's great. That's going all over America, Ladies and Gentlemen. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black."

Black: "Yes, Mr. Speaker. Let me just speak to the Sponsor of the Bill, if I might."

Speaker Hartke: "You may."

Black: "He's a new grandfather. I have four. Representative, you need some practice on how to hold that baby, all right."

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And if you can't do a better..."

Brunsvold: "It's been a while."

Black: "... job than that... if you can't do a better job than that, I hope DCFS is watching on the Internet."

Speaker Hartke: "Now, is there any discussion of the Senate Amendment? Seeing no one is seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 5794?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. And this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 5794. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 951, offered by Representative Schoenberg; House Resolution 952, offered by Representative Schoenberg; House Resolution 953, offered by Representative Crotty; House Resolution 955, offered by Representative Dart; House Resolution 956, offered by Representative Dart; House Resolution 957, offered by Representative Dart; House Resolution 958, offered by Representative Novak; House Resolution 959, offered by Representative Novak; House Resolution 960, offered by Representative Watson; House Resolution 961, offered by Representative Flowers; House Resolution 962, offered by Representative Flowers; House Resolution 963, offered by Representative Dart; House Resolution 964, offered by Speaker Madigan; House Resolution 967, offered by Representative Osmond; House Resolution 968, offered by

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Representative Capparelli; House Resolution 969, offered by Representative Acevedo; House Resolution 970, offered by Representative John Jones; House Resolution 971, offered by Representative Hannig; House Resolution 972, offered by Speaker Madigan; House Resolution 974, offered by Representative Bill Mitchell; House Resolution 975, offered by Representative Garrett; House Resolution 976, offered by Representative Wojcik; House Resolution 977, offered by Representative May; House Resolution 979, offered by Representative McAuliffe; House Resolution 980, offered by Representative Osmond; House Resolution 981, offered by Representative Osmond; House Resolution 982, offered by Representative Osmond; House Resolution 983, offered by Representative Joseph Lyons; House Resolution 984, offered by Representative Zickus; House Resolution 986, offered by Representative O'Connor; House Resolution 987, offered by Representative Leitch; House Resolution 988, offered by Representative Scully; House Resolution 989, offered by Representative Delgado."

Speaker Hartke: "Representative Currie now moves for the adoption of the Agreed Resolutions. 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. The House recognizes Representative Schoenberg for a Motion."

Schoenberg: "Thank you, Mr. Speaker. I'm the... as the Chief Sponsor of House Bill 136, I move to reconsider the vote. There was a specific request to incorporate legislative intent as well as a court precedent and we need to do that in order to satisfy commitments made to all the parties. I apologize to the Members. I've spoken with Mr. Black and he concurs."

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Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Gentleman's Motion is granted. Mr. Clerk, on concurrence on House Bill 136 on Senate Amendment #2. Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This, as I mentioned earlier, is... we need to fulfill commitments as part of the agreement to establish legislative intent, particularly in the area of establishing conspiracy against civil rights provision of the Bill. And I'd like the Chair to recognize the chairman of the Judiciary Committee, Representative O'Brien for this."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. For a point of legislative intent there are several questions I'd like to ask of the Sponsor, first. Why do we need conspiracy against civil rights? Isn't it simply a restatement of the solicitation statute and that one person is soliciting another to commit a hate crime?"

Schoenberg: "Representative O'Brien, prosecutors need this provision because the current statutes covering inchoate crimes, such as conspiracy, solicitation and attempt, all require proof that a particular crime was intended by the parties. Accordingly, it's very difficult to utilize the statutes in the hate crime context because members of hate groups often agree that physical harm or the threat of physical harm should be used against a certain group, such as African Americans or Jews for example, but not necessarily agree with who the victim should be, when the offense should occur or where it will take place. Under this new provision, however, prosecutors will be able to

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charge all members of the conspiracy who agree to use physical harm or the threat of such harm whenever one or more members of the conspiracy takes any overt act in furtherance of the agreement. Thus, leaders of hate groups who call on things such as 'Racial Holy War' will no longer be insulated from responsibility simply because they were not present at the time of the commission of the offense."

O'Brien: "Thank you. Second, doesn't this provision violate the Constitution because it's impermissibly vague and infringes on First Amendment rights?"

Schoenberg: "That's an excellent question. This provision is modeled after the federal conspiracy against ci... against rights provision which was first adopted in 1948 which is repeatedly upheld on numerous constitutional grounds, including vagueness and First Amendment concerns. Moreover, although First Amendment protects the right to express ideas, no matter how hateful or repulsive to the general public, the United States Supreme Court has consistently recognized the distinction between the advocacy of abstract doctrine and the advocacy intended to promote or incite unlawful actions. Similarly, in 1993 the United States Supreme Court in the case of Wisconsin v. Mitchell, a copy of which I will be filing with the Clerk, unanimously held that hate crime statutes are constitutionally provided they... are constitutionally provided they punish conduct rather than speech. Therefore, this new statute would be consistent with these doctrines because it requires proof of an intentional undertaking between the parties and at least one act in furtherance of that agreement."

O'Brien: "Thank you, Representative Schoenberg. Third, do Illinois courts have the jurisdiction or authority to

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vindicate federal civil rights? Why not simply limit the provision to civil rights guaranteed by Illinois law?"

Schoenberg: "This provision is not a civil rights provision. It does not guarantee the free exercise of any right or provide for any private cause of action based on the denial of such a right. Instead, it is intended to prevent others from using violent and threatening means to prevent the exercise of those rights. Thus, in order to effectuate the goal of this legislation, it's important to... that it encompasses all possible victims of... that hate groups and other offenders might target. Moreover, because the civil rights are guaranteed by Illinois law are practically identical to those guaranteed by Federal Law it's nearly impossible to parse out which rights are federal and which rights are state. Finally, pursuant to the supremacy clause of the federal Constitution, Illinois courts, both criminal and civil, routinely enforce federal rights."

O'Brien: "Thank you. How can there be a conspiracy if the other conspirator lacks the capacity to commit an offense?"

Schoenberg: "This provision, subsection (b) subsection (5) as well as all of subsection (b) is copied from the existing conspiracy statute. It was determined that in order to avoid any problems with the implementation of this statute, the wisest course would be to duplicate those provisions which limit the types of defenses legally available to a defendant charged with conspiracy. This list of limitations was included in the original conspiracy statute as part of the Criminal Code of 1961 and has been unchanged in the ensuing 40 years. Moreover, as the committee comments to the conspiracy statute explain subsection (b)(5) was 'intended to deny an accused who has no legal capacity or immunity in relation to the principal offense

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any rights, benefits, advantages or defenses which the law may have conferred upon a coconspirator.' The committee comments further state that the prior law, that there could be at least two guilty parties to a conspiracy, was rejected because it was far 'too technical' and 'overlooked the realities of trials which involved differences in juries, contingent availabilities of witnesses, the varying ability of different prosecutors and defense attorneys, et cetera.' The committee concluded that what... that 'what happened to another defendant in another time and place, in another trial before a different judge and jury should not be a bar to a trial here.' See 720 ILCS Annotated 8-2 at pages 414-416. This rule of law, has been upheld by the Illinois courts and is consistent with the law of other jurisdictions. And your final question, Representative?"

O'Brien: "Thank you. Doesn't the language regardless of the existence of any other motivating factor or factors mean that a hate crime occurs whenever there is a crime committed by a member of one group against a member of one of those protected classes?"

Schoenberg: "Thank you for asking that question, Madam Chairman. This language was intended to clarify for all police and prosecutors that the hate crime statute and the institutional vandalism statute applies even if the offender acts out of mixed motive. Although the Illinois Appellate Courts have repeatedly held that the statute does encompass such situations, some police, prosecutors and trial judges throughout the state believe that there can be no hate crime unless it was exclusively based on hatred or bias. The addition of this language will eliminate this confusion by informing police, prosecutors, judges and juries that the defendant may have more than one motivating

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factor and still be guilty of a hate crime. Moreover, this language will not in any way eliminate the requirement that there must be some evidence that the offender acted out of hatred or bias. This evidence can come from statements by the defendant, either prior to, contemporaneous with, or subsequent to the offenses or it can be based on circumstantial evidence, such as the offenders prior participation in a hate group, but cannot be inferred from the simple fact that the victim is a member of one group e.g. African American while the offender is a member of a different group. Thank you very much, Representative O'Brien and Members of the House for your indulgence in establishing this legislative intent. And as I indicated, I'll be filing a copy of Wisconsin v. Mitchell, #92-515, before the Supreme Court of the United States... with the Clerk of the House. This is the identical Bill. You've all supported an it unanimously before. This will make this Illi... this will make Illinois' hate crime law the strongest in the nation. And I urge its support."

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

Black: "Thank you very much, Mr. Speaker. Just a... for edification of our side of the aisle. Just an inquiry of the Chair, very quickly. This is a Motion to Reconsider, correct?"

Speaker Hartke: "That is correct."

Black: "All right. Would a question of the Sponsor be in order?"

Speaker Hartke: "No, no, no. I was in error. We have... we have done..."

Black: "No, no... I'm sorry."

Speaker Hartke: "... reconsidered that Motion."

Black: "I didn't phrase that correctly. You're right."

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Speaker Hartke: "We are now on the... on the..."

Black: "Yes. We have already moved to reconsider, so we are now debating the Bill after the Motion to Reconsider, correct?"

Speaker Hartke: "Yes."

Black: "All right. Would the Spo... Would it be in order for the Sponsor to yield?"

Speaker Hartke: "Sure."

Black: "Yeah. Thank you. Representative, just to make it clear, you weren't on the floor when this passed. There's some concern that has been expressed that this is a hate crimes Bill dressed up in a different suit. I don't interpret it that at all. I think the Senate Amendment, quite frankly, makes it a civil rights issue just so that you could make sure that we're all from the same page, could you just very briefly say how you've managed to... it started out as a hate crimes Bill, but I don't believe that's the way it ends up after the Senate Amendment."

Schoenberg: "Mr. Black, you're absolutely correct that that is the case. And that's why we went back and established the... provided the additional legislative intent on the conspiracy against civil rights and furnished... and that's precisely why I'm also furnishing the supporting US Supreme Court decision along those lines. This... The Senate Amendment provides some changes with respect to the... some changes with the respect to the sentencing provisions, but the basic underlying concept that this is a civil rights Bill is indeed the same."

Black: "Representative, as amended in the Senate, were any opponents recognized in committee in the Senate or have contacted you, such as any concerned religious groups or any of the opponents in the past that have expressed some concerns about a hate crimes Bill?"

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Schoenberg: "None of the... none of those who had expressed opposition in the past remain in opposition."

Black: "All right. So, as far as you know, this Bill as amended in the Senate, has no identified opponents as of this reading."

Schoenberg: "That's correct."

Black: "All right."

Schoenberg: "And some of the issues addressed by opponents were accommodated by the proponents, including State's Attorney Devine. That's correct."

Black: "All right. Thank you."

Schoenberg: "So, there is no known opposition."

Black: "Thank you very much. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Lang."

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

Speaker Hartke: "The Sponsor will yield."

Lang: "Representative, were there... was anybody in committee opposed to this legislation the way it's written?"

Schoenberg: "No."

Lang: "All right. And I heard you say this would make us a model for the nation. It would be the strongest hate crime law in America. Do you know if other states are looking to Illinois to advance stronger proposals in their states?"

Schoenberg: "I really can't speak to that. What I do know is that prosecutors and judges were looking... within Illinois were looking for greater consistency in the application of the law and in general, we in Illinois were looking to have our laws mirror Federal Laws as closely as possible. And that's why there was that major change on the addition of the conspiracy against civil rights."

Lang: "Now, you may have said this and forgive me if you did, but

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that some of the changes that are being made here were asked... were requested by state's attorneys around Illinois, so they had some specificity as they tried to determine whether to charge someone with a hate crime or some other crime. Is that correct?"

Schoenberg: "That's correct."

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

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

Johnson: "Yes. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he will yield."

Johnson: "Jeff, I had... just looking at the Bill here and I appreciate where this thing has been and where it's come and you know, I think it answers a lot of previous questions that were in the original Bill. But, I guess, my underlying question and I... maybe you can give this back to me however you want. But what is covered under this new Bill here that is not currently covered, for example, in our Criminal Code and in our statutes? I mean, what do you anticipate this to cover that isn't already covered? If it's vandalism, if it's battery..."

Schoenberg: "This es... this establishes the new crime of conspiracy against civil rights. And I know I went through the... that was in the underlying Bill as well and I know I went through the legislative intent rather quickly, but that's the major distinction. And as I indicated, that mirrors the... the Federal Law which has been consistently upheld on constitutional grounds in the case of Wisconsin v. Mitchell. You had raised some issues in committee about the definition of intimidation, for example, and that's been excised from the Bill."

Johnson: "Okay. I won't belabor this. You know, I appreciate

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where you've come with this and certainly intend to support it."

Schoenberg: "Thank you."

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

Schoenberg: "Thank you very much for your indulgence and your cooperation, your prior support and I urge your support once again for House Bill 136. Thank you very much."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 136?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The polling is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 1 person voting 'no'. And the House does concur in Senate Amendment #2 to House Bill 136. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Crotty."

Crotty: "Thank you."

Speaker Hartke: "For what reason do you seek recognition,..."

Crotty: "I..."

Speaker Hartke: "... again?"

Crotty: "... I rise on personal privilege."

Speaker Hartke: "State your point."

Crotty: "Thank you. Thank you, Mr. Speaker. Just a few minutes ago, we welcomed a school from Palos called Palos West. I ask the Members now to join me in welcoming Palos East school. Nice to have you here."

Speaker Hartke: "Welcome to Springfield, your State Capital. Representative Crotty, is Palos South coming in and North today, as well?"

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Crotty: "Palos South won't be here, but we will have more members from Palos East. Thank you for asking, though."

Speaker Hartke: "Okay. Thank you. Mr. Clerk, for a committee announcement."

Clerk Rossi: "The following committees will meet at 2 p.m.: the Executive Committee in Room 114, the Health Care Committee in Room 118, the Registration & Regulation Committee in Room D-1."

Speaker Hartke: "The Chair recognizes Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For purposes of an announcement. The House Judiciary II Committee will meet in D-1... C-1. Thank you. C-1 at 2 p.m."

Speaker Hartke: "Representative Black, for what reason do you seek recognition?"

Black: "Yes, just an inquiry of the Chair."

Speaker Hartke: "Yes."

Black: "We appreciate notice that the Judiciary Committee is meeting, but we have no idea what they're meeting for. Is there a Bill posted? Or do they just want to discuss things in general?"

Speaker Hartke: "The Chair recognizes Representative O'Brien."

O'Brien: "Representative Black, we hadn't seen one another all morning, I thought it'd be a chance for committee members to get together. No. Senate Bill 251 is posted for committee."

Black: "I'm sorry. Your first announcement... I thought we were gonna have a party. I was all excited. What Bill are you considering?"

O'Brien: "Senate Bill 251."

Black: "251? Thank you."

O'Brien: "Thank you."

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Speaker Hartke: "The House will be in recess 'til the hour of 3 p.m."

Speaker Madigan: "The House shall come to order. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Thursday, May 30, 2002, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 251. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on Thursday, May 30, 2002, reported the same back with the following recommendation/s: 'be adopted' House Amendment #3 to Senate Bill 2241. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Thursday, May 30, 2002, reported the same back with the following recommendation/s: 'be adopted' a Motion to Concur with Senate Amendments 1 and 2 to House Bill 4879. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Thursday, May 30, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 4563 and a Motion to Concur with Senate Amendment #1 to House Bill 5450. Introduction of Resolutions. House Resolution 973, offered by Representative Franks; and House Resolution 985, offered by Representative Daniels are assigned to the Rules Committee. Supplemental Calendar #1 is being distributed."

Speaker Madigan: "On Supplemental Calendar #1 there appears Senate Bill 251. Mr. Clerk, what is the status of the

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Bill?"

Clerk Rossi: "Senate Bill 251, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave the Bill on Second Reading. Mr. Clerk, what is the status of Senate Bill 2241?"

Clerk Rossi: "Senate Bill 2241 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Forby, has been approved for consideration."

Speaker Madigan: "There's an Amendment filed by Mr. Forby and the Chair has been advised that Mr. Rutherford will handle the Amendment. Mr. Rutherford. Mr. Rutherford."

Rutherford: "Yes."

Speaker Madigan: "The Chair got bad advice. The Chair got bad advice. You can sit down. Remain calm. They canceled that letter revoking your status. Mr. Forby, on the Amendment. Mr. Forby, on the Amendment."

Forby: "Thank you, Mr. Speaker. Senate Bill 2241 Amendment 3, what this does is give the board... the hospital board authorities where they can borrow money to oc... keep operating. In four months, they got a loan from NDA... NDR... the USDA for a loan. So, we need this deal for four months. If there's any questions..."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendments. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "Senate Bill 2241, a Bill for an Act concerning hospitals. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Forby, on the Bill."

Forby: "The Amendment becomes the Bill. And I'll just ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Representative Wyvetter Younge voted? Mr. Clerk, take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 5450? 5450. House Bill 5450."

Clerk Rossi: "House Bill 5450 is on the Order of Concurrence. And a Motion to Concur with Senate Amendment #1 has been approved for consideration."

Speaker Madigan: "Mr. Rutherford."

Rutherford: "Mr. Speaker. What this does is changes in the statute the years to bring it consecutive for this decade unto which the three groups will be designated to serve in their Senate terms, the 4-4-2 situation. And once this becomes law then it's our understanding, the Secretary of State will do the drawing to determine those rankings."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 5450. On that question, the Chair recognizes Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, if we don't pass this Bill, will that

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mean that none of the Senators could be seated?"

Rutherford: "It just means they'd have to serve in the 1990s."

Black: "That's not all that bad."

Rutherford: "Yeah. Representative, new Senator Brady just counseled me that they would be ten-year terms."

Black: "Oh. Is this to help Senator Brady?"

Rutherford: "Yeah, this would... They would be ten-year terms if this Bill doesn't pass."

Black: "Well, on the seniority list over there, anything we can do to help him, I'm sure, would be most appreciated. It's always good to see a former Member of the House."

Rutherford: "A former Member of the House..."

Black: "... who has now moved to the Senate and will never be heard from again, but whatever."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendment #1 and the Chair recognizes Mr. Schoenberg."

Schoenberg: "Thank you. A question of the Sponsor. Will the Gentleman yield?"

Speaker Madigan: "The Sponsor yields."

Rutherford: "Sorry?"

Schoenberg: "Will you yield?"

Rutherford: "Yes. Yes."

Schoenberg: "Are these really ten-year terms? No further questions."

Rutherford: "The suggestion from Senator Brady is that these... if this Bill does not become law, that that might be the option to it, but actually, I think we'd have a much bigger problem."

Schoenberg: "So, if that's the case, why are you pursuing this? No further questions. Thank you."

Speaker Madigan: "Mr. Rutherford moves that the House concur in

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Senate Amendment #1. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Mr. Osterman voted? Mr. Clerk, take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill... On this question, there are 116 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4879? 4879."

Clerk Rossi: "House Bill 4879 is on the Order of Concurrence. And a Motion to Concur with Senate Amendments 1 and 2 has been approved for consideration."

Speaker Madigan: "Is Mr. Granberg in the chamber? Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. Senate Amendments 1 and 2 do two things to existing law. Existing law provides that private... those who seek private detective licenses in security positions will receive licenses upon their application being made. They are subject then to a background check by the State Police and the FBI. Those background checks take approximately six to eight weeks. During that period, those people are given licenses and they are, in fact, security personnel in various places of business throughout this state. That equates to what some have called a loophole. A number of these people are convicted felons, in fact, last year over 1600 of these applicants were found to have committed felonies in their record and their licenses were then suspended. These Amendments will change that law to provide that they will not be given a license until they receive the State Police background check which is... provides to be by optical scan. That takes approximately two to three days. Upon

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the approval of the State Police background check, they will be given a temporary license. They can then work until these FBI background check is completed. If the FBI background check actually discloses some type of issue, the Department of Professional Regulation is given the ability to rescind that temporary license. It would then be the presumption that there is good cause to do so. The PERC, the applicant who actually applied for that license and received it would then be afforded the opportunity to work through the appeal process. I think it's critical for this to happen at this point in time. Understand that these security personnel are given licenses automatically under existing law. Think of the type of people that could be given security positions, whether in the Sears Tower or other public facilities who might be, in fact, not of wholly dis... disrepute, but in fact might be terrorists or other personnel who could actually carry out plots against our... the citizenry of this state. So, I'd be more than happy to answer any questions."

Speaker Madigan: "The Gentleman moves that the House concur... Mr. Clerk, had the Gentleman moved for one Amendment or two?"

Clerk Rossi: "Amendments 1 and 2."

Speaker Madigan: "The Gentleman has moved that the House concur in both Amendments. And the Chair recognizes Mr. Black. Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, the Senate Amendments become the Bill, correct?"

Granberg: "Yes."

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Black: "All right. Who administers the PERC program?"

Granberg: "I believe it'd be the Department of Professional Regulation, Mr. Black. This is their legislation that they recommended."

Black: "Does that require a full criminal background check, including fingerprints?"

Granberg: "I'm not sure for the PERC requirement, Representative Black. They requested this Bill in response to that six to eight week gap period on just on the licensure."

Black: "Well, you know, I don't have any problem with the Bill if it adds to security, but what level of security am I enhancing by simply requiring a PERC card, an employee responsibility card?"

Granberg: "Well..."

Black: "I mean, if all I have to do is write in and get it, then I haven't added any level of security."

Granberg: "I think everyone would probably would be required to do... to have that Mr. Black. This would say, if I applied for this PERC card or temporary license, I would, in fact, have... before I received that license I have to go through the State Police background check. That is not current law. Current law says the department gives them that license or PERC right now and then they undergo the scrutiny of the State Police background check and the FBI check. And then... then it can be rescinded. But they are automatically given that temporary license until the FBI and the State Police background checks are completed."

Black: "All right. So, your Bill would what? Would deny the temporary license until the check has been completed?"

Granberg: "Yes. It would say you cannot receive a license until the initial State Police check has been completed. Once the State Police check has been completed, the background

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check, then they.... the temporary license will be issued. And then the FBI background check would be completed over the course of the next six weeks. If, in fact, something else turned up, then the department... in during that period, Bill, so the State Police background check is completed."

Black: "Okay. Now, that's a level of security obviously an enhancement over the current law. Now, what upon a renewal? If once you go through that, are you automatically renewed every time your license comes up or is there a time certain at which you must be reexamined or your background rechecked or once you get it you're automatically relicensed upon payment of the fee?"

Granberg: "The department... Oh. Representative Saviano might be able to address this, Mr. Black. The department did not indicate to me what their procedure was or policy was on renewals. Maybe Representative Saviano can address that issue. Mr. Speaker."

Black: "Turn Mr. Saviano on."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker."

Black: "Thank you."

Saviano: "Representative, what happens is, is that the State Police periodically upon... they have on their computers, once they do an initial background check on a certain candidate for a private security position, they remain there. They... If there's a future arrest of that person or something of that nature, that is automatically reported to the Department of Professional Regulation for the department to take the appropriate action."

Black: "Skip, maybe you could ask this... answer this question, then. Is there any grandfather clause? If I'm currently a

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locksmith, I currently have a license, am I gonna have to go through the background check or am I just gonna be grandfathered in for the rest of my natural life? I'm sorry, security check."

Saviano: "Security check. Yeah."

Black: "I'm sorry."

Saviano: "Repeat that question..."

Black: "All right."

Saviano: "... using the security guard."

Black: "If I... Yeah... If I hold the current license and this law... and this Bill becomes law and I've never had a complete PERC check, upon my next renewal will I have to go through that or am I just grandfathered in and I don't have to go through that?"

Saviano: "If you've already gone through the process of going through a background check when you first were... when you first... when you first were hired, all right, you don't have to go through another background check because the State Police already have on their thing that you were... you have had a background check and you're a security guard with a PERC card. Okay. So, you bring in... they've already got ya on the computer. If you get arrested sometime after that, another background check isn't necessary 'cause the State Police will automatically notify the department of the arrest."

Black: "Could you lose your license if upon a check they find you've been convicted of a felony?"

Saviano: "Absolutely."

Black: "All right. Fine. I won't bore you with my, forgive me for mentioning locksmiths, but you know I have a concern about locksmiths, that you're working on. I understand that. One of these days we may get that straightened out."

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I appreciate it."

Saviano: "Thank you, Representative. And just... I stand in support of this Concurrence Motion. If the Body remembers, last November after the 9-1-1 event, we had meetings in the City of Chicago, down here, to fill this void to make sure that we didn't have security guards out there working before at least a State Police background check was completed. This fills that void. This is very important. These are security guards that are protecting the Sears Tower, John Hancock building, power plants, all kinds of crucial sites in our state and this accomplishes a safety valve for the public and the citizens of Illinois. Thank you."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendments #1 and 2?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional... excuse me. 116 people vote 'yes', 0 votes 'no'. The House does concur in Senate Amendments #1 and 2. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Rossi: "Committee Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 30, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #4 to Senate Bill 2067."

Speaker Madigan: "On page 17 of the Calendar, on the Order of Motions in Writing there appears a Motion on Senate Bill 1649. Mr. Franks."

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Franks: "Having voted on the prevailing side, I'd ask the Body to reconsider."

Speaker Madigan: "The question is, 'Shall the House reconsider the vote on Senate Bill 1649?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Motion is adopted. The vote is reconsidered. Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker. I hope all of you recall. This piece of legislation was one that extended the sunset date on the Petroleum Resource Board assessment. And would ask for your favorable vote."

Speaker Madigan: "Mr. Hartke, I see that you've got Captain Courageous next to you. Are you ready?"

Hartke: "Mr. Speaker, would you please move this Bill back to the Order of Second Reading for the purposes of an Amendment?"

Speaker Madigan: "Put the Bill on Second Reading. The Chair recognizes Representative Barbara Currie."

Currie: "Thank you, Speaker. I move that House Joint Resolution 83 and Senate Joint Resolution 72 that we waive the posting requirements, so that those measures may be heard in the Executive Committee tomorrow."

Speaker Madigan: "The Lady moves to suspend the posting requirements. You've all heard the Motion. Is there leave? Leave is granted. The posting requirement is suspended for the two Resolutions. Mr. Clerk."

Clerk Rossi: "The following committees will meet tomorrow morning. The Executive Committee at 9 a.m. in Room 114. Also, at 9 a.m., the Child Support Committee in Room 118."

Speaker Madigan: "Ladies and Gentlemen, the Chair is prepared to adjourn. Is there anything further to come before the Body? Mr. Cross."

Cross: "Mr. Speaker, in all seriousness, do you have any advice as to whether or not we should check out of our rooms

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tomorrow... tonight, I'm sorry. Tonight. I mean, tomorrow morning after staying there tonight? My question is, are we gonna need a hotel room tomorrow night in Springfield?"

Speaker Madigan: "You know how it is at the end of Session, so, what I'm going to say is completely speculative."

Cross: "What?"

Speaker Madigan: "What I'm gonna say is completely speculative, but I would recommend that you book a room for tomorrow night and maybe a few nights after that, too."

Cross: "Wow."

Speaker Madigan: "But Tom, look at it this way. We'll always have Bill Black here to talk to us. Mr. Black."

Cross: "Thank goodness."

Black: "Yes. Thank you very much, Mr. Speaker. I appreciate the advance notice. I would just like to remind Mr. Cross that the room on Saturday night and Sunday night is on him, 'cause there ain't no per diem, baby."

Speaker Madigan: "Ladies and Gentlemen, if I can have your attention. There's been another change in the plans, so rather than adjourn, we're just gonna recess for a short time. So, if everybody could remain available and we'll report back as quickly as possible. Thank you. Well, just bear with us until maybe 6:30, then we'll have another announcement. Thank you."

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

Speaker Hartke: "The House shall come to order. Rules Report."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on May 30, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Conference Committee

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Report #1 to House Bill 1975, Conference Committee Report #1 to House Bill 4975, Conference Committee Report #1 to House Bill 5874 and Conference Committee Report #1 to Senate Bill 39."

Speaker Hartke: "Mr. Clerk, a committee schedule for in the morning."

Clerk Rossi: "The following committees will meet tomorrow morning at 9 a.m.: the Executive Committee in Room 114 and the Child Support Committee in Room 118."

Speaker Hartke: "Representative Currie now moves that the House, allowing perfunctory time for the Clerk, stand adjourned until the hour of 10 a.m., May 31st, Friday. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 6292, offered by Representative Hamos, a Bill for an Act in relation to transportation. First Reading of this House Bill. House Bill... Senate Bills-Second Reading. To be held on the Order of Senate Bills-Second Reading. Senate Bill 2130, a Bill for an Act concerning historic preservation. Second Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."