

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

23rd Legislative Day

March 9, 1999

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Representative Coy Pugh, the pastor of the West Englewood United Methodist Church in Chicago. The guests in the gallery may wish to rise and join us in the invocation."

Pugh: "Let us pray. Eternal God, Father of our ancestors, Abraham, Isaac and Jacob. When we consider Thy heavens, the work of Thy hands, the sun and the moon, the stars. The heavens declare the glory of God. And the firmament shows off His handy work. But what is man, that Thou aren't mindful of Him. And the son of man that You might visit Him. And how do we acknowledge and declare Your glory in our lives. When we were children, we spoke as children, we understood as children, and we spoke as children. Now that we are adults we attempt to put off childish things. Now that we are no longer representing dry bones from the valley. Now that our bodies are covered with sinews of flesh, how do we declare Your glory in our lives? Circumcise our hearts, tutor our spirits, speak to our minds, for until we hear from You, we won't know what to do. Teach us to hold fast to instruction. What do you require of us? You have showed us what is good. And what You require of us but to do justly, to love mercy and to walk humbly with Thy God. Amen."

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

Hartke - 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. Mr. Pugh. Mr. Pugh."

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Pugh. Poe."

Poe: "Yeah, whatever. Thank you, Mr. Speaker. Let the record show today that all Republicans are here except for Andrea Moore and she'll be late and checking in later due to the climate."

Speaker Madigan: "Thank you, Mr. Poe. Mr. Hartke."

Hartke: "Today we have... Carol Ronen is excused. On the way or not present is Representative Silva, Lyons, J., McGuire, Giles, Stroger, Feigenholtz, Erwin, Scully, and Kenner. They will sign in when they get here."

Speaker Madigan: "Let the record reflect those excused absences. Mr. Clerk, take the record. There being 106 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measures were referred, action taken on March 5, 1999, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bill 1098. Representative Julie Curry, Chairperson from the Committee on Appropriations - Elementary and Secondary Education, to which the following measures were referred, action taken on March 9, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1065, House Bill 1517, House Bill 2383; 'do pass as amended Short Debate' House Bill 1064 and House Bill 1527."

Speaker Madigan: "Mr. Hartke."

Hartke: "Yes, Mr. Speaker. We would like to add that Representative Morrow is also absent."

Speaker Madigan: "Let the record reflect that excused absence and if the gentleman had been recorded as 'present', Mr. Clerk,

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please adjust that. On the Order of House Bills-Third Reading there appears House Bill 42, Mr. Black. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 42, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 42 I've carried before and I believe others have done so as well. It simply raises the pass through for nursing home residents on their disregard from the current \$30 a month to \$45 a month. That's all the Bill does. It came out of the Human Services Committee with unanimous vote. I will be glad to answer any questions."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Is there any discussion? There being no discussion, the Chair recognizes Mr. Hartke."

Hartke: "Yes, Representative Black. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hartke: "What would be the fiscal impact on the state for this?"

Black: "I think the Department of Public Aid in committee said it would be about ten and a half million dollars in fiscal 2000. I really question that, because I think they take all the federal funds passed through, times the number of residents and then multiply that by the \$15 increase. I really question that, but that's what they said in committee."

Hartke: "Is there a line item in the budget for this?"

Black: "No, I don't believe there is. I don't think we've... Let me check, I don't think we've raised this pass through... I thought it was in here. It's been at least a decade. I

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don't think we've ever raised it since '85 and as you know it what this does, that's the money that the resident literally has in their account to buy personal items: shampoo, maybe a picture frame, subscribe to a large print magazine. I think the purchasing power of that \$30 as established by the Federal Act in '85 has eroded over the years. And I know I've heard from the nursing home industry, who are not opposed to the Bill. They are concerned if we don't make up the \$15 ever because they already indicate or feel strongly that we don't reimburse them at full cost. And I understand that and I am willing to work on that as an appropriation basis but I do think the residents certainly are long overdue for this increase. And in fact, staff just told me, this has never been raised in the State of Illinois."

Hartke: "Thank you very much, I was just curious."

Speaker Madigan: "Mr. Black has moved for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Eileen Lyons who reports. Have all voted who wish? The Clerk shall take the record. On this question, there are 101 people voting 'yes', 0 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Is Mr. Righter here? I'm sorry, Tom, I was talking to Mr. Righter, not Ryder, Righter. Do you wish to call House Bill 32? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 32, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Madigan: "Mr. Righter."

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Righter: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 32 quite simply would add to those crimes that are subject to the truth in sentencing provisions in Illinois any crime concerning a sexual offense that was committed against anyone under 18 years of age. Currently only criminal sexual assault, aggravated criminal sexual assault, and predatory criminal sexual assault are subject to the truth in sentencing provisions. This would add the rest of those offenses to the truth in sentencing for anyone who had it committed against them who is under 18. I am happy to answer any questions."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hoffman: "Representative Righter, with regard to this, this is just expanding the truth in sentencing to certain sexual offenses that aren't included. Is that correct?"

Righter: "That's right."

Hoffman: "I know you weren't here in 19... I don't believe you were here in 1995. Do you have any idea why they weren't included originally in the truth in sentencing legislation?"

Righter: "I do not, Representative."

Hoffman: "Based on your knowledge, what is the estimated cost with the Department of Corrections?"

Righter: "The Department of Corrections has informed me that the estimated cost is \$98,000,000 over a ten year period."

Hoffman: "And what is their position with regard to this Bill?"

Righter: "They have no position."

Hoffman: "So they're neutral?"

Righter: "Yes, Sir."

Hoffman: "The truth in sentencing provisions, now these are

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similar to the ones that were recently thrown out by the Supreme Court and we reinstated. Is that correct?"

Righter: "Yes. These would be additions to that, Representative."

Hoffman: "Okay. So there are certain enumerated offenses that we passed in 1995 and then repassed last year with regard to truth in sentencing. And this would add to that list and say that you're going to serve 85% of your time if you convict or if you're convicted of one of these enumerated offenses that you're including."

Righter: "That's right."

Hoffman: "Specifically, are they all sexual offenses?"

Righter: "That's what House Bill 32 does. Yes, those are the only type offenses that 32 deals with."

Hoffman: "Okay, I thought 'reckless homicide' was included."

Righter: "The 'reckless homicide' provision in the Bill is simply a technical correction, Representative Hoffman, that has to do with the misnumbering if you were, if you will, of the latest version of truth in sentencing that was passed. The reckless homicide provision is already part of the truth in sentencing."

Hoffman: "And is this... would this also apply to what is called 'statutory rape'? I don't know how it is defined, whether it's criminal sexual assault or aggravated criminal sexual assault, but would it apply to that also?"

Righter: "Yes, Representative. I think that's correct."

Hoffman: "What about juveniles? Does this apply to any juvenile crimes?"

Righter: "Only if they are tried and convicted as adults, it's my understanding."

Hoffman: "Well, basically, this... in my opinion I've always been a proponent of truth in sentencing, truth in sentencing

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across the board. And when we debated this back in 1995, I think all of the, you weren't here Representative, but all the enumerated offenses which are in your Bill, House Bill 32, were raised at that time where we indicated on this side of the aisle that they should have been in that Bill at that time. I believe we should have truth in sentencing across the board. I think we should support this Bill. I think it's a good Bill, but eventually what we need to do is just address the issue of truth in sentencing and not do it on a piecemeal basis. It should have been done in 1995. It should be done today. And we'll continue to support this type of legislation. Thank you."

Speaker Madigan: "There being no further discussion, Mr. Righter to close."

Righter: "Thank you, Mr. Speaker. Please support this legislation. I appreciate an 'aye' vote."

Speaker Madigan: "The Gentleman has moved 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 106 people voting 'yes', 0 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On the Order of Second Reading, on page 3 of the Calendar, there appears House Bill 112. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 112, a Bill for an Act concerning fireworks. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Representative Kosel. Kosel. Do you wish to call your House Bill 17? Mr. Clerk, read

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the Bill."

Clerk Rossi: "House Bill 17, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Madigan: "Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker. House Bill 17 creates a K-5 class size reduction grant program to be implemented and administered by the State Board of Education. This would allow school districts within our state to apply for grants to reduce class size down to 18 students per class. They must reduce class size by at least 5 students. It is an elective program. They apply for the grants. And I would like your favorable consideration of this, please."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, where is the money going to come from?"

Kosel: "I am hoping that this money will come from what the Governor has budgeted for class reduction size."

Parke: "Do you know how much he's budgeted?"

Kosel: "No, I do not."

Parke: "Will this require a tax increase to fund this program?"

Kosel: "No, it will not."

Parke: "Where would the money come from then? Is it part of the General Revenue Fund? And what happens if we don't have the money... what happens if we don't have the projected revenue?"

Kosel: "It's going to come out of GRF."

Parke: "Thank you."

Speaker Madigan: "Representative Kosel. I'm sorry I..."

Kosel: "Any other questions?"

Speaker Madigan: "I saw Jerry Clark and it diverted my attention. There's no one else seeking recognition, Representative."

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Do you wish to close?"

Kosel: "Yes, I do. I would ask for your favorable consideration for something that will do wonderful things for our students in the State of Illinois."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? 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 104 people voting 'yes', 0 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On the Order of Second Reading, on page 37 of the Calendar, there appears House Bill 1622. Mr. Clerk what is the status of the Bill?"

Clerk Rossi: "House Bill 1622, a Bill for an Act concerning benefits for certain health treatments. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. The fiscal note and the state mandates note that have been requested on the Bill have been withdrawn."

Speaker Madigan: "Third Reading. Mr. McKeon. Is Mr. McKeon here? Do you wish to call your House Bill 37? It's on page 64 of the Calendar, on the Order of Third Reading. How about the next one (sic-House Bill) 38? I'm sorry (sic-House Bill) 38. It's concerned with the Illinois Governmental Ethics Act. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 38, a Bill for an Act amending the Illinois Governmental Ethics Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Speaker Madigan. House Bill 38 amends the Election Code. Removes the requirement that a political committee be notified of the examination of a statement of

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organization and financial disclosure reports as currently required under law. Last year we approved legislation which was assigned into a law doing essentially the same thing with campaign disclosure reports. House Amendment #1, in addition, added statements filed by registered lobbyists. Both Bills require that these reports be made available on the Internet by June 1st of 2001. Be glad to answer any questions."

Speaker Madigan: "The Gentleman has moved for passage of the Bill. Is there any discussion? Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I thought this was already current law, that we no longer had to fill out a name and address and the reason for examining those statements. Did I miss something in the past or just..."

McKeon "The law that was passed and signed by the Governor during the last Session, Representative Black, applied to financial disclosure statements, D-1's and D-2's, for Campaign Committees. What this Amendment, which was introduced last year but deleted from the original legislation, covers statements of financial interest by candidates and elected officials due on May 1st of each year, governed by the Secretary of State. And also this law applies to the required statements of lobbyists and also filed with the Index Division of the Secretary of State."

Black: "Those are the long sheet that we fill out, what is it once a year?"

McKeon: "Yes, Sir."

Black: "All right. So your Bill would say if somebody examines

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my financial disclosure statement, am I even to be notified of that anymore or... "

McKeon: "No."

Black: "So if ten people want to examine my financial disclosure statement and I doubt that that would happen, mine's very boring. But if ten people wanted to see it I would not know that, correct?"

McKeon: "That is correct."

Black: "All right. And... "

McKeon: "Apparently, Representative, the law requires them to identify themselves by name and address and the purpose of the examination. This General Assembly eliminated that requirement for D-2's, but the law still exists for the statement of financial interest."

Black: "And then the Amendment had something to do with electronic filing?"

McKeon: "It provides the opportunity of the Secretary of the State so chooses to allow those statements to be filed electronically and that's an option of the Secretary."

Black: "Okay. All right. Thank you very much, Representative."

Speaker Madigan: "Mr. Skinner."

Skinner: "Mr. Speaker, would the Gentleman yield?"

Speaker Madigan: "Sponsor yields."

Skinner: "Can you tell us why you have not put in the economic disclosure statements for judges statewide? Why are they not going to be on the Internet?"

McKeon: "Actually, I didn't consider that, Representative. We were concerned though about the volume and the cost impact. Currently, as the law is written, it only applies to incumbents holding state office, House, Senate, the Constitutional Officers, or candidates for those positions. Before I would want to consider expanding that I'd like to

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determine what the fiscal impact would be on the Secretary of State's Office."

Skinner: "Well, I point out that the judges are Constitutional Officers and their economic disclosure statements ought to be as readily available to the public and the press as are ours. Thank you."

Speaker Madigan: "Mr. McKeon to close."

McKeon: "Thank you, Speaker Madigan. I'd appreciate your favorable vote."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Those in favor signify by voting 'aye'; 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 105 people voting 'yes', 0 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On page 34 of the Calendar, on the Order of Second Reading, there appears House Bill 1438. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 1438, a Bill for an Act amending the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note and a state mandates note have been requested on the Bill and they have not been filed."

Speaker Madigan: "Mr. Clerk, leave that Bill on the Order of Second Reading. On page 56 of the Calendar, there appears House Bill 2351. What is the status of that Bill?"

Clerk Rossi: "House Bill 2351, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. The note that was requested on the Bill has been filed."

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Speaker Madigan: "Third Reading. Mr. Clerk on page 10 of the Calendar, on the Order of Second Reading, there appears House Bill 462. Are there any notes requested on that Bill?"

Clerk Rossi: "House Bill 462 has a fiscal note requested as amended that has not been filed."

Speaker Madigan: "Mr. Clerk, on page 24 of the Calendar, there appears House Bill 1079. What is the status of that Bill?"

Clerk Rossi: "House Bill 1079, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. The notes that have been requested have been filed."

Speaker Madigan: "Third Reading. On page 64 of the Calendar, on the Order of Third Reading, there appears House Bill 67. Representative Garrett. Representative Garrett. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 67, a Bill for an Act concerning agency performance reviews. Third Reading of this House Bill."

Speaker Madigan: "Representative Garrett."

Garrett: "Could you take the Bill out of the record, please? Thank you."

Speaker Madigan: "Mr. Clerk, take the Bill out of the record. Mr. Schoenberg, do you wish to call House Bill 76? It's concerned with the Criminal Code. Mr. Clerk, House Bill 76, read the Bill."

Clerk Rossi: "House Bill 76, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Madigan: "Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Members may recall that in the 90th General Assembly we successfully sent to the Governor's desk a Bill which enabled local law enforcement officials to enter the

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Federal Alcohol, Tobacco, and Firearms Database, for the purposes of tracing illegally used firearms by individuals under the age of 21. This Bill lifts that age requirement, that Bill having been supported by the Attorney General, the Chiefs of Police and having no opposition. This... As I said, this Bill lifts that age requirement so that local law enforcement officials can access this database for all illegally used firearms, so that we can return illegally used firearms to their rightful owners. And so that our local police can discern trends in firearm trafficking. And I am happy to answer any questions."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, do you know of any known opposition to this Bill?"

Schoenberg: "There is no known opposition, Sir. If you're inquiring about the (sic-National) Rifle Association, they did not take a position either in support or in opposition to the Bill."

Parke: "So as far as you know, nobody's opposing it. It seems to be just logical public policy and..."

Schoenberg: "That's correct, Sir. As I indicated before, it enables lawful gun owners to have a better opportunity to get their stolen firearms recovered."

Parke: "And now is this part of the Mayor's package?"

Schoenberg: "No, Sir."

Parke: "It is not?"

Schoenberg: "No, Sir."

Parke: "Okay. Thank you, Representative. Thank you."

Speaker Madigan: "Mr. Cross."

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

Speaker Madigan: "Sponsor yields."

Cross: "Representative Schoenberg. And I don't know... I understand the Illinois Chiefs of Police are for this but what kind of cost will local government have in the event this Bill becomes law?"

Schoenberg: "Mr. Cross, to refresh your memory, Mr. Winkel asked the same questions when we made the original Bill the law. And I said, 'Literally that local law... the costs are minimal if at all existent, because they can literally access this database with the click of a computer mouse.'"

Cross: "I apologize for not... when did we do that? A year ago?"

Schoenberg: "We did that a year ago, Sir."

Cross: "I apologize for not remembering that, Jeff. And that was obviously a good question asked by Representative Winkel."

Schoenberg: "Obviously."

Cross: "I guess I'm... and I'm not trying to make a big deal out of this, but there is obviously some impact financially on smaller and rural police departments. Is there not?"

Schoenberg: "Mr. Black asked this question about the Bill that I alluded to before. And as I indicated the costs are minimal, if any, because this allows them to access that database. It doesn't mandate them. Does not mandate them to access that database, but it does allow them to do so. So there is no real cost to them."

Cross: "So, Jeff, in the event that they don't do it, will... you're saying 'may' our analysis is saying 'mandates'. Is it a 'shall' or 'may' in the language, the Bill? And then when do they... what do they do with the information once they trace it?"

Schoenberg: "Once they trace it, once they do... once they do trace it, they can do one of two things: if it is a... if

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a lawful firearm owner has their... this is a... let me backtrack. Once they have the information on the trace they are able to identify trends in illegally trafficked firearms for the purposes of determining how to best stop illegal gunrunning, particularly in the area of juvenile crime this has been found to be effective. It also enables local law enforcement officials to have a better chance at returning firearms to their lawful owners, if they've been used illegally and recovered."

Cross: "Jeff, I'm sorry I didn't hear a single thing you said, but it's only a piece of legislation."

Schoenberg: "I, know what I said... was is that if a firearm has been stolen by someone who lawfully owns it and it's been used in illegal crime, what this Bill will do is give them a greater opportunity to get that illegally... to get that firearm returned to its rightful owner. It also enables law enforcement, police departments and prosecutors to identify trends in how illegally used firearms are being obtained for the purpose of breaking up those gunrunning rings."

Cross: "Jeff, in paragraph (b), 'local law enforcement shall when appropriate use the National Tracing Center of the FBI or Federal Bureau of Alcohol, Tobacco, and Firearms in complying.' Is there a mechanism in place where they can do that right now, in terms of accessing?"

Schoenberg: "The mechanism that's in place for them to do it, is only for illeg... as I understand it, only for illegally used firearms that are... were used in a crime by individuals under the age of 21. What this does is simply lift that age requirement so that all illegally used firearms can be identified through the tracing system if the local law enforcement officials wish to do it."

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Cross: "All right. I don't have any questions anymore. I'll try to refresh my recollection using Representative Winkel's questions from a year ago. Thanks."

Speaker Madigan: "Mr. Durkin."

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

Speaker Madigan: "Sponsor yields."

Durkin: "Representative, I just want to get this clear. How do we define 'local law enforcement' under this Bill? Is this anybody other than the Illinois State Police?"

Schoenberg: "Yes, Sir. I believe so."

Durkin: "Okay, I just want to make sure. Because we do have... you know I think traditionally when you think of a local law enforcement you'll think of the county sheriffs, and the municipality police, but a Secretary of State Police Officer would they be included, would they be required under this Act to submit the gun for tracing into?"

Schoenberg: "This is to enable municipalities and counties to access the Federal ATF Database."

Durkin: "But I think that it's just... I want to make sure that we have were... when we talk about local law enforcement..."

Schoenberg: "No, you're correct."

Durkin: "...the Secretary of State Police. And I believe we have a number of different agencies in which they have investigators and law enfor... in which they have people that are sworn as law enforcement officers... who Conservation Police, who during the course of investigation, they may have to possess a weapon. They would be included under this, correct?"

Schoenberg: "Correct."

Durkin: "Okay. My next question... the way the Bill prev... maybe it's just the way that it was previously drafted. It

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states that 'upon recovering a firearm from the possession of anyone who is not permitted by Federal or State Law.' Now, my question is if someone's not permitted does that... is that after a conviction or is that upon the police recovery? Because upon... if someone's not permitted to have a weapon then that person is going to be charged with a criminal offense. Now, are they to start the tracing period at that point, or do they have to wait until a conviction is secured, in which we will know at least beyond a reasonable doubt, that this person was not permitted under any Federal or State Law to possess that weapon?"

Schoenberg: "I do not believe that it has to wait until a conviction is obtained."

Durkin: "Okay. My only concern about... I think is that maybe this is something that wasn't brought up the last time. And I am going to support the Bill because I think it's a very good Bill, is that we get into problems of chain of custody whenever we are going to have a weapon which is recovered it is put into an evidence vault and then it is subsequently used in a trial, there is a chain of custody which has to be preserved. And if the gun is going to be off into a different direction for something other than use in that trial, there may be some types of problems which could ultimately lead to the demise of the criminal case. But also, when you get into situations when there is an argument over who possessed the weapon in which there has to be fingerprinting done. I just want to make sure that the ultimate goal is first of all... is that to seek the conviction for anybody who's charged with an unlawful use of a weapon, which is not going to conflict with the actual tracing. So, I'm not sure if that's a consideration which

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is... anybody's thought of but I do support your legislation. And I think I've run out of questions."

Schoenberg: "Thank you, Sir."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, what's the smallest law enforcement agency in your district? How many officers would make up the smallest law enforcement agency in your legislative district?"

Schoenberg: "Mr. Black I can't tell you offhand what the smallest number. There are some very small municipalities that only have a couple of thou... several thousand individuals. For example, the Village of Kenilworth, which is not a Home Rule District, it's that small. There are other suburban municipalities in North Suburban Cook County that would fall into the same category, that I think you're getting ready to lead into."

Black: "All right. So, your district, many of them in my district have two possibly three officers. Some of them only have one. Now, does your Bill speak to the issue? What if a local law enforcement entity, who and I think this goes on some other questioning, maybe a very small community, a part-time police officer discovers a gun in violation of firearm, if you will, and then asks the county sheriff's department to assume the responsibility for the trace? Is that permissible under your Bill?"

Schoenberg: "I believe that is currently permissible under the existing practice through the law that we had passed previously."

Black: "So would that then create the problem, I think

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Representative Durkin was alluding to, that the police officer who actually confiscates, if that's the right word, or finds the gun, then turns it over to the county sheriff's department for a trace, who might then turn it over to the Department of State Police and you get into a serious concern over the chain of evidence and how it was handled. Is that a concern that we should take a look at under your proposed legislation?"

Schoenberg: "Mr. Black, that's not a hypothetical question. Ever since Public Act 90-137 which passed nearly unanimously out of this chamber and the Senate in 1997 has been in force, that scenario has not yet emerged. So we've had well over a year to actually test the practicality of this concept. And to date, there have been no known problems that have been registered."

Black: "All right. Has the Illinois Supreme Court... have any cases been filed under that Act, that you're aware of? I was just curious as to what the Illinois Supreme Court might think of that passage of evidence through several hands. As far as you know there have been no cases filed?"

Schoenberg: "Since we, since we passed this initial law in 1997 and sent it to the Governor's desk, to the best of my knowledge there have been no cases where that situation that you've just outlined has occurred. I certainly would... all the parties who've indicated their support on this issue have been aware that this was going to be the second step in the equation. So to date, there has been no known situation where that's happened."

Black: "All right. Let me get to the heart of the issue in my district. And that is a small community of maybe one full-time officer and two part-time officers. If I heard you correctly earlier on in the debate, would that local

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law enforcement entity or agency be able to decide that there was not a particular problem with this firearm, and they therefore, could chose not run the trace?"

Schoenberg: "Yes, Sir."

Black: "Okay. So there is a measure of self-determination on a part of a very small police department, Who might be reluctant to get into this because of cost. And that's up to them, correct?"

Schoenberg: "That's correct. By the same token, because there virtually is no cost, they might wish... As long as they have... if they do have some access to computer technology they may wish to use this tool as a cost efficient means of helping to return these guns to their rightful owners."

Black: "All right, I appreciate your indulgence, thank you."

Schoenberg: "Thank you."

Speaker Madigan: "Mr. Schoenberg to close."

Schoenberg: "Thank you, Mr. Speaker. I urge my colleagues to support House Bill 76."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? 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 100 people voting 'yes', 2 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, on page 47, on the Order of Second Reading, there appears House Bill 1987. What is the status of that Bill?"

Clerk Rossi: "House Bill 1987, a Bill for an Act to amend the Property Tax Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Madigan: "Third Reading. Mr. Clerk, on page 7 of the Calendar, there appears House Bill 307. What is the status of that Bill?"

Clerk Rossi: "House Bill 307, a Bill for an Act amending the Department of Veterans Affairs Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 20 of the Calendar, there appears House Bill 1813. What is the status of that Bill?"

Clerk Rossi: "House Bill 1813, a Bill for an Act amending the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 33 of the Calendar, there appears House Bill 1393. What is the status of that Bill?"

Clerk Rossi: "House Bill 1393, a Bill for an Act concerning Higher Education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Durkin, do you wish to call House Bill 129? It's concerned with the Code of Civil Procedure. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 129, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Madigan: "Mr. Durkin."

Durkin: "Thank you very much, Mr. Speaker. This Bill is a... came out of the Cook County State's Attorney's Office in which it is designed to protect the names of witnesses who are involved in a criminal proceeding who wish to have their named changed. This will allow the Director of State

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Police to waive the publication requirement if that person is designated to be a... if they need their name changed for the intent of protecting that witness at a later point, if they are involved in a criminal proceeding. All it does, it waives a publication requirement which is currently... which is in the law and it allows the State Police to waive that requirement. Thank you. "

Speaker Madigan: "Is there any further discussion? There being no further discussion, Mr. Pugh. Mr. Pugh."

Pugh: "Yes. Thank you. Will the Sponsor yield for a question?"

Speaker Madigan: "Sponsor yields."

Pugh: "If we get into death penalty cases, will the... and the witness changed his name, how will they go about researching those particular cases?"

Durkin: "Well, the whole intent of this is to protect somebody who is a witness in a crime. But... however, that person's original name will be... is already part of the record and it will be some point later in which they will have their name changed. When they seek to have their name changed the State Police will certify that this person was a witness in a crime and he wishes to protect himself. That will be sealed record. If there is a retrial that person... the state has an obligation to return that person back to the courtroom. However, they would be a motion in limine which would protect the new name at a later point. They would be still assuming there old name which was on the police reports."

Pugh: "But wouldn't... would that not make it more difficult for an investigator to find the witness? "

Durkin: "Absolutely not. Because presently under the law, under the discovery rules, it is the obligation of the state to release all exculpatory evidence and also to give the names

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and addresses of the witnesses. And they have obligation to provide those witnesses upon request by defense, as not only in every death penalty case, but every criminal proceeding which exists."

Pugh: "But the investigators has not been with the defense witness. For the most part."

Durkin: "Whose investigator? Yours or the state's?"

Pugh: "The ones that are investigating the cases."

Durkin: "Yes they have, they've already talked. If the defense wants to interview the witness, they have an opportunity to interview a witness at any point, prior to trial. And even if let's say that there is a case which there is a conviction, and the case is reversed and it comes back to the courtroom. And that man had his name... was changed. The state still has an obligation to present that person in court and also to bring that person to the investigator, to give that person... the defense investigator an opportunity to interview that person."

Pugh: "Okay. And you said this indicates exculpatory evidence. Can you explain exculpatory? What does that mean?"

Durkin: "Exculpatory evidence. Certainly, exculpatory evidence is evidence which is favorable to a defendant, which would cast doubt perhaps on that person's guilt or innocence."

Pugh: "For instance, in the case of the students at Northwestern. Students sent... the teacher sends the students out, how then does they... do they find witnesses when the witness has changed their name?"

Durkin: "Well, we are taking a great leap then. You are assuming that Northwestern College students..."

Pugh: "I mean this is what seems to work."

Durkin: "No, they can do whatever they want, they can investigate any case they want. If you want to swear those people in

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as investigators and enforcement... as officers of the courts, that's fine. But the fact is, if they want to take an independent investigation on their own they are more than welcome to do it. They can go to the State's Attorney's Office and ask for the names of these individuals. And perhaps if they need to they can present those people at some time later for an interview. But the fact is, what college students want to do for a class project, if they were going to investigate a case or for research, is entirely that something within their own realm. And I don't believe it's responsibility anytime for the state to have to, or anybody else, any government official, they have to provide something to a class who is doing an independent study on any type of investigation."

Pugh: "Why not?"

Durkin: "Well, okay. I tell you what, if we're going to put them in the shoes of law enforcement officials then they are going to be held to the same standards as every other individual who proceeds with the case. They will have to be wary of Fourth Amendment, Fifth Amendment, Sixth Amendment violations. They will be standing in the shoes of investigators. They will have to at some point, be held to the same standards as everybody else who is going to investigate a case."

Pugh: "You know and I respect your position and your attempt to try to protect the witnesses, but apparently we've had to go far beyond the usual means by which to insure that justice takes place. And that's my concern, is that we are limiting the number of individuals that can participate in the process with this piece of legislation. I have no further questions."

Speaker Madigan: "Representative Cowlshaw. Cowlshaw."

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

Speaker Madigan: "Sponsor yields."

Cowlshaw: "I heard you mention something in your introductory remarks about the fact that this Bill would remove a current requirement for some type of publication. Could you please tell me what the current requirement is and why it is that you wish to abolish it?"

Durkin: "Certainly. The current requirement is that there must be, if you are going to proceed with the name change, there has to be a public notice in the newspaper, which runs for three consecutive weeks, of this person going inside the court of law, which... it has to be a court of law which allows a name change. This will allow in certain cases in which a witness is a... an individual is a witness to a criminal proceeding, and they... due to threats which had been made to them at some point, they wish to have their name changed. Under the law right now, if they're going to have their name changed, that is a public notice. In order for them to give them some sense of security they are asking that if they present the petition to the State Police and they can show that they are a witness to a crime and they... The State Police can petition the court to have that publication requirement waived."

Cowlshaw: "All right, Representative. So, in fact, this Bill does not abolish the requirement?"

Durkin: "Absolutely not."

Cowlshaw: "It simply provides that there may be an exception under certain very understandable circumstances?"

Durkin: "A very, very limited... Exactly, a very, very limited situation in which there is a witness who has come into a courtroom and has testified and they feel there is a

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threat on their life, or their family and wish to have their name changed, and they wish to move out of the state. They would not like to have that name change published in a newspaper where someone would be able to find them at a later point."

Cowlshaw: "I understand. Now how does this individual who wants to be able to be exempt from the publication requirement go about that? Who grants that?"

Durkin: "That would be through the state's attorney, who would petition the Director of the Illinois State Police. Who..."

Cowlshaw: "So, the ultimate authority is with the State Police?"

Durkin: "Correct"

Cowlshaw: "In these exceptions, is that correct?"

Durkin: "It would be just this one situation which there would be a certification by the Director of the State Police. This person wishes to have the waiver because he certifies that this person was a witness to a crime and he is seeking to protect himself at a later point."

Cowlshaw: "Have you discussed this Bill with the Illinois Press Association?"

Durkin: "Yes, I have. They are neutral on the Bill."

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

Speaker Madigan: "Representative Monique Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, M.: "Representative, it appears that you're not making any distinction between capital offenses and other types of crime."

Durkin: "That's correct."

Davis, M.: "Don't you think perhaps if a person has committed a capital offense, or is being accused of such, that

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witnesses should be available for further questioning or study, just as we have had to do in the State of Illinois?"

Durkin: "Well, that's the law right now and this law does not change that."

Davis, M.: "No, but what you are saying is these witnesses perhaps would not be able to be found if they're names have been changed. Is that correct?"

Durkin: "That's incorrect. Because the Illinois State Police will have that information and so will the agency which prosecuted the case would have that information available to them. As the example was raised earlier, if there is a retrial at some point, that person has... the name has been changed, there is an obligation under the Supreme Court Rules in which there has to be witnesses to the trial must be made available to the defense prior to, and that also that they would be able to testify. They would testify under the previous name. It's a subsequent name which they are just seeking to have excluded."

Davis, M.: "Would Professor Protes be able to question these people as they have in the past. Would this in anyway... WOULD this in anyway prevent him from locating these people?"

Durkin: "Well, obviously his investigatory skills are extremely high. He would have no problem I am sure at all to seek... to interview any witness to any crime. I don't see how he would be..."

Davis, M.: "But with your legislation what he would have to do is go to the State Police and attempt to find the original person whose name was given as a person as a witness or a person to testify. And then he would have to try and find out what they changed their name to."

Durkin: "Sure, I tell you what, why don't we just swear in

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Professor Protes as a sheriff. If he wants to do that fine. He can do that. He can go to the Illinois State Police..."

Davis, M.: "Are you being facetious, Representative?"

Durkin: "I'm never facetious on this floor, Representative. I take this very serious."

Davis, M.: "I think Professor Protes deserves laudable commendation as a resident and a sincerely dedicated honest resident of the State of Illinois. And a person who obviously chose, he chose to go out of his way to save the lives of some innocent people. And it isn't smart, it isn't cute, it isn't funny to try and disrespect in any way the work that he performed."

Durkin: "I think he did great work."

Davis, M.: "In fact. In fact, Mr. Speaker, I plan to offer a Resolution for Mr. Protes and his students. But with that... to the Bill. I think you're attempting, Representative, to keep anyone from finding out when errors have occurred. You're trying to make it much more difficult to prove that some innocent people have been placed in jeopardy of losing their lives. I don't think that those of us who sit in this Body today want to assist in that effort. I'm not a prosecuting attorney. You know, I've never had to lay my word on the line in reference to what happens to a person's life, based upon a crime he's accused of. But neither will I stand here and offer my vote, so that any group who has acted improperly and any group who has acted unjustly and any group who continues to act in a way to take the lives of innocent people. And we're going to hide who the witnesses were so that no one can ever go and find out the truth. It's a very bad legislation. It's very bad. It does something. It puts a

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color on this Body that I don't think we want. It puts a taint on Legislators in the State of Illinois. We're not going to condone wrongdoing. And when wrongdoing is discovered, we're not going to pass legislation so that it would be more difficult to discover it again. Vote 'no'."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative Durkin. They're not going to change their name before they testify are they? They're going to change their after they've testified?"

Durkin: "They have that option under the Bill, to change their name at some point if they feel that they are... there is a threat to them in which they need to protect their identity. That name will be provided. Their name and that person's identity and that person will be available during the proceeding of court... during the court proceeding."

Mulligan: "All right, so in other words you're not ducking who the person is or facing their accuser. You're just allowing them to change their name later for their own protection?"

Durkin: "Correct."

Mulligan: "Thank you."

Speaker Madigan: "Mr. Durkin to close."

Durkin: "Thank you very much, Mr. Speaker. I think there has been some misconception about what some people think about this Bill. I think Professor Protesse does a great job. I encourage anybody other... everybody else to seek that type of vocation in life. This Bill does something very simple, it says that if a person who is... presents himself to a court, who is a witness to a deadly act and they feel that they have been threatened or family has been threatened, it

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gives them an opportunity at some point to later to protect themselves from gangs, and also people who proceed and live a life of intimidation. This is one way of giving them some type of zone of comfort. This does not keep this person from or hide this person's true identity if the case comes back to trial. I think this is a very good Bill and I think this is a very good victim's rights Bill. And I ask for your 'aye' vote."

Speaker Madigan: "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? Have all voted who wish? The Clerk shall... Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 'ayes', 9 'noes'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, on page 58 of the Calendar, there appears House Bill 2617. What is the status of that Bill?"

Clerk Rossi: "House Bill 2617, a Bill for an Act concerning support. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Clerk, on page 60, there appears House Bill 2698. What is the status of that Bill?"

Clerk Rossi: "House Bill 2698, a Bill for an Act amending the Township Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Clerk, on page 53, there appears House Bill 2218. What is the status of the Bill?"

Clerk Rossi: "House Bill 2218, a Bill for an Act amending the Northeastern Illinois University Law. Second Reading of this House Bill. Amendment #1 was adopted in committee."

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No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. House Bill 2758, what is the status of that Bill?"

Clerk Rossi: "House Bill 2758, a Bill for an Act amending the Public Radio and Television Grant Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 417. Page 9 of the Calendar."

Clerk Rossi: "House Bill 417, a Bill for an Act concerning State Budget Stabilization. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 195. Page 5 of the Calendar."

Clerk Rossi: "House Bill 195, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. For what purpose does Representative Gash seek recognition?"

Gash: "Thank you, Mr. Speaker, on House Bill 129, the past Bill that we just voted on. I would like the record to reflect that I intended to vote 'yes'."

Speaker Madigan: "Let the record reflect that request. On page 66 of the Calendar, on the Order of Third Reading, there appears House Bill 329. Representative Julie Curry. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 329, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Madigan: "Representative Curry. Julie Curry. Julie Curry."

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Curry: "Thank you, Mr. Speaker. House Bill 329 is a piece of legislation that has been before this Body before. It extends the statute of limitations for the offense of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated criminal sexual abuse. Provides that prosecution of any of these offenses may be commenced within ten years after the commission of the offense or if the victim is under the age of 18, within ten years of the victim obtaining the age of 18. This is an initiative that was brought to me several years ago by law enforcement officials within my legislative district, pertaining to problems that we had, had with prosecuting an individual who had... who had sexually abused and beaten two women within Macon County. That individual was never prosecuted for those crimes in Macon County because the statute of limitations had expired. The three... three year period at that point in time had elapsed. We were only able to make sure that this individual was prosecuted after he went down to Madison County and raped another woman in that area. So, I would appreciate an 'aye' vote."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, did the... I noticed the State Bar Association has some concerns with the Bill. Were those expressed in committee at all?"

Curry: "All they did was file a witness slip in opposition to the Bill. But you know, based on what I've read, Representative Black, they oppose it because they are trying to balance the concerns of the rights of the accused

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and the rights of the accuser. And I say to you that extending the statute of limitations for a woman who is sexually abused for ten years and making sure that this individual is not victimized a second time, is what we should be doing."

Black: "All right. Does it... in other words, the clock doesn't begin to tick under your Bill, if I read this correctly, when the victim reaches the age of 18, the clock then begins to tick and gives anothe... an additional ten years. Correct?"

Curry: "Correct, if they're a minor."

Black: "Rather than the current one year after the offense?"

Curry: "Correct."

Black: "All right. Is your Bill silent? What if a 23-year-old?"

Curry: "They have ten years from the date the offense occurred. So if they're 23 years old and they are raped then they have ten years from the date..."

Black: "Well that... that's very interesting. That may have some ramifications in Washington, you know it? I didn't know that. So there's ten years even though they're under the age of 21? My, my, my. Does the time under your Bill run out after the ten years, upon reaching the age of 18?"

Curry: "They have ten years from the time that... "

Black: "All right."

Curry: "... they reach 18 if they're abused as a minor."

Black: "So, the statute of limitations... you're extending the statute for... for an act or multiple acts that... that happened while the individual was under the age of 18. Correct?"

Curry: "Correct."

Black: "So they would have ten years to file when they reach 18?"

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Curry: "Correct."

Black: "For someone currently over the age of 18 you're not doing anything with that statute?"

Curry: "No, that's... that's not..."

Black: "They currently have a ten-year window as well?"

Curry: "Correct."

Black: "Okay. Thank you very much, Representative."

Speaker Madigan: "Mr. Tom Johnson."

Johnson, Tom: "Yes, will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Johnson, Tom: "Representative, as I stated in committee and I'm going to support this legislation. This has been something that we have struggled with in this General Assembly for some period of time. And this really is a compromise that's occurred over the past really four or five years to extend it at this ten year number. I just want to reemphasize, especially in light of, I think what we have learned in the last week or so, considering the Broderick situation. Where a woman alleges that she was raped unfortunately, in this case, by the President of the United States some 20 years ago. The longer we extend statute of limitations on sexual misconduct cases, I am concerned and I think legitimately concerned, that we are sending exactly the wrong message. And that is that, I understand as best I can, the trauma et cetera, that must be involved where sexual offense has occurred, especially against a woman. But as difficult as that is, I think that we need to start focusing on making the system more amenable for women who are sexually assaulted to come forth as soon as possible and not extend it longer and longer. Because, I think, what we have seen in the Broderick case is symptomatic. That the longer somebody waits, in this case up to ten

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years, that person is going to be subjected many, many occasions to precisely what we see against the Broderick situation. Why did you wait? Why didn't you come forth? And... and a whole myriad of things, and especially, as put forth by defense counsel, media and so on. And I am concerned that the longer we stretch out the sex offense statute of limitations, that it is going to bring forth precisely the opposite result of what we hope would occur. Evidence is critical in these cases, as you know. And where we do have evidence, that evidence ought to be brought forth as soon as possible and I would urge the Sponsor and everybody in here to continue to put their minds to work on how we can encourage people who have been assaulted to come forth as soon as possible because that makes for the best cases. And it also stops that perpetrator from going on and committing additional offenses over a long number of years. So, I do understand where this has come, but every year I think we learn something new and research comes in and shows us something different. And I think that we can all agree that we need to continue to address this situation and in my opinion, we need to put our heads together to try to make this system user-friendly to get people who have been assaulted forward, early... soon after these offenses occur. But I applaud the Sponsor and others who have sponsored this type of legislation for keeping this in front of the General Assembly. Thank you."

Speaker Madigan: "Representative Curry to close."

Curry: "Thank you, Mr. Speaker. I just ask for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish?"

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Vote Mr. Hartke 'aye'. 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', 0 voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, on page 26 of the Calendar, there appears House Bill 1168. What is the status of the Bill?"

Clerk Rossi: "House Bill 1168, a Bill for an Act amending the School Codes. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 25, there appears House Bill 1134. What is the status of that Bill?"

Clerk Rossi: "House Bill 1134, a Bill for an Act amending the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. On page 22, there appears House Bill 897. What is the status of the Bill?"

Clerk Rossi: "House Bill 897, a Bill for an Act amending the Illinois Educational Labor Relations Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 26, House Bill 1147."

Clerk Rossi: "House Bill 1147, a Bill for an Act concerning respiratory care practitioners. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. On page 51, House Bill 2149."

Clerk Rossi: "House Bill 2149, a Bill for an Act amending the Secretary of State Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Madigan: "Third Reading. Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. I apologize for the delay. I would like to have an inquiry of the Chair on House Bill 1147, if you would allow that?"

Speaker Madigan: "State your inquiry."

Black: "Yes, it was my understanding and we marked our file that the Sponsor indicated she would hold 1147 on Second Reading for an Amendment and I just wondered if that was still operative or...?"

Speaker Madigan: "Is Representative Connie Howard in the chamber? Representative Connie Howard. Mr. Black and Mr. Clerk, place House Bill 1147 on the Order of Second Reading."

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

Speaker Madigan: "Well, Mr. Black, Representative Howard has just arrived."

Black: "Let me... I could go talk to her for just a second and we could get this straightened out."

Speaker Madigan: "Mr. Clerk, on page 48 of the Calendar, there appears House Bill 2016. What is the status of the Bill?"

Clerk Rossi: "House Bill 2016, a Bill for an Act amending the Environmental Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Hartke in the Chair."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 1443?"

Clerk Bolin: "House Bill 1443, a Bill for an Act to amend the Mental Health and Developmental Disabilities Administrative Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. Representative Kosel on House Bill 2343. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2343, a Bill for an Act to amend the Illinois Municipal Code. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 62 on the Calendar, appears House Bill 2772, Representative Kosel. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2772, a Bill for an Act to amend the Toll Highway Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 40, appears House Bill 1763, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1763, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On the same page, House Bill 1764, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1764, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 54, on Second Reading, appears House Bill 2246. Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2246, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 61 of the Calendar, on

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Second Reading, appears House Bill 2720. Representative Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2720, a Bill for an Act to amend the State Employees Group Insurance Act of 1971. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 61 of the Calendar, on Second Reading, appears House Bill 2722, Representative Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2722, a Bill for an Act concerning risk-based capital regulation for health insurers. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "On the regular Calendar on page 62, on Second Reading, appears House Bill 2776. Excuse me. Third Reading. On page 62 of the Calendar, appears House Bill 2776. Representative Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2776, a Bill for an Act to amend the Business Enterprise for Minorities, Females and Persons with Disabilities Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 48 of the Calendar, appears House Bill 2019, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2019, a Bill for an Act to amend the Illinois Banking Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 48 of the Calendar, appears House Bill 2020, Representative Hassert. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2020, a Bill for an Act to amend the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Page 59 of the Calendar, on Second Reading, appears House Bill. Third Reading. On page 59 of the Calendar, appears House Bill 2636, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2636, a Bill for an Act to amend the Public Water Supply Operations Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 63 of the Calendar, appears House Bill 2813, Representative Wait. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2813, a Bill for an Act concerning consumer fraud. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 63 of the Calendar, appears House Bill 2814, Representative Wait. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2814, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 25 of the Calendar, appears House Bill 1111, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1111, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Hartke: "Third Reading. On page 54 of the Calendar, appears House Bill 2272, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2272, a Bill for an Act to amend the Good Samaritan Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 19 of the Calendar, appears House Bill 790, Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 790, a Bill for an Act to amend the Statewide Grand Jury Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 27 of the Calendar, appears House Bill 1197, Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1197, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 40 of the Calendar, appears House Bill 1757, Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1757, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 19 of the Calendar, appears House Bill 802, Representative Lyons (sic-Eileen). Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 802, a Bill for an Act concerning the operation of motorcycle, motordriven cycles, motorized pedalcycles, or bicycles. Second Reading of this House Bill. Amendments #1, and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, appears House Bill 1196, Representative Lyons (sic-Eileen). Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1196, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 42 of the Calendar, appears 18... House Bill 1813, Representative Lyons (sic-Eileen). Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1813."

Speaker Hartke: "That Bill's already on Third Reading. Out of the record. On page 30 of the Calendar, appears House Bill 1285, Representative Lindner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1285, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 30 of the Calendar, appears House Bill 1298, Representative Lindner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1298, a Bill for an Act to amend the Adoption Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 57 of the Calendar, appears House Bill 2381, Representative Lindner. Mr.

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Clerk, read the Bill."

Clerk Bolin: "House Bill 2381, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 30 of the Calendar, appears House Bill 1279. Representative Johnson (sic-Tim). Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1279. A Bill for an Act to amend the Alternate Fuels Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 2748, Representative Tim Johnson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2748, a Bill for an Act to amend the Rights of Crime Victims and Witnesses Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 3 of the Calendar, appears House Bill 118. Representative Black. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 118, a Bill for an Act concerning disabled persons. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 5 of the Calendar, appears House Bill 214. Representative Black. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 214, a Bill for an Act to amend the Illinois Procurement Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. On page 13 of the Calendar, appears House Bill 578. Representative Black. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 578, a Bill for an Act to amend the Property Tax Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 45 of the Calendar, appears House Bill 1915. Representative Bugielski. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1915, a Bill for an Act concerning regulation of title insurers. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 53 of the Calendar, appears House Bill 2204. Representative Bugielski. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2204, a Bill for an Act concerning the regulation of financial institutions. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 7 of the Calendar, appears House Bill 264. Representative Giglio. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 264."

Speaker Hartke: "There's a note request. Let that Bill remain on Second Reading. Take it out of the record. On page 35 of the Calendar, appears House Bill 1513. Representative Burke. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1513."

Speaker Hartke: "Take that out of the record right now. On page 35 of the Calendar, on Second Reading, appears House Bill

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1512. Representative Burke. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1512, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 14 of the Calendar, appears House Bill 603. Representative Burke. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 603."

Speaker Hartke: "There have been notes requested on that that have not been filed. That Bill will remain on Second Reading. Take that Bill out of the record. On page 10 of the Calendar, on Second Reading, appears House Bill 457. Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 457, a Bill for an Act to amend the Illinois Public Labor Relations Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 68 of the Calendar, appears House Bill 731. Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 731, a Bill for an Act in relation to sex offenders. Third Reading of this House Bill."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. House Bill 731 is the initiative of a town meeting that I held and a family that came to me. And what it would do is it would require sex offenders at the time that they register at their local police station to provide, along with the other information, a photograph as well. And that's basically all the Bill does."

Speaker Hartke: "For the Lady's explanation, is there any

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discussion? Is there any discussion? Seeing none, seeing that nobody is seeking recognition, they ask for a favorable vote. All those in favor signify by voting 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 731, there are 110 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 23 on the Calendar, on Second Reading, appears House Bill 916. Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 916, a Bill for an Act concerning cooperative agreements for floodwater management in unincorporated areas of a county. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 67 of the Calendar, appears House Bill 448. Representative Johnson, Tom Johnson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 448, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hartke: "Mr. Johnson."

Johnson, Tom: "Yes, Mr. Speaker and Members of the House. This Bill would provide that the commission of a battery on a person known to be a sports official at any level of competition in which the act causing harm to the sports official occurred within the athletic facility or within the immediate vicinity of the facility of which the sports official was an active participant of the contest. This would enhance the penalty on battery to a sports official at our local sporting events and would provide that the penalty be a Class IV felony. Would up the ante here and

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include it in the aggravated battery Section."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, was this Bill introduced in response to a particular incident?"

Johnson, Tom: "Representative, this Bill, as you know, has been introduced on several occasions. The latest, of course, was an incident that occurred and I don't have the notes here with me. There's one official, I believe here in Central Illinois, where somebody actually came after him on the ball field after the game, didn't like a call and proceeded to take two shots at him, with a gun, fortunately he missed. And, so, yeah I think that was kind of the final straw."

Black: "Okay, if... what would the current law do if a person runs on to a field of athletic endeavor and strikes an official? Under current law that would be assault and battery."

Johnson, Tom: "Assault and battery. A simple battery."

Black: "Simple battery."

Johnson, Tom: "Right."

Black: "And..."

Johnson, Tom: "What this would do, would make that an aggravated battery."

Black: "And a possible prison term?"

Johnson, Tom: "Could be."

Black: "All right."

Johnson, Tom: "He would have a possible criminal term even under a simple battery, as well."

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Black: "In a televised game last year between two Big Ten schools, one being Illinois and the other being Indiana, I recall the Indiana basketball coach in a rather heated and animated argument with one of the officials. Now he did not strike the official, but on the same hand... and was thrown out of the game as I recall. But the point is, I'm sure he was not inquiring as to the health and welfare of the referee's family. Now, your Bill only will kick in, no pun intended, if the official is actually battered, physically assaulted."

Johnson, Tom: "That's correct."

Black: "So, you could still say, you know..."

Johnson, Tom: "You can still scream and yell at that official as much as you want."

Black: "You can still question the referee's eyesight."

Johnson, Tom: "You bet."

Black: "Okay."

Johnson, Tom: "Part of the American tradition."

Black: "Now, how... your Bill mentions 'after the game'. How far after the game is that official going to be covered under this Act? He's in the car, he gets home, goes to the coffee shop the next morning, somebody is incensed that the call the night before and says, 'You cost us a state championship, take this.' Now, some hours after the game and off the field of endeavor is that still aggravated battery against a sports official?"

Johnson, Tom: "The Bill provides the immediate vicinity."

Black: "Okay. Okay."

Johnson, Tom: "So, obviously, that would be a question of fact for the trier."

Black: "All right. And the Bill, I'm assuming the Bill, is only... oh, I guess maybe I shouldn't assume that. Would

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it cover like something... a Little League umpire? Where maybe the umpire is a volunteer from the park district?"

Johnson, Tom: "Certainly."

Black: "So, it would cover all forms of athletic competition from professional sports right down to a recreation district soccer match or Little League baseball?"

Johnson, Tom: "That's correct."

Black: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, this is final action. All those in... Representative Johnson to close."

Johnson, Tom: "Just ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall House Bill 448 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 448, there were 110 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 31 of the Calendar, on Second Reading, appears House Bill 1333. Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1333, a Bill for an Act to amend the Vocational Education Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 41 of the Calendar, appears House Bill 1785. Representative Johnson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1785, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, appears House Bill 1199. Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1199, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 59 of the Calendar, appears House Bill 2645. Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2645, a Bill for an Act in relation to landscape architecture. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 24 of the Calendar, on Second Reading, appears House Bill 1063. Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1063, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 38 of the Calendar, on Second Reading, appears House Bill 1687. Representative Brady. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1687, a Bill for an Act to amend the Bingo License and Tax Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 58 of the Calendar, appears House Bill 2610. Representative Brady. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2610, a Bill for an Act to amend the Illinois Controlled Substances Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 19 of the Calendar, appears House Bill 788. Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 788, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 41 of the Calendar, appears House Bill 1790. Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1790, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 43 of the Calendar, appears House Bill 1845. Representative Bassi. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1845, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 57 of the Calendar, appears House Bill 2360. Representative Bassi. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2360, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. On Second Reading, appears House Bill 895. Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 895, a Bill for an Act to amend the Intergovernmental Cooperation Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, on Second Reading, appears House Bill 1201. Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1201, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 40 of the Calendar, appears House Bill 1739. Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1739, a Bill for an Act to amend the Illinois Highway Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 33 of the Calendar, on Second Reading, appears House Bill 1414. Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1414, a Bill for an Act concerning child support. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 17 of the Calendar, on Second Reading, appears House Bill 736. Representative Pankau. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 736, a Bill for an Act to amend the Automated Teller Machine Security Act. Second Reading of

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this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 42 of the Calendar, appears House Bill 1805. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1805, a Bill for an Act to create the Auction License Act. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 59 of the Calendar, appears House Bill 2639. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2639, a Bill for an Act to amend the Radiation Protection Act of 1990. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 33 on the Calendar, on Second Reading, appears House Bill 1413. Representative Osmond. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1413, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 25 of the Calendar, on Second Reading, appears House Bill 1109. Representative Hoeft. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1109, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 36 of the Calendar, on Second Reading, appears House Bill 1540. Representative

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Osmond. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1540, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 5 of the Calendar, appears House Bill 390. Representative Skinner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 390, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, appears House Bill 1193. Representative Sommer. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1193, a Bill for an Act to amend the Illinois Violence Prevention Act of 1995. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 6 of the Calendar, on Second Reading, appears House Bill 222. Representative Skinner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 222, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 60 of the Calendar, on Second Reading, appears House Bill 2699. Representative Skinner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2699, a Bill for an Act to amend the Conservation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No

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Motions filed."

Speaker Hartke: "Third Reading. On page 44 of the Calendar, appears House Bill 1879. Representative Sommer. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1879, a Bill for an Act to amend the Pharmacy Practice Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 19 of the Calendar, on Second Reading, appears House Bill 784. Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 784, a Bill for an Act to amend the Board of Higher Education Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 33 of the Calendar, on Second Reading, appears House Bill 1388. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1388, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 39 of the Calendar, appears House Bill 1713. Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1713, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 52 of the Calendar, appears House Bill 2166. Representative Leitch. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2166, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, on Second Reading, appears House Bill 1180. Representative Zickus. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1180, a Bill for an Act in relation to solicitation by certain persons. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, on Second Reading, appears House Bill 1182. Representative Zickus."

Clerk Bolin: "House Bill 1182, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 3 of the Calendar, appears House Bill 124. Representative Zickus. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 124, a Bill for an Act to amend the School Code. Second Reading of this House Bill. Amendments #1 and 2 were adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 32 of the Calendar, appears House Bill 1365, on Second Reading. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1365, a Bill for an Act to amend the Illinois Police Training Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. Mr. Hoffman, I understand there's an Amendment in Rules, so let's let that Bill on Second. Mr. Clerk... Mr. Hoffman, you have an Amendment in Rules. Do you want to hold it on Second? Third Reading. On page 17 of the Calendar, on Second Reading, appears House Bill 747. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 747, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed. Notes that had been requested have been withdrawn."

Speaker Hartke: "Third Reading. On page 39 of the Calendar, appears House Bill 1702. Representative Scott. 1720, excuse me. Mr. Clerk, that's 1720. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1720, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 68 of the Calendar, appears House Bill 1509. Representative Currie, Barb Currie. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1509, a Bill for an Act amending the Illinois Procurement Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. When we did the Procurement Code changes, we inadvertently created an uneven playing field for state agencies that might want to contract with academic types to do evaluations of social service programs, as an example. And while there were

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differing interpretations of the effect of the Act, the Department of Children and Family Services believed that if they wanted an evaluation done by Northwestern University, for example, they would have to put out a bid. If they wanted an evaluation done by a public university, that bid requirement would not be in place. So, in order to continue to allow these agencies to contract with the academic researchers they believe will give them the best results, this Bill would provide an exemption for those kinds of contracts, where the contracting entity is an accredited university. The language we used came from the Governor's Office. I know of no opposition and would appreciate your support for the measure."

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

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

Speaker Hartke: "She indicates she will."

Cross: "Representative, my understanding is that we now have a Procurement Policy Board. Is that correct?"

Currie: "Yes."

Cross: "What's the purpose of the Procurement Policy Board?"

Currie: "Well, I believe they're the group that... that determines whether the procurement provisions are met, but that has nothing really to do with this Bill."

Cross: "Representative, with all due respect, I apologize. I can't hear anything. I didn't hear any of your answer."

Currie: "Well, my answer was that I believe that they're the body that has responsibility for enforcing the Procurement Code, but that really doesn't have anything to do with this Bill. And that's part of current law, is my understanding and I don't make any changes with respect to that board in House

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Bill 1509."

Cross: "You wouldn't want to run this piece of legislation by that board to see if it's appropriate legislation or at least get their input since they are the..."

Currie: "Well, we..."

Cross: "... policy board?"

Currie: "I... first of all, this language was around last fall when we were looking at procurement changes. Secondly, this Bill was presented in House committee and I do not believe that the Procurement Board was there or filed a slip. There was no opposition to the Bill in committee and my understanding was that they did not have a position on the issue."

Cross: "So, are there any other instances since the enactment of the latest procurement Bill where we've provided exemptions under the Professional Artistic Service Section... Services Section?"

Currie: "Representative, we did the Procurement Code last year. I don't believe any changes have been made as yet. I know there were several Bills in the House Procurement Committee and I don't know how many of them succeeded. As I say, this problem came to me jointly from a private not-for-profit university and the Department of Children and Family Services. And it is a problem. And this is my effort to solve it. We used language that was provided to us by the former Governor's legal counsel."

Cross: "So, this would be a relaxing, if you will, of the Procurement Code with respect to the areas of professional and artistic services."

Currie: "What this would say, is that private not-for-profit universities that our agencies may want to contract with for evaluation of programs, they would be exempt. It's

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important, I think as a matter of public policy, to level this playing field. I don't think it was the effort on the part of those of us who voted for the Procurement Code to say that any research an agency wants to do should go through a state university rather than some other institution."

Cross: "My question was and I appreciate your attempt to answer, but is this a relaxing of the Procurement Code by providing an exemption in the area of artistic and professional services. Is that, I guess, yes or no?"

Currie: "I would say that it doesn't relax the Procurement Code. What it does is reestablish a level playing field, so we can get the best evaluation of our programs and our trials in the Department of Children and Family Services, in the Department of Human Services, in the Department of Public Aid and, so forth. I want the best research we can get in order to find out if our programs are working and it was the Department of Children and Family Services that believed that they would have to go through many additional hoops if they decided that the best evaluation was here not there. I don't think they should have to go through those hoops. You're welcome to make a different determination, of course, but this seems to me to be good public policy."

Cross: "Mr. Speaker, I'm sure the answer was a good answer. I can't hear the answer. No one on this side of the aisle has been able to hear an answer."

Speaker Hartke: "Ladies and Gentlemen, could we please give attention to the speakers, so we can move legislation? Representative Cross."

Cross: "So, having answered it in all those ways, Representative, you're saying this does not relax the Procurement Code. It'll make it tougher... now."

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Currie: "I would define it as restoring a level playing field, so our agencies can equally, easily get the best research that will help them define how programs should operate whether that research comes from academics at a not-for-profit university or from a public one."

Cross: "One moment if I could, Mr. Speaker. Thank you. Thank you. Thank you very much, Speaker Hartke."

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

Johnson, Tom: "Will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Johnson, Tom: "Representative, I was just reading the text here and it says... I guess the only change is that a state school or university can contract to carry out highly specialized medical, technical, or social services, right? Those three categories."

Currie: "That's right."

Johnson, Tom: "So, this doesn't relate to arts or..."

Currie: "No."

Johnson, Tom: "... lawyers or..."

Currie: "No."

Johnson, Tom: "Okay. What would be... maybe you could give me a couple of examples. What is highly specialized medical... that they would have to not go to bid or need an exemption from the Procurement Code?"

Currie: "I can do better with examples from the other parts of the human services. For example, the Department of Children and Family Services might decide different ways of placing children, might want to find out which way served the long-term best interest of the child better and they might call in academics who are versed in that area to

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monitor the progress of youngsters between the two methodologies. And then give us some direction about what's the best way to serve our troubled youth or to serve children in foster care. When it comes to the medical thing, I'm not as quick. This language came from the Governor's Office and it may well be that they were aware of examples in the medical field where that same kind of specialized evaluation would be appropriate for a state department, a state agency. Possibly the Department of Public Health doing epidemiological work, for example, might also rely upon that kind of specialized expertise."

Johnson, Tom: "Okay. Just so I understand it, this is so they can contract, say within the university, with one of their own faculty members or one of their highly..."

Currie: "That's right. That's right."

Johnson, Tom: "... regarded book writers or so on and those people will get additional royalties, right, for their hard work."

Currie: "Yes, that's right. But not for the books they write."

Johnson, Tom: "Well, we have to take care of our university faculty. I know they're hard-pressed. Okay."

Currie: "Thank you."

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

Currie: "Thank you, Speaker. I think the measure speaks for itself and I'd appreciate your support for something that will help us evaluate effectively the programs we employ."

Speaker Hartke: "The Lady's asked for a favorable vote on House Bill 1509. This is final action. All those in favor will signify by voting 'aye'; those opposed will 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

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record. On House Bill 1509, there are 76 Members voting 'yes', 35 Members voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 68 of the Calendar, appears House Bill 567. Representative Scott. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 567, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 567 passed out of this Assembly last year with over... about 110 positive votes. It would simply lower the compulsory school age from seven to six. Passed out of the Education Committee unanimously and I'd ask for an 'aye' vote."

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

Cross: "Sure. Representative will yield with the..."

Speaker Hartke: "He indicates he will yield."

Cross: "Thank you. Representative, what's the... why the initiative to change the school age?"

Scott: "Representative, it actually came to me from a first-grade teacher in Rockford who was commenting on how far behind the students were who came in who hadn't had kindergarten. And so, it was... she had basically said that there the compulsory school age was seven, which I hadn't realized until she pointed that out to me. Then looking at it I saw that it was and what she was saying was that there was... there's just a tremendous difference, especially now when kids are getting involved in technology and other things. There was such a tremendous difference between the kids who had been in school in kindergarten and the kids who hadn't

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that she thought that this was something that would be necessary. And it really makes sense, when you think about it, given the amount of money that we're now spending and increasing amounts of money that we're spending in early childhood education. It really doesn't make any sense to devote that amount of money to the three to five-year-olds and then say, 'that's okay take a couple of years off and you know, come back when you're seven.' And unfortunately, in many cases, it's the children who need it the most who don't get it."

Cross: "Doug is... so it... I guess either under the current law or under this law, are we talking about starting kindergarten or where would you go at six?"

Scott: "The compulsory school age would move back... The compulsory school age right now is seven to sixteen. You have to be in school during that time. This would just mandate that you're in school from six until sixteen. So, wherever you would fit in, in that grade. What it will mean for most kids, now it will change based on where your birthday falls and things like that. But for most kids what it means is that they'll go to kindergarten."

Cross: "Is this a... so the IEA's for it? How about the Illinois State Board of Education? Are they for this?"

Scott: "They didn't slip it as far as I know. I know LUDA, IEA, IFT... there were a couple of other slips in favor of it. The only slip that was against it in committee that I know was Reverend Vandembush."

Cross: "And Doug, I don't... something I'm going to I believe vote for, but I... do you know where other states are with respect to ages and is this... are kids... did we set seven because of their abilities psychologically, emotionally, or do you know what the rationale was for the original age?"

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Scott: "Actually, it moved back... it moved up from... it was six before and moved from six to seven several years ago. The only ones we were able to get with short notice... we're asking LRU to go into this further because the question came up in committee. But Iowa is six to sixteen, Wisconsin is six to eighteen, Missouri and Indiana are currently seven to sixteen."

Cross: "All right. Just one final question on a separate note."

Scott: "Sure."

Cross: "Does this affect home schoolers in any way that you know, Doug?"

Scott: "Well, it would... it would... the way the law reads right now is that children will have to be in school from age seven to sixteen. Now, they can be... home schoolers are regarded as a private school, so they're covered under that. So, they would have to be in home schooling at age six under this law. Now, last year when we debated this, that became a big point and I remember Representative Roskam was really interested in that and kept going over that issue. You know, to me, the people... I think we're selling the home schoolers short on this because most of the home schoolers I know and probably the ones you know, too, are doing things far, far in advance of age seven, certainly, with their children. So, yes, it will affect them to the extent that they would be covered as our other private schools, as well."

Cross: "All right, thank you very much."

Scott: "Thank you, Tom."

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

Hoeft: "Thank you. A question of the Speaker."

Speaker Hartke: "The Sponsor will yield."

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Hoeft: "Question of the Speaker."

Speaker Hartke: "State your inquiry."

Hoeft: "Are two Douglas's allowed to debate on the same... on the floor?"

Speaker Hartke: "Excuse me. Repeat your question."

Hoeft: "Are two Douglas's allowed to debate back and forth on the floor?"

Speaker Hartke: "Yes."

Hoeft: "Okay, then I'll continue. Quite frankly, folks, if we want to make the testing results in the State of Illinois look good in ten years, pass this Bill. What happens is people get into the elementary, kindergarten era and the parents will pull these kids in and out of school. If we take these children into court or the parents into court, the parents then remove the children from the school. We have some absolutely atrocious truancy records in kindergarten and first grade and this Bill will address at least the first grade component. I want to take you back in history when this compulsory education Bill or law was passed in this state it was around the Teddy Roosevelt period. It was the 'Square Deal' period in the early 1800... 1900s and there was no kindergarten. So, when we started compulsory education there was no such thing as kindergarten. Now, there is, it's extremely... it's critically important to get these kids off to a good start. This is probably one of the most profound Bills in the General Assembly for education this term and I would strongly urge you to support it, because it is sound in terms of research, it's sound in terms of logic and it is a very, very important Bill for the children. I wish everyone could vote 'yes'."

Speaker Hartke: "Does anyone stand in opposition of this Bill?"

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The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

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

Speaker Hartke: "He indicates he will."

Cowlshaw: "Representative Scott, while I am certainly not confident that my recollections are all that good anymore, it is my recollection, at least, that the idea of having a compulsory age of seven rather than a younger age was simply to allow a maximum amount of flexibility on the part of local school districts to make their own decisions about whether a child was ready to enter, whether kindergarten or first grade, rather than the state in its ultimate wisdom telling them that there is some magic age at which every child is ready to learn. We all know that isn't true if we have children of our own. I believe the older the level that is set by the state the more flexibility there is at that local level. Now, if you believe in local control, particularly local control of individual issues that differ greatly from one student to another, then this is not a good Bill. If, however, you believe that the state, as represented in the General Assembly, should be making these decisions for local school districts and saying 'every child in your school district who is six years old should be required to be in school regardless of his or her capacity to comprehend and to deal with the things that school brings.' So, for the very reason that this is a local control issue, I stand in support of local control and opposed to this Bill. I also want to know how this Bill would affect the current laws having to do with truancy. Presently, if you are at the age where you are required to be in school, and for any reason you miss a few

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days, the truancy laws begin to apply. However, they do not apply to kindergarten. In the event, that your school district out there somewhere decides now that the state requires students to be in school at the age six that they will start kindergarten in age six. Which then applies? Your requirement that they have to be in school when they're six or the truancy laws that say if you are enrolled in kindergarten you don't have to comply with the truancy laws. Which way does it go?"

Scott: "I would assume that the compulsory school age would prevail."

Cowlshaw: "I would assume that it would, indeed. Consequently, you have still another limiting factor that school district out there can't decide that a child who is six years old actually belongs in kindergarten. That child would probably, simply because of your Bill, automatically be placed in the first grade. Because of the factors that are, I believe, a direct violation of local control and local decisions, but most of all local decisions based on the individual characteristics of very young children as well as certain questions that the home schoolers have raised about how all of this would apply to their endeavors. Regretfully, because I know the Sponsor, I respect him and I know that his intention is very, very good. Nevertheless, I stand in opposition to this Bill. Thank you, Mr. Speaker."

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

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

Speaker Hartke: "He indicates he will."

Mitchell, J.: "Representative Scott. You ran this Bill last Session and I certainly stood behind you at that time and I

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do again. I don't know that local school districts have any way to decide or not decide for individual children whether or not they go to kindergarten. That's really an individual parent decision. That, I guess, is the ultimate local control. The problem is is those students that we need in school, that need a jump-start are usually the ones that don't wind up there. If we, in fact, have a new law that says, 'six instead of seven', most of those students then will start kindergarten. Some of them may still wait because as you know, the entrance age for kindergarten is five. Therefore, they may wait and start first grade a little late. But in the interest of moving kids ahead in this day and age when technology is prevalent, when some of the learning that I got in high school is now down in the junior high, as we move ahead at a faster pace I think it's imperative that we get the students in school and I applaud you for this measure. I wish it had passed last year. Now, if you would amend this to... to also add to that... that we're going to take care of the class size in these new kindergartens, I'd think it was even greater. But I think there's some legislation around for that. The biggest... one of the biggest boons that we may have in this day and age when we finally recognize that smaller class size in the primary is very, very important, this will give us a better idea of the numbers and the needs as far as construction if we do in fact know who's going to be there. So, again as Representative Hoeft said, I applaud you for your effort and support it. Thank you."

Scott: "Thank you, Representative."

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

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

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Speaker Hartke: "He indicates he will."

Mulligan: "Representative Scott."

Scott: "Yes, Representative."

Mulligan: "You passed this Bill last year and it was stalled in the Senate, do you know why?"

Scott: "In committee, the... the home school question kind of took over the debate and so the Sponsor just agreed to hold it and then that was the last week it could run. So, they kind of ran out of time last term."

Mulligan: "Doesn't this state have one of the more open favorable home school... I mean... I don't think this would make a difference. There's nothing in your Bill that would change that, is there?"

Scott: "No, the only thing it would change... it wouldn't change any of the requirements of home schoolers, but what it would change is that a child would have to be technically in school at age six. Now, that can be home schooling, but a child will have to be in school at age six, instead of at age seven as it is now."

Mulligan: "Well..."

Scott: "So those who home school have to do it a year earlier."

Mulligan: "In talking to some home schoolers in my district from HOME, the organization HOME, I think those people started schooling their children long before the age of six. I mean, it's like lifelong learning from little on. They're doing things with them... "

Scott: "Right."

Mulligan: "... and I don't see why there would be an objection to that because they're already doing that."

Scott: "That's my experience, too and as I said earlier, I think we sell the home schooling community short when we say that this is going to be a great burden on them because I think

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most of them... certainly most of the ones that I know that home school, have been doing it long before age seven."

Mulligan: "Well, either that or someone is inferring to them that there is something in this Bill that's going to hamper them which I don't find that at all. In fact, I would think they would be more in agreement because they tend to go overboard to make sure their children have a lot of schooling within their own purview. But I think it's an excellent Bill. I mean, I can't see why we wouldn't do this. Also, It's my understanding and I thought Representative Mitchell maybe answered that, that you have an option of where your child goes as far as kindergarten or first grade, if you wanted to hold your child in kindergarten an extra year because they felt they weren't mature. But I still think that would be part of a local school district. I don't think there's any state rule on that."

Scott: "No. No, there's not. And in response to the comment that was made earlier that ties in with that, about the local control issue that... there's two very large districts that are very close to my area, they've both said that this would... this was a good thing. They both... they both liked this idea of having this, so this wasn't something that I think we feel like we're forcing down districts' throat. They... they also want the kids to be in at an earlier age, so that... so that the things that are available to them, especially now with technology coming into more and more schools are available to 'em at an earlier age."

Mulligan: "Well, everything that we've learned in the past few years about early childhood and what we need to do, I think that this tends to support this if not this age, even

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younger. But I would hope that if the Bill passes this year, that perhaps the home schoolers and you can seek a meeting with them, so that you could remove their objections in the Senate, so that we could pass this totally from both Houses, because I think it's necessary. Thank you."

Scott: "Thank you."

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

Scott: "Thank you very much. I think as we're spending more and more money on early childhood education I think this only makes sense. This is something where we can really get to the children, especially the children who may need the education the most and aren't getting it right now. And I appreciate you're joining me and the large number of cosponsors that we have in supporting this Bill. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 567 pass?' All those in favor will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 567, there are 95 Members voting 'yes', 16 Members voting 'no', and 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On page 43 of the Calendar, on Second Reading, appears House Bill 1825. Representative Lawfer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1825, a Bill for an Act to amend the Illinois Natural Areas Preservation Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

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Speaker Hartke: "Third Reading. On page 44 of the Calendar, on Second Reading, appears House Bill 1852. Representative Lawfer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1852, a Bill for an Act in relation to contracts between nursing homes and residents. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 1 of the Calendar... On page 55 of the Calendar, appears House Bill 2308. Representative Mitchell (sic-Jerry)."

Clerk Rossi: "House Bill 2308, a Bill for an Act amending the Hospital District Law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 11 of the Calendar, appears House Bill 502. Representative Mitchell (sic-Jerry). Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 502, a Bill for an Act amending the Nursing and Advance Practice Nursing Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 23 of the Calendar appears House Bill 924. Representative Mitchell (sic-Jerry). Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 924, a Bill for an Act relating to certification of school personnel. Second Reading of this House Bill. No Committee Amendments."

Speaker Hartke: "Mr. Mitchell, you have an Amendment in Rules. Still care to move the Bill to third? Out of the record. On page 55 of the Calendar, appears House Bill 2283. Representative Tenhouse. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2283, a Bill for an Act providing for the State of Illinois to enter into an agreement with Missouri and Iowa to establish the Mid-America Pork Commission. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 22 of the Calendar, appears House Bill 902. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 902, a Bill for an Act concerning real estate. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Mr. Reitz for what reason do you rise?"

Reitz: "Thank you, Mr. Speaker. On House Bill 567, I was away from my switch. I'd like to rerecord it 'aye'."

Speaker Hartke: "The Journal will so indicate. On page 13 of the Calendar, appears House Bill 553. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 553, a Bill for an Act concerning nursing. Second Reading of this House Bill. Amendment #1... No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 of the Calendar, appears House Bill 1194. Representative Mitchell. Bill Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1194, a Bill for an Act concerning school students. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

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Speaker Hartke: "Third Reading. On page 61 of the Calendar, appears House Bill 2721. Representative Klingler. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2721, a Bill for an Act concerning sex offenders. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 39 of the Calendar, on Second Reading, appears House Bill 1700. Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1700, a Bill for an Act amending the Liquor Control Act of 1934. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 30 of the Calendar, on Second Reading, appears House Bill 1293. Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1293, a Bill for an Act amending the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 19 of the Calendar, appears House Bill 792. Representative Mitchell. Bill Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 792, a Bill for an Act in relation to the transmission of drug information by the Internet. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 53 of the Calendar, appears House Bill 2217. Representative Klingler. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2217, a Bill for an Act amending the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 44 of the Calendar, appears House Bill 1859. Representative Klingler. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1859, a Bill for an Act amending the Adoption Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Page 61 of the Calendar, appears House Bill 2724. Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2724, a Bill for an Act amending the Public Construction Bond Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 62 of the Calendar, appears House Bill 2758. Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2758... "

Speaker Hartke: "That Bill's already on Third Reading. Let's take it out of the record. House Bill 1766. Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1766, a Bill for an Act concerning community college foundations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 51 of the Calendar, appears House Bill 2106. Representative Winkel. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2106, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 2 of the Calendar, appears House Bill 39. Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 39. "

Speaker Hartke: "Representative, you have a Floor Amendment in Rules Committee. Do you want to move it to Third or do you want to keep it on Second? Let's leave that Bill on Second. On page 19 on the Calendar, appears House Bill 789. Representative Righter. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 789, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 33 of the Calendar, on Second Reading, appears 13... House Bill 1391. Representative Righter. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1391, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 47 of the Calendar, appears House Bill 1972. Representative Righter. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1972, a Bill for an Act concerning off-highway vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 12 of the Calendar,

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appears House Bill 542. Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 542, a Bill for an Act concerning taxation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 31 of the Calendar, on Second Reading, appears House Bill 1305. Representative Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1305, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 49 of the Calendar, appears House Bill 2059. Representative Black. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2059, a Bill for an Act amending the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 30 of the Calendar, appears House Bill 1304. Representative Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1304, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 55 of the Calendar, on Second Reading, appears House Bill 2298. Representative Durkin. Mr. Clerk, read the Bill. 2298. Take that out of the record, momentarily. On page 63 of the Calendar, appears House Bill 2792. Representative Black. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 2792, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 58 of the Calendar, appears House Bill 2580. Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2580, a Bill for an Act concerning higher education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 59 of the Calendar, appears House Bill 2640. Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2640, a Bill for an Act regarding radiation protection. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 49 of the Calendar, appears House Bill 2044. Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2044, a Bill for an Act amending the Fire Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 55 on the Calendar, appears House Bill 2298. Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2298, a Bill for an Act amending the Counties Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Hartke: "Third Reading. On page 47 of the Calendar, appears House Bill 1969. Representative Jones. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1969, a Bill for an Act amending the Oil and Gas Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 49 on the Calendar, appears House Bill 2047. Representative Poe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2047, a Bill for an Act amending the Public Funds Investment Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 20 of the Calendar, appears House Bill 833. Representative Jim Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 833, a Bill for an Act amending the Park District Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 16 on the Calendar, on Second Reading, appears House Bill 669. Representative Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 669, a Bill for an Act amending the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 26 of the Calendar, appears House Bill 1152. Representative Parke. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1152, a Bill for an Act amending the Humane Care for Animals Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 26 of the Calendar, appears House Bill 1155. Representative Parke. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1155, a Bill for an Act concerning cancer research. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 20 of the Calendar, appears House Bill 807. Representative Poe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 807, a Bill for an Act concerning license plates. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. Various notes have been requested on the Bill that have not been filed."

Speaker Hartke: "That Bill will remain on Second Reading. On page 21 of the Calendar, appears House Bill 835. Representative Meyer. Jim Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 835, a Bill for an Act amending the Illinois Municipal Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 56 of the Calendar, appears House Bill 2345. Representative Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2345, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Hartke: "Third Reading. Page 13 of the Calendar, on Second Reading, appears House Bill 573. Representative Stephens. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 573, a Bill for an Act amending the Firearm Owners Identification Card Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 9 of the Calendar, appears House Bill 425. Representative Stephens. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 425, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 on the Calendar, on Second Reading, appears House Bill 1188. Representative Myers. Rich Myers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1188, a Bill for an Act to create the Address Confidentiality for Victims of Domestic Violence Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 7 of the Calendar, appears House Bill 264. Representative Giglio. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 264, a Bill for an Act concerning plumbers. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. The notes that were requested on the Bill have been filed... or have been withdrawn."

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Speaker Hartke: "Third Reading. House Bill 1897, on page 45 of the Calendar. Mr. Rich Myers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1897, a Bill for an Act creating the Illinois Value-Added Agricultural Enhancement Program. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 27 on the Calendar, on Second Reading, appears House Bill 1202. Representative Rutherford. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1202, a Bill for an Act amending the Illinois Development Finance Authority Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 56 of the Calendar, on Second Reading, appears House Bill 2347. Representative Myers. Rich Myers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2347, a Bill for an Act amending the Illinois Controlled Substances Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 31 of the Calendar, appears House Bill 1340. Representative Wojcik. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1340, a Bill for an Act amending the Illinois Act on Aging. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 8 of the Calendar, on Second Reading, appears House Bill 392. Representative Jones. Lou Jones. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 392, a Bill for an Act in relation to pregnant female prisoners. Second Reading of this House

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Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 44 of the Calendar, on Second Reading, appears House Bill 1881. Representative Slone. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1881, a Bill for an Act concerning impact fees. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "For what reason does Representative Hoffman rise? Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Hartke: "She indicates she will."

Hoffman: "Our file shows that there may have been a commitment to hold this in... on Second for an Amendment. Ricca, is that right? Yeah, I don't think... I think it might still be in Rules, so... the Amendment. Or it might not have been introduced, so..."

Speaker Hartke: "Hold that Bill on Second."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 1881."

Clerk Rossi: "House Bill 1881 has been held on the Order of House Bills-Second Reading."

Speaker Hartke: "Read the Bill. Third Reading. On page 26 of the Calendar, appears House Bill 1137. Representative Boland. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1137, a Bill for an Act amending the Election Code. Second Reading of this House Bill. No Committee Amendments."

Speaker Hartke: "Mr. Clerk, take that Bill out of the record. On page 26 of the Calendar, appears House Bill 1138. Representative Boland. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1138, a Bill for an Act concerning advisory questions of public policy. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 6 of the Calendar, appears House Bill 227. Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 227, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments."

Speaker Hartke: "Representative, you have a Floor Amendment in Rules Committee. Would you like to hold it on Second? You have an Amendment in Rules. Would you like to hold the Bill on Second?"

Delgado: "No. Mr. Speaker... "

Speaker Hartke: "Yes."

Delgado: "With all due respect, we would like it to move to Third."

Speaker Hartke: "So, so be done."

Delgado: "Thank you."

Speaker Hartke: "Third Reading. Page 47 of the Calendar, on Second Reading, appears House Bill 1996. Representative Bradley. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1996, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 54 of the Calendar, appears House Bill 2262. Representative Bradley. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2262, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill."

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Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 26 of the Calendar, appears House Bill 1136. Representative Giles. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1136, a Bill for an Act amending the Higher Education Student Assistance Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 47 of the Calendar, appears House Bill 1983. Representative Giles. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1983, a Bill for an Act amending the Illinois Municipal Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 45 of the Calendar, appears House Bill 1900. Representative Fowler. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1900, a Bill for an Act concerning aquaculture. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 45 of the Calendar, appears House Bill 1940. Representative Fowler. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1940, a Bill for an Act regarding respite care. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 2256?"

Clerk Bolin: "House Bill 2256, a Bill for an Act regarding pharmaceuticals. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed. The notes that have been requested have been withdrawn."

Speaker Hartke: "Third Reading. On page 17 of the Calendar, on Second Reading, appears House Bill 733. Representative Woolard. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 733, a Bill for an Act to amend the Illinois Health Facility Planning Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 9 of the Calendar, on Second Reading appears House Bill 416. Representative Woolard. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 416, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 6 of the Calendar, appears House Bill 254. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 254, a Bill for an Act to amend the Wildlife Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 50 of the Calendar, on Second Reading appears House Bill 2087. Representative Erwin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2087, a Bill for an Act to amend the

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Higher Education Student Assistance Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 36 of the Calendar, on Second Reading, appears House Bill 1536. Representative Scully. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1536, a Bill for an Act to amend the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 60... on page 10 of the Calendar, appears House Bill 474. Representative McKeon. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 474, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 64 of the Calendar, appears House Bill 2836. Representative Scully. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2836, a Bill for an Act concerning fireworks advertising. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 44 on the Calendar, on Second Reading appears House Bill 1878. Representative Degold... Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1878, a Bill for an Act to amend the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 43 of the Calendar,

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appears House Bill 1831. Representative McGuire. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1831, a Bill for an Act regarding preventative services administration. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 43 of the Calendar, appears House Bill 1835. Representative McGuire. Mr. Clerk, read the Bill. Excuse me. Take that out of the record. Yeah, it's 1833. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1833, a Bill for an Act concerning preventative services. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 60 of the Calendar, on Second Reading, appears House Bill 2679. Representative Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2679, a Bill for an Act to amend the Property Tax Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 53 of the Calendar, appears House Bill 2206. Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2206, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 22 of the Calendar, appears House Bill 891. Representative Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1891 (sic-891), a Bill for an Act

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concerning commemorative medallions. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 21 of the Calendar, on Second Reading, appears House Bill 851. Representative Burke. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 851, a Bill for an Act amending the State Treasurer Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 47 of the Calendar, appears House Bill 1998. Representative Currie. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1998, a Bill for an Act amending the Child Care Act of 1969. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 62 of the Calendar, on Second Reading, appears House Bill 2761. Representative Currie. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2761, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 28 of the Calendar, appears House Bill 1234. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1234, a Bill for an Act amending the Beer Industry Fair Dealing Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for

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consideration."

Speaker Hartke: "Third Reading. On page 12 of the Calendar, appears House Bill 534. Representative Lopez. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 534, a Bill for an Act amending the School Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. On page 43 of the Calendar, appears House Bill 1823. Representative Lopez."

Clerk Rossi: "House Bill 1823, a Bill for an Act in relation to leave for employees who have sought relief under the Illinois Do... Domestic Violence Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 70 appears House Joint Resolution 2. Mr. Clerk."

Clerk Rossi: "House Joint Resolution #2 offered by Representative Lawfer."

Speaker Hartke: "Representative Lawfer."

Lawfer: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, this Resolution asks that there be money appropriated to the Secretary of State so that there can be a statue for Ronald Reagan and U.S. Grant placed on the capitol grounds. It also provisions that could be local or private support of this. So, I'll be glad to answer any questions."

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

Skinner: "I wonder if the Gentleman would yield?"

Speaker Hartke: "He indicates he may."

Skinner: "Well, what about a statue for Speaker Denny Hastert?"

Lawfer: "I'll be glad to consider that at any time in the

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future."

Skinner: "Well, I think it's certainly justified. We haven't had a lot of Speakers from this state and it shows that some Legislators have upward mobility that serve in the General Assembly."

Lawfer: "You're absolutely right."

Speaker Hartke: "Further discussion? Representative Lawfer asked for favorable consideration of House Joint Resolution 2. All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Joint Resolution 2, there were 111 Members voting 'yes', 0 voting 'no'. And this House Joint Resolution having received a Constitutional Majority is hereby declared passed... is adopted. For what reason does the Gentleman from Cook, Mr. Harris, rise?"

Harris: "Mr. Speaker, my... didn't you record my vote?"

Speaker Hartke: "You would like to be recorded as voting 'aye'?"

Harris: "Yes."

Speaker Hartke: "The record will so reflect in the Journal. On page 67 of the Calendar, appears House Bill 377. Representative Mathias. Would you like to call that Bill on Third Reading? Take it out of the record. On page 68 of the Calendar, appears House Bill 536. Representative Mathias. Would you like to call that Bill on Third Reading? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 536, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you. House Bill 536 makes it illegal to park a vehicle upon a public street, highway or roadway with

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expired registration plates. Today, under current law, it's illegal to operate a vehicle with expired registration plates and this would make it also illegal to park a vehicle. And I would ask for your support of House Bill 536."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Parke. Ladies and Gentlemen, we're on Third Reading. This is final hearing. Let's please give some attention to the speakers."

Parke: "Thank you... "

Speaker Hartke: "Representative Parke."

Parke: "... Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Parke: "What kind of vehicles are we talking about, Representative?"

Mathias: "This would imply... apply to any vehicle licensed in the State of Illinois."

Parke: "Would that be a motorcycle?"

Mathias: "I believe... yes, it would be."

Parke: "Would it be a off-terrain vehicle."

Mathias: "Yes."

Parke: "And it's gonna be... anyone that's... that their license is expired or the registration is expired. What is expired?"

Mathias: "It's the registration of the license plate registration, the yearly sticker."

Parke: "Now, is this out in the rural area that you're talking?"

Mathias: "This would apply anywhere in the State of Illinois upon any public road."

Parke: "Where?"

Mathias: "I say anywhere in the state upon any public road."

Parke: "So if it's parked in someone's driveway, this does not

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apply?"

Mathias: "That is correct."

Parke: "So on any personal property it does not apply."

Mathias: "That is correct."

Parke: "So would if it was parked in the rural area on public property off of a highway?"

Mathias: "I'm sorry. I didn't hear the question."

Parke: "What if it was parked in a county area? Would that apply?"

Mathias: "Yes, it would be... "

Parke: "A township area?"

Mathias: "So long as it... it would only... it would not apply on private property."

Parke: "What are you gonna do with the vehicles?"

Mathias: "I would suggest that people who want to operate them or park them on a public way purchase the sticker."

Parke: "Well, what happens when they're towed? Who's gonna tow 'em?"

Mathias: "Well, that would be up to the jurisdiction in which the automobile is illegally parked."

Parke: "Who... Is there gonna be a fine?"

Mathias: "It would be the same fine as currently would be in place of for operating illegally."

Parke: "So you're gonna have a fine and you're gonna have a towing charge."

Mathias: "Yes, there wou... well, only if the municipality or the jurisdiction tows the vehicle. It may just be ticketed."

Parke: "How long would those vehicles have to be abandoned before... what happens if I'm driving along and I have a blowout and I don't have a spare and I try to go to a store down the road, but what if I'm gone just two hours?"

Mathias: "Again, I would suggest if you're going to operate your

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vehicle or park it, that you have current registration plates on your automobile."

Parke: "So if it's current, it doesn't really apply. It doesn't matter as long as it's... "

Mathias: "No. If it's current it does... obviously, it doesn't apply."

Parke: "Okay. Thank you."

Mathias: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. Representative Black, this is on Short Debate."

Black: "Well, Mr. Speaker, I'm joined by the requisite number per the of... under the applicable rule to remove this Bill from Short Debate. It's a travesty that it ever got on Short Debate in the first place."

Speaker Hartke: "Yes, I recognize the numbers. This Bill... "

Black: "Thank you."

Speaker Hartke: "... is off of Short Debate. Representative Black."

Black: "Thank you very much. Representative, you live in the community of Buffalo Grove, if memory serves me correctly. Is that it?"

Mathias: "That is correct."

Black: "Are all of your streets paved?"

Mathias: "Yes."

Black: "How big a town is Buffalo Grove?"

Mathias: "It has a population of over 43,000."

Black: "Forty-three thousand. You don't say. And all your streets are paved. What county is that city located in?"

Mathias: "That city is located in two counties, both Cook County and Lake County."

Black: "It's so big it takes two counties. I'll be darned. Do

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you have any shade-tree mechanics in your... your fair community?"

Mathias: "I'm sorry, I didn't hear that."

Black: "Do you have any shade-tree mechanics in Buffalo Grove?"

Mathias: "Actually, I... I actually have not taken an inventory, so I cannot answer that question."

Black: "Do you... do you know what a shade-tree mechanic is?"

Mathias: "No, I'm sorry, I don't."

Black: "I didn't think so. Now, down where I come from a shade-tree mechanic is someone who might own three or four automobiles and we cannibalize them to keep at least one of them running. So we park three or four vehicles and then take various parts off, as I indicated, to try and keep one of them running. Now, in a rural area where it might be a dirt road, and I... you... you don't have any of those, I have... I have several miles. I guess, technically, it would meet the definition of a township road, although residents would refute, because it's such a bad road many of 'em don't think that they're being treated fairly, but that's another issue. So if I understand you correctly, now this is a dirt road, no gutter, no curb, no sidewalk, might be just a gentle slope from my property down to said road. So I pull my car about half and half. I've got the left two wheels out on this gravel road and the right two wheels up on my front yard and I'm working on that car. And along comes a deputy sheriff and we don't have many of those in rural areas, either, but along comes a deputy sheriff and he sees lo and behold, the registration sticker on the car that I am removing the alternator is expired. So he comes up to me... he comes up to me and he says, 'Bill, that... I'm gonna have to give you a ticket for 75 bucks.' And I explain to him, 'Mr. deputy sheriff, if

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you'll just look around, I... I'm just... I've got this up on... on the side of the road and on my yard and in that way the little drainage ditch allows me to crawl underneath it and I... I can take the parts off the car. Now, the car I'm trying to fix is in my driveway and the two or three other cars that I've already cannibalized are also in or around my driveway.' A couple of pickup trucks, absolutely. So I'm taking the... well, let's just say that all I'm doing, when the deputy comes up, I'm moving the gun rack from the pickup truck, that's half on the road, I want to move the gun rack to the pickup truck that's in my driveway. And I'm gonna be fined \$75. What's my... I mean, it's only half on the road and I question whether it's really a public roadway to begin with. And that's... from your Bill, I don't have any defense. I... I'm guilty?"

Speaker Hartke: "Excuse me. Representative Turner. Speaker Turner in the Chair. Proceed."

Black: "Well, he's not there to save you, Representative. I still want an answer."

Mathias: "I know, I..."

Black: "He doesn't know anything about township roads, I'll guarantee you that."

Mathias: "I... I assume as with any other ordinances or statutes we have in the State of Illinois, it's still within the discretion of the officer whether or not to give you a ticket or a warning. And I have the feeling that since he's already called you by your first name, he probably knows you and he, I'm sure, would only give you a warning."

Black: "Well... "

Mathias: "And have you purchase... "

Black: "I would hope."

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Mathias: "... the legal sticker."

Black: "I would hope. Most of us downstate are probably related in one way or the other. But, the issue... Can you tell me, in your Bill, where it specifically states that the officer has the choice? I thought your Bill said, 'shall issue a ticket', not 'may'. Is it... Am I wrong? Did I read that incorrectly?"

Mathias: "I don't believe that the Bill says that the officer shall issue a ticket. It basically states that you cannot park your vehicle with expired plates. It's always up to an officer to enforce any laws of the State of Illinois with discretion. So it doesn't say in the Bill that the officer 'must' give you a ticket."

Black: "So it... it would be your opinion that the Bill is silent on the question of... of officers' discretion?"

Mathias: "That is correct."

Black: "Well, if... if the officer has discretion and discretion being the better part of valor, why do we need the Bill?"

Mathias: "Well, because without the Bill the officer would have no discretion. He would not be able to issue a citation at all."

Black: "See, that's what I don't understand. If I... if I am out of compliance with my registration sticker on the back of my license plate, I'm violating the law."

Mathias: "Not under this Bill."

Black: "So can't he give me a ticket... already, under existing law?"

Mathias: "I don't believe so. I believe that's the purpose of this law."

Black: "Well, if what you say is true, then if I didn't park my car, if I just drove it constantly, then I couldn't get a ticket."

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Mathias: "No, that's not correct."

Black: "Ahhh. See."

Mathias: "Cause the existing law already states... "

Black: "See, there is more to it."

Mathias: "Yes."

Black: "So, in other words, under existing law if I... if I'm driving my vehicle... "

Mathias: "Yes."

Black: "... then I could be... get a ticket."

Mathias: "That's correct."

Black: "All right. Now, I'm... I knew... I'm related to an environmentalist and we don't drive our vehicles anymore than we... than we have to because we want to save Ethanol. So, if I park my car and I'm waiting to... for payday to get my sticker, now the very fact that I park my vehicle gives me a ticket. So what you're encouraging me to do is not park it, but to drive it."

Mathias: "No, I'm encouraging you to purchase the stickers, so that we can obtain more revenue for the State of Illinois."

Black: "You know, that's an interesting concept, Representative. What does the Secretary of State Police do? I see them driving around in vehicles and I've never really known what they do. I... I've never... never had reason to talk to any of them. What do they do? I... "

Mathias: "I actually have not had no reason to talk to 'em either, so I... I'm in the same situation as you are."

Black: "Well, if... if I don't renew my registration sticker, surely somewhere in the Secretary of State's Offices, as mammoth as they are, a computer would go off and tell someone in the Secretary of State's Office that I didn't renew my sticker. I mean, surely somebody knows that, right?"

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Mathias: "I'm sure they do."

Black: "All right. Why couldn't they send a Secretary of State's Police Officer out to remind me that I'm derelict in my civic responsibility?"

Mathias: "Well, unfortunately, and I don't have the statistics, but I know there a number of citizens in the state that don't purchase their vehicle's registration tickets each year and because of that I'm sure they would have to hire substantially more officers to enforce that. That's why under this Bill any officer in the State of Illinois can issue such a ticket."

Black: "Well, I think I see what you're trying to get to and obviously, we all should follow the law. Let me give you another supposition. I... didn't spend any time in Buffalo Grove when I was a teenager, but on occasion... on occasion in my area, we go out... most of our movie theaters have closed long ago. So we... we go out and we drive around and then we may stop the car on the side of the road to discuss various homework equations that were given to us in high school that day. And unbeknownst to me, my vehicle registration sticker is expired. So I'm parked along side of a road talking with a friend of mine about high school matters. Now, I'm subject to a... an action by a police officer?"

Mathias: "That's correct. He could, of course, wait until you move the car and then pull you over under existing law for operating illegally... "

Black: "Well, he... "

Mathias: "Now, under this law, he doesn't have to take the time to wait, he could just give you a ticket for parking there."

Black: "It depends on whether he was a kind officer and

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remembered what it was like when he was young and I have no guarantee that those officers are still out there. Well, Representative, I... I've... looked at the Bill and I'm not sure I really understand what we're attempting to do. I mean, you know, you're either... you're either in compliance with the law or you're not. So what your Bill says is that if I park my cars, vehicles and pickup trucks on my front yard, I... don't have to bother about registration stickers, correct?"

Mathias: "That's correct."

Black: "All right. Now, if I move to Buffalo Grove, bring up my three... pickup trucks, my old Nash Rambler and I'm trying to restore a '53 Studebaker and I bring those up and I park 'em in my front yard in Buffalo Grove, is that gonna be all right with you?"

Mathias: "So long as it meets our local ordinances, of course."

Black: "Ahhh. And what might those local ordinances be?"

Mathias: "Well, they may have some local ordinances, which I don't have the number at present, that may limit the number of automobiles that you can park on your driveway."

Black: "Well, I... all right, Representative. Mr. Speaker and Ladies and Gentlemen of the House, one of the things that I've noticed over the years is that we get a number of young, eager, elected fresh people who come in here and in their first term are bound and determined to make a name for themselves. And I'll guarantee you if this Bill passes, the name of Sid Mathias will be known throughout downstate Illinois as an individual who has no patience with those who are trying to keep body and soul together by keeping at least one pickup truck running and refusing and being totally unwilling to amend his Bill and allow us the common courtesy of parking our vehicle on a street... on a

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street where we live and in my case, maybe a township road, maybe gravel, so that we can work on that vehicle. I mean, why would any of you want to renew a license registration sticker on a vehicle that is inoperable? That doesn't make any sense. All I'm asking for, if the Gentleman would amend the Bill, if my vehicle is inoperable and I'm working on it, as many shade-tree mechanics do, I'm trying to get it back on the road as best I can and I'm taking parts out and I'm putting parts in. When I get the vehicle running, then I should have the opportunity to renew the vehicle license sticker and I would do so, as any good citizen would. But oh no, oh no, not Representative Mathias. Absolutely no willingness to amend the Bill. Absolutely no willingness whatsoever to recognize some fundamental differences between his fair community of Buffalo Grove and mine of Vermilion Grove. It's not fair. I hate to raise the specter of regionalism here, but I would say this, until Representative Mathias has travelled in my district, in my shoes and talked to my constituents and helped us try to get our vehicles running, how dare the man tell us that we cannot park our vehicles on our own street, while we are attempting to work on that vehicle. I know what he's up to. I know what he's up to. I hope we send him a message. This is not... this is not what we're here for. It's not what we're supposed to do. I'm hurt. I'm somewhat shocked and quite frankly appalled at the Gentleman's unwillingness to amend this Bill, to make it more user friendly. I urge a 'no' vote."

Speaker Turner, A.: "The Gentleman from Cook, Representative Lang."

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

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Speaker Turner, A.: "He indicates he will."

Lang: "Representative, I think we all need to make something clear here. Is this your first Bill?"

Mathias: "Yes, it is."

Lang: "And... speak into the microphone, Sir."

Mathias: "Yes, it is."

Lang: "We'd all like to hear you. I know Mr. Black has probably frightened the wits out of you, but... This is your first Bill?"

Mathias: "That is correct."

Lang: "And correct me if I'm wrong, but you're also the first freshman to have a Bill this year, are you not?"

Mathias: "To my knowledge, that's probably correct."

Lang: "Yeah. Do you know that there's another freshman here, Representative Franks, that wants to paint these cars orange?"

Mathias: "No, I didn't know that."

Lang: "How wo... how would you feel, instead of making it illegal to park on the street, if we just painted the cars and maybe the drivers orange? How would you feel about that?"

Mathias: "I'll... I'll consider that."

Lang: "Maybe orange is not a good color in Buffalo Grove. Maybe we should pick a different color. Now, Representative, it says that 'no person shall park a vehicle with expired plates or expired stickers on the streets of any city.' Let's pick Buffalo Grove. My sister lives in Buffalo Grove."

Mathias: "A wise choice."

Lang: "So... so let's assume that she has an... an expired sticker. Is she suppose to fold that vehicle up and put it in her pocket and take it in the house?"

Mathias: "No."

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Lang: "What's she suppose to do with that car?"

Mathias: "She should go to the Secretary of State's Office and purchase a... valid sticker."

Lang: "And what if, while she's driving that vehicle there, she gets stopped? Can you also not drive a vehicle on the public streets in the State of Illinois with an expired sticker?"

Mathias: "That's the current law."

Lang: "Well, what are 'ya suppose to do with the car in the meantime?"

Mathias: "I suppose you should try and purchase that sticker before it expires."

Lang: "Well, I'm concerned also about the discrimination here. So you talk about expired stickers, but you don't talk about expired bumper stickers. Let's assume that... that my opponent in the last election, left... left his vehicle on a public street in Rogers Park, near where I live, with his expired bumper sticker on his car. Does that count?"

Mathias: "No, it does not."

Lang: "Why not?"

Mathias: "I... I did not cover that under the law."

Lang: "Well, it seems to me, Representative, that you don't have a good Bill, here. If you're going to talk about stickers on vehicles, then why don't we talk about all stickers on vehicles?"

Mathias: "Because the current law only applies to the stickers on the license plate and I'm just amending the current law."

Lang: "Isn't it not already a ordinance violation... He doesn't need any help, Representative. Isn't the... you need a whole cadre of staff around you, apparently. Represe... I'm over here, Representative."

Mathias: "I don't see any staff around me."

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Lang: "Representative, isn't it already an ordinance violation in your municipality where you are or were mayor, I can't remember the timing, to... have a... an expired vehicle sticker from the Village of Buffalo Grove on their vehicle?"

Mathias: "From the Village of Buffalo Grove, that's correct."

Lang: "Well, this al... this re... this... oh, this doesn't deal with window stickers from your village?"

Mathias: "That's correct. It only applies to state registration plates and stickers."

Lang: "Have you cleared this through the Secretary of State?"

Mathias: "Yes. I did talk to their office and they were in support of this."

Lang: "Now, have you talked to Mr. White, personally? I know he's concerned about the stickers."

Mathias: "No, I did not talk to... Mr. White, personally."

Lang: "Well, then how can you be so darn sure that their office is okay with this Bill? What if... what if, because of your Bill, thousands of people park their cars in Indiana and walk home? It would serve state... sure save the Road Fund some money, wouldn't it?"

Mathias: "Well, it probably would make them healthier."

Lang: "What about trucks? Does this involve trucks, as well?"

Mathias: "Yes, it does."

Lang: "Have you checked this with the Illinois Transportation Association to get their view on this?"

Mathias: "No, I did not."

Lang: "Do you... do you... the Illinois Truckers... any... any group that lobbies for an individual that drive trucks, the Teamsters?"

Mathias: "None of... none of them have filed any opposition to the Bill."

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Lang: "Well, maybe none of them are aware of this Bill. Hasn't hit the front page of my paper. So... "

Mathias: "It has in Buffalo Grove."

Lang: "Perhaps you should move this back to Second... It has in Buffalo Grove, really. It's a sleepy little community. So if... wouldn't you like to move this Bill back to Second Reading and hold it for an Amendment from any of these dissident groups that may be having a problem with it?"

Mathias: "No, not at this time."

Lang: "Who makes these stickers, Representative, that we put on these plates?"

Mathias: "I'm not sure. I would have to check with the Secretary of State."

Lang: "Is it possible that you're here doing their bidding to make sure that they sell those darn stickers to put on those things?"

Mathias: "Well, I think that everyone should purchase a sticker, but not because of who makes the stickers, but because it's the law."

Lang: "So you're not... you're not in cahoots with anybody that makes those stickers to make sure they're purchased?"

Mathias: "No, I am not."

Lang: "Or... or the people that make the adhesive on the backside of that?"

Mathias: "No, I am not."

Lang: "Because, you know, some of those things fall off the car, don't they?"

Mathias: "Sometimes they do."

Lang: "Don't you think it would be a better service to the State of Illinois, if you passed a Bill requiring those darn things to actually stay on the plate?"

Mathias: "That's something to consider."

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Lang: "All right. Well, I would think you would want to move this Bill back to Second Reading to deal with that and the deal of those bumper stickers because they are more of a blight on my neighborhood, believe me, especially my opponent's bumper stickers, then these cars that are just sitting there. Particularly, the ones in Mr. Black's community where his neighbors, seemingly, have nothing to do all day but sit around and fix their cars. It's apparently what I got from Mr. Black's comments. I'm not prepared to vote for this Bill, yet, Representative, but perhaps others will enlighten me. Thank you."

Mathias: "Thank you."

Speaker Turner, A.: "The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. First of all, an announcement to Representative Black. The family reunion will be in Pierron this year. And all downstaters, of course, being related are welcome. Representative, I wonder if the Gentleman will yield for a question?"

Mathias: "Yes."

Speaker Turner, A.: "He indicates he will."

Stephens: "Representative, can you pronounce the word that is spelled v-e-h-i-c-l-e?"

Mathias: "I... I'm sorry, where is that in the Bill?"

Stephens: "I... I don't have the Bill in front of me, Representative, but let's just... I... I'll speak slower. V-e-h-i-c-l-e."

Mathias: "I'm not a were... not aware of such a word."

Stephens: "It's a sort of an automobi... automobile. Another word... "

Mathias: "Vehicle... vehicle."

Stephens: "Say it again."

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Mathias: "Vehicle."

Stephens: "You pronounce... "

Mathias: "I'm sorry. Did you say 'b' or 'v'?"

Stephens: "Vehicle, is that what you're... "

Mathias: "Oh, vehicle."

Stephens: "Is that what you're saying?"

Mathias: "Yes."

Stephens: "Therein lies the problem, Representative. The pronunciation is vehicle, vehicle. That's because you haven't been downstate, the byways and highways of Southern Illinois, where we drive our vehicles. So first of all, you've got a... a language problem with your Bill. Secondly, I was talking to the former Representative from your area, Representative Clayton, just last week. She called me about this Bill. She urged me, in the strongest terms, she said, 'Ron, I served in the Legislature for six years. One part of my agenda that I did not accomplish, one thing I left undone, I am so concerned in our hometown of Buffalo Grove that someone may drive into our town with an expired vehicle plate, park their car somewhere and leave it for a moment.' She said, 'Ron, I wonder if you would address that fine piece of Legislation.' And I said, 'Well, what is it concerning?' She said, 'Ron, it's about vehicles.' Now, she knew, Representative, she learned in the few short years that she was here to bridge the communication gap. And I... I just think, Representative, I have all the respect for you in the world. I... I think you were a fine mayor. I followed your career with a great deal of interest. There's not a lot to do in Southern Illinois, as you know. And I wondered whether you were gonna pick up on the... the leftover agenda from the former Representative. I think in the... in a sense of history of

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this fine Body that we should consider Verna Clayton's agenda. Personally, I think she got just enough done, as it was. Maybe, we should just call it quits on the parking your Vehicle Limitation Act that you were trying to impose upon all of us poor Southern Illinois boys. So with a... with a spirit of... of communication, with a spirit of understanding each other's district, I hope that my brothers and sisters will rise in opposition to your Bill, with all due respect to the memory of Verna Clayton."

Speaker Turner, A.: "The Gentleman from Madison, Representative Davis. For what reason do you rise?"

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

Mathias: "Yes."

Speaker Turner, A.: "He indicates he will."

Davis, S.: "I do have a couple of serious questions for the Sponsor. Oh, oh. Does your Bill include boat trailers and boats parked on the streets and do they have expiration stickers and expiration dates and will they be towed, also under this Bill?"

Mathias: "It... that's a good question. It... it applies to motor vehicles... I cannot tell you, at this time, if it applies to boat trailers."

Davis, S.: "What was that, Representative?"

Mathias: "I am not sure if it applies to boat trailers."

Davis, S.: "Let me say this, Representative. I was a highway commissioner, at one point in time. And the normal right-of-way of public property is a 50 foot wide right-of-way and the normal street width is 26 feet. It leaves about a 12 foot strip between the pavement and the property line. Now, under your Bill, will people with expired plates be able to park on the right-of-way in

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between the pavement and their property line or is it only for vehicles that are... or vehicles that are parked on the pavement?"

Mathias: "It would have to be parked upon the public street or highway. Not on the right-of-way, but on the public street or highway."

Davis, S.: "So you could pull your car off of the pavement and onto the public right-of-way and still have expired tags and still be able to drive that vehicle."

Mathias: "The Bill only applies to public streets, highways, or roadways."

Davis, S.: "Not the right-of-way?"

Mathias: "That's correct."

Davis, S.: "I have another serious question for you, Representative. What about somebody who has a car or a truck for sale and they park it in front of their home and they want to sell this car or truck. They haven't driven it in three months, four months, five months or six months. They haven't been able to find anybody to buy it, but it's still for sale. And it has a For Sale sign on it, but yet they don't want to go out and spend another \$48 to pay for their renewal of their tag. Legitimately, yet under this Bill their car will end up being towed and they will end up being fined."

Mathias: "They should park their car then on their own property."

Davis, S.: "Or on the right-of-way, which is also public property."

Mathias: "That's correct."

Davis, S.: "So they can park it either on public property or on their... their property, but they can't park it on the gravel."

Mathias: "If it... "

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Davis, S.: "On gravel road."

Mathias: "If the gravel is part of the public road, that's correct."

Davis, S.: "Can you tell me what the penalty is for a moving violation if you're driving your automobile with expired plates on there?"

Mathias: "I believe that would be within the discretion of the judge that's hearing the case."

Davis, S.: "There's no minimum fine?"

Mathias: "I don't believe there's a minimum fine."

Davis, S.: "The fine... "

Mathias: "It may be \$75, but I can... I... I'm not positive of that, actually, is a minimum fine."

Davis, S.: "Now, the fine money... the fine money that is going to be generated from these expired vehicles, where does that... where does the fine money go? Do they go... does it go to the county, to the state or to the individual muni... municipalities?"

Mathias: "It... it may go into the... into the Road Fund."

Davis, S.: "It 'may' or it 'will' or... Is that addressed in your Bill?"

Mathias: "It's not addressed in my Bill. It would go according to the same way where a Bill... where a fine would go for just operating a motor vehicle on a... without a current registration."

Davis, S.: "Well, it seems like that we should know where the fine money's gonna go, before we vote on this Bill, wouldn't you think?"

Mathias: "It'll go... yeah, it'll... it... as it's written, it would go in the same way as a fine for operating a vehicle. So since that... this Body has passed that law, previously, the fines would go in the same fund."

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Davis, S.: "And which fund would that be, Representative?"

Mathias: "I'm not sure at this time."

Davis, S.: "Well, it appears, Representative, that this Bill needs a little more work and you need a few more answers, so I would urge our colleagues to vote 'no'. Thank you."

Speaker Turner, A.: "The Gentleman from Winnebago, Representative Winters."

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

Speaker Turner, A.: "He indicates he will."

Mathias: "Yes."

Winters: "Representative Mathias, I am very disturbed by this Bill. It... it turns out that I have not a hypothetical, but a real situation in my home district. My church is sponsoring a foreign family and as a method of raising some funds for these people, we're having an auction this spring. We're asking for antiques to be donated and I'm looking through my... my farm and different things are squirrelled away in different sheds. Now, we happen to have a sleigh. A one-horse sleigh in one of the buildings that we wanted to donate. Now, that is a vehicle. If we park that on the roadway in front of the church, will we be in danger of being fined by the state when we're actually, just trying to raise some money for a good cause."

Mathias: "If it's a type of vehicle that must be registered, then if you park it on the public way in front of the church, you could be fined."

Winters: "So, you're telling me that a horse-drawn sleigh is a registered vehicle and we should have a license on that?"

Mathias: "No. I'm not... we're... This Bill does not add any additional categories to the existing category of what a vehicle is."

Winters: "Can you give me a direct answer on whether or not that

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sleigh needs a license, then?"

Mathias: "I don't believe it does."

Winters: "Okay. Well, we'll take... we'll take that under advisement and I hope, in fact, that you're correct. Now, I also have a... an old military truck, a 1949 Dodge Power Wagon. Now, this truck hasn't run in about 20 years. Before we put it into the shed, the engine was seized, the back bed was made out of oak boards and that was kind of rotted through, there were grape vines growing through the windows, kind of a pretty ugly looking truck. But this is also the 50th anniversary of that Dodge Power Wagon. And the Dodge Corporation, which has an assembly plant near my district, is very proud of the fact that the Dodge Power Wagon has been completely revamped. They have an entirely new model coming out this year, so we think that this 50-year-old-example of a wonderful farm truck will be an excellent thing to advertise for our auction. And for a little bit of extra publicity we'd like to park that on the roadway in front of the church, for maybe a day before the auction. Again, are we... are we in the position that we would be running the risk of a \$75 ticket, simply because we don't have a current registration sticker on that vehicle?"

Mathias: "Well, again, if you move it to the property, you wouldn't have any prop... problem with this, only if you leave it on a public roadway in front of the church."

Winters: "Well, but in our case, that is probably the only place that we can leave it that will make it visible for 24 hours. Do you have any provision for a bypass of this law? A permit that you might receive from your local police department or in my case, from the county sheriff, since we're not in a municipality."

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Mathias: "No. The law doesn't have that provision, the proposed Bill."

Winters: "In other words, you're telling me that the way you drafted this legislation is completely inflexible. There is no way around it. You have nailed down every possible loophole and there is no way to get around this legislation?"

Mathias: "Well, in order to have moved that vehicle to the church, you would have had to operate it, which means you have already... it would have already been illegal to get it to the church on time."

Winters: "Well now, we can get things moved on the roadway. I don't think, in your district, Mr. Mathias, you have too many things called tractors. But we have tractors. We have log chains and if you have a big enough tractor, you can haul just about anything down the road. If the wheels turn, it will roll. If the wheels don't turn, we simply drag them. So I think we can get this truck in front of the church to park it for public display, but we, according to you, we still are in danger of getting a ticket."

Mathias: "That is correct."

Winters: "Okay. Now, I want one other line of inquiry. You understand that we can have no legislation here that would benefit us financially, personally, ourselves. That correct?"

Mathias: "That's correct."

Winters: "So that if you have a Bill that might lead to your financial benefit, you should withdraw tha... withdraw that Bill and take no further action. Is that correct?"

Mathias: "Sure."

Winters: "Okay. Now, this is a real happening... a real instance of, what I think, would be an improper financial angle that

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you might have on this Bill. Last week, my roommate, we share a condominium out on the west side of Springfield, here, we needed our garage door replaced. And to have enough room inside the garage to work on that his 1955 Chevy convertible had to be removed from the garage and stored outside on the public parkway while the garage door was being replaced. Now, if during the time when this was out on the roadway, a City of Springfield, one of the fine men in blue had come by, he could have ticketed that car. Is that correct?"

Mathias: "That's correct."

Winters: "Now, if he tickets the car, a \$75 ticket, and my roommate, former Representative Churchill, decided not to pay the ticket, could that car be impounded by the city?"

Mathias: "Yes."

Winters: "Okay. Now, we now have this... this wonderful old antique being impounded by the City of Springfield for a \$75 ticket just to replace a garage door. It now becomes the property of the city, if he refuses to pay the ticket. With your intimate knowledge of local government, your ties to other mayors around the state, would you have an inside track on getting possession of that 1955 Chevy car?"

Mathias: "No, if it... No, I would not."

Winters: "You've never met Mayor Hasara?"

Mathias: "I've never what?"

Winters: "Have you ever met Mayor Hasara here of the City of Springfield?"

Mathias: "No, I have not."

Winters: "You have not. But I... imagine that as a former Mayor of Buffalo Grove, you could approach the Mayor of the City of Springfield and asked for, at least, advance notice of when this car might go up for auction."

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Mathias: "I assume that's public record."

Winters: "Okay. So you now have opportunity of gaining access to this wonderful old 1955 car, simply because the legislation that you sponsored resulted in its being forfeited to the City of Chicago (sic-Springfield)."

Mathias: "I will pledge to you that I will not be at that auction."

Winters: "That relieves me and really makes me very happy that you're showing a little bit of inflexibility, if not in the legislation, at least, in a personal pledge. Thank you."

Mathias: "Thank you."

Speaker Turner, A.: "Seeing no further questions, Representative Mathias to close."

Mathias: "I urge my fellow colleagues to support House Bill 536. And request a 'yes' vote. Thank you."

Speaker Turner, A.: "The question is, 'Shall House Bill 536 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk... Repre... The Gentleman from Kendall, Representative Cross. For what re... "

Cross: "I won... I wonder if perhaps the Sponsor would hold this on Fourth Reading and we can maybe renegotiate at that point. If he could answer that."

Speaker Turner, A.: "Have all voted who wish? The Clerk shall take the roll. That a little fast? On this question, there are 103 voting 'aye', 5 voting 'no', 3 voting 'present'. And this Bill having received the Constitutional Majority is hereby declared passed. Is that too fast? On the Order of Second Readings, page 49 of the Calendar, we have House Bill 2034. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 2034, a Bill for an Act amending the Illinois Farm Development Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. We're on Second Reading, page 23. We have House Bill 923. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 923, a Bill for an Act amending the Illinois Public Aid Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, page 12, we have House Bill 530. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 530, a Bill for an Act relating to political solicitations and contributions. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, page 39, we have House Bill 1707. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1707, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. The state mandates note that was requested on the Bill has been withdrawn."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, page 25, we have House Bill 1105. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1105, a Bill for an Act amending the Civil Administrative Code of Illinois. Second Reading of

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this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, we have House Bill 2314. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2314, a Bill for an Act in relation to economic development. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, page 18, we have House Bill 758. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 758, a Bill for an Act amending the Election Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, page 21, we have House Bill 845. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 845, a Bill for an Act amending the Sanitary District Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, page 30, we have House Bill 1276. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1276, a Bill for an Act amending the Illinois Municipal Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner, A.: "Third Reading. On page 65 of the Calendar, we have Third Readings. House Bill 129. I'm sorry. Mr. Clerk, what's the status of that Bill? On Third Readings, we have House Bill 1... House Bill 230 on page 65. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 230, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Representative Bassi."

Bassi: "Yes, Mr. Speaker. This is a Bill that would allow individual school districts to establish their own charter schools."

Speaker Turner, A.: "Are there any questions? The Gentleman from Madison, Representative Hoffman."

Hoffman: "Will the... will the Sponsor yield?"

Speaker Turner, A.: "She indicates she will."

Hoffman: "Where's she at?"

Bassi: "You have to look over here, Jay."

Hoffman: "Okay. Representative, local school districts could have their own charter schools, is that all this Bill does?"

Bassi: "Yes, Sir. It is... it goes to the original intent of the Bill, which was to allow anyone to establish a charter school. And so what this does, is allows school districts to establish their own."

Hoffman: "But right now, Representative, certain local school districts or all local school districts have to comply with certain requirements of the State Board of Education. Is that right?"

Bassi: "Yes."

Hoffman: "And now, they could, I assume, under current law, they would be able to apply for mandate waivers and we can either grant that, not grant it, state board can grant it

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or not grant it."

Bassi: "Correct."

Hoffman: "Are you aware of that?"

Bassi: "Yes."

Hoffman: "How would this work with regard to that?"

Bassi: "Okay, let me give you an example. There is a school district in Schaumburg, District 54, which is, at the moment, trying to establish a, what is called, a school of choice. In order to set that school up, they are going to have to go through several waiver processes in order to get the school established. In lieu of that, they could establish their own charter school which would, in effect, allow them ei... some additional changes that they could do; perhaps, a longer school year, a different school day, a different school time, that would be easier to get through other than the waiver process."

Hoffman: "Well, I guess my problem with this is, as I understand when we initially passed the charter school Bill ... "

Bassi: "Uh huh."

Hoffman: "... and it... I'm not talking just simply... simply because this is your first Bill. I'm not trying to mess with you. I have some serious concerns about this Bill. Right now, under Illinois law, we have certain requirements that must be met with regard to all school districts in the state. And if we al... we begin to allow them all to become charter schools, essentially, all those mandates are gonna go out the window. Now, some would say, we shouldn't have any mandates. But there are certain minimum requirements that I think should be required with regard to all elementary, secondary school districts that are indeed, state school districts. Don't you agree?"

Bassi: "Absolutely. However, what this does, is allow school

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districts to establish no more than one charter school per district. So it would not allow them to blanket change their in... schools to a charters schools system. It would mean that they could use one portion of a school or one set-up... one single school as a charter school, probably at an experimental process, or an interschool agreement. For instance, there are three school districts up in my area who are interested in coming together for a... to form an alternative high school situation which this would allow them to do."

Hoffman: "Who's for this and who's against it?"

Bassi: "We have the... almost everybody for it and at this point, there are no opponents."

Hoffman: "What's the position of the sta... Well, there were eight people in committee who were against it, so... What's the position of the state... the State Board of Education?"

Bassi: "State Board of Education... The proponents are the Statewide School of Management Alliance, the State Board of Education, ED-RED, LUDA, the South Cook Organization, the High School District Association, the Legislative Education Network of... DuPage, School Districts 202 and 211 and the IFT is now neutral."

Hoffman: "What about the Illinois Education Association? What's their position?"

Bassi: "They're in... they are in favor of it."

Hoffman: "They're in favor of it?"

Bassi: "Ah... beg your pardon. They are in neutral. Excuse me."

Hoffman: "They are neutral?"

Bassi: "They are neutral."

Hoffman: "Okay."

Bassi: "Beg your pardon."

Hoffman: "Well, I understand the intent of... of the legislation,

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but I just think the people on this side of the aisle should understand that what we're... essentially allowing here is school districts to get by some of the provisions that we have passed over the years to insure good quality education for our students. I voted for the ultimate charter school Bill and it was two or three, four years ago, and I understand that we're having trouble getting some of these things off the ground. But still, I don't think that we want to go around and say that traditional school districts in this state now can all become charter schools. And I understand there are some limitations, but where do we go from here? If one school district gets it, then the next is going to want it. Not every school district is a unit school district, which I think you are talking about. Some school districts are just elementary districts that may only have one school, so in essence we would allow that entire district to be a charter school. And I don't think that was the intent of us when we voted for the charter school legislation a few years ago. Therefore, I'm going to vote 'no' and I would hope that some of my colleagues who believe that it's important to maintain a good quality public education with certain fundamental standards would vote 'no', also."

Bassi: "May I respond to that?"

Speaker Turner, A.: "Yes, you may."

Bassi: "Okay."

Hoffman: "No, you... no, you can't. Yeah, you can."

Bassi: "Okay, Representative. I... what happens with this particular Bill, is not that it allows in... a blatant changing into the charter school system. What it does, as of current law, there are 15 allowed in the City of Chicago, which is what you guys in your ultimate wisdom

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allowed, they are currently functioning quite well. There are 15 allowed in the suburban area and 15 downstate. There are only two that have been granted in the suburban area. There are two or three existing in the rest of the state. This would allow us to come up to the number of 15 in each of the additional regions with it... without taking one penny away from the school districts themselves. This allows the school district to establish their own charters. Other questions?"

Speaker Turner, A.: "I'll do that. I'll do that, Representative. The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Let's face it, folks, we passed the charter school Bill in this state and it's been a rip roarin' failure. There are 2,000 charter schools in the United States of America and I think, Illinois has 13. The reason why we have not been successful is because most of the nation has charter schools through their school districts. These are experimental programs where they void one or two of the state rules to allow a school district to have an experiment within the school district. We are one of the only states in the United States of America that doesn't allow our school districts to experiment like this. This Bill is gonna allow what they call conversion schools. In which you take the top four of your high school and you turn it into a computer school. Or you take an elementary school and you turn it into a latch-key school. You allow your school districts the flexibility to experiment inside the school district. This will open up the process. This will open up the experimentation. This will allow Illinois to move ahead. Under the present structure, we're gonna continue to wallow. We're gonna continue to have charter schools that are... are hostile to the local school

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district. We're still gonna put the State Board of Education into a very difficult position of choosing the local charter over the school district. This is a common sense approach which has been used virtually across the nation to create success within this mot... movement. If we don't do this, we're gonna continue to wallow in charter school reform that really is no reform at all. I would strongly urge you to vote for this Bill, even though it is a freshman Bill, and if you want to turn the thing around backwards, maybe that would help... you know, but yeah, I guess you don't want to. But this is a good idea and even though she is a freshman, I think we ought to vote for it."

Speaker Turner, A.: "The Gentleman from Winnebago, Representative Winters."

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

Speaker Turner, A.: "She indicates she will."

Winters: "As I try to find out where she is in the chamber."

Speaker Turner, A.: "She's over on the left."

Winters: "Ah. Very... very good. Some of these freshman, you really don't know where they're sitting yet. Representative Bassi, this... this Bill, as I understand it, basically limits any school district in the state to a maximum of one charter. Is that correct?"

Bassi: "Correct."

Winters: "How do you reconcile this with the original scartered... charter school Bill which allowed the Chicago Public Schools to have 15 charter schools?"

Bassi: "That was your decision... decision, Representative."

Winters: "I'm... I'm sorry. Can you speak up?"

Bassi: "Yeah. I... Yep. That was your decision in... because in your unlimited wisdom what you did was to say that the Chicago Public Schools could have 15 and that out state

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could have 15 in suburban area and 15 downstate. So this does not change what you originally set up. It simply allows other schools in the state to be able to do the same thing that you originally allowed Chicago schools to do."

Winters: "Well, in fact, it does exactly the opposite to what you just said. It does not allow any other district, other than Chicago, to have more than one. Now, part of my district is in the Rockford Public School District."

Bassi: "Okay."

Winters: "They have 50 different buildings, over 40 elementary schools plus a numerous number of middle schools and high schools. As Representative Hoeft pointed out, the idea of the charter school law is to allow school districts to experiment, to try to find a model that will attract the students, that will get them there, increase the student attendance rate, offer specialized programs that may appeal to one segment of the student body, but not to another. To try to engage the parents and the public into supporting schools. Maybe a major industrial company would like to sponsor a charter school within the Rockford School District and another hospital might like to. Now, how do we try to reconcile the desires of two different parts of our society within one school district to how... allow a charter school? We have no other major school districts where they would want a charter school, other than Rockford, and you're limiting my community's right to experiment and try to find a better educational model."

Bassi: "I don't think it does because what... anymore than the bid... than the original Bill has done. Because what could happen is that the Rockford schools could decide to do a charter school of their own and the manufacturer's group in your area could apply to the state for another charter

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school. And your... another group in your area could decide, perhaps a group of teachers, that they're gonna open a third charter school. The onus then would be on the State Board of Education to decide which of those charters it's going to grant. The Rockford schools could have one, but you could have other charter schools in your area as long as only one of them came out of the Rockford School District."

Winters: "But... but the... "

Bassi: "Which is what the Bill... "

Winters: "... manufacturers, the other interest groups that might support a charter school may want to work in conjunction with the Rockford schools. And this Bill would... would eliminate their opportunity to... to work directly with the largest school district in Northern Illinois, outside of Chicago, it... it really limits their flexibility. And I... I'm not sure that this is really advancing the cause of better education through the state."

Bassi: "In which case, maybe you would want to introduce a Bill that would allow the Rockford area to have more than one charter school."

Winters: "Well, I don't like to write special legislation. I think we write legislation for the state as a whole and I would prefer and I would urge my colleagues to turn down this Bill simply so that we leave things as they are, allow the larger school districts the flexibility and the opportunity to work in partnership with other community groups with the large school districts."

Bassi: "Oh, I think... "

Winters: "And I think... "

Bassi: "... I think they could work in opport... in... in cooperation with that and it would allow them to have mo...

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several charter schools in the area. If, for instance, you were fortunate enough to have that charter school granted by the Rockford schools, then I would, at that point, in your situation, urge your other groups to apply for their own charters, so that you could give your... your constituents the opportunity of having several charters in that area."

Winters: "But again, you are limiting their flexibility of actually having the charter within the school district and a close working relationship with the current school district. Thank you for your time."

Speaker Turner, A.: "The Lady from Cook, Representative Mulligan."

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

Speaker Turner, A.: "She indicates she will."

Mulligan: "Representative, I think the two previous questioners had of a different view of this Bill than what I had from listening to it in committee. It's my understanding, that one of the reasons you would only limit it to one is so that a school district couldn't go in and turn all their schools into charter schools. And then if you're in like a suburban Cook area where there's 15, they couldn't use up all the amount that the state has allowed them to use. So you're limiting to one by a school district setting it up. Is that correct?"

Bassi: "Yes."

Mulligan: "See, I... I get a tot... an entirely different read from it. And I think that the way it was... was discussed in committee, certainly allayed fears of other people who wanted to start up a charter school other than a school district, by not allowing them to take up all the charters."

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Bassi: "Uh um. There are 15 allowed in the City of Chicago. Those are already operational. There are 15 allowed in the suburban Cook County area and 15 outside of that. So there are 45 potential charter schools in the state. Fifteen are operational in the City of Chicago and two have been granted in the suburban areas. There are either two or three operational in the rest of the state."

Mulligan: "The way... the number of years that's passed... that have passed since we originally put out charter schools certainly would allow an effort of individuals who wanted to set up charter schools to already be discussing that with the school districts. I think it's proven by the fact that we've not had that many, that we need a more organized effort. And in some school districts, I would think that you... you look at a special need of that school district that the school district might identify and that they'd be in a better position financially to get that passed and to get it going. So, I mean... I think this is a good Bill and I think you certainly addressed all these fears in committee. And also, Representative Hoffman, I hate to mention his name in debate that'll give another opportunity, what he said was that it would allow the whole school district to have a charter school, but that's not... it allows them only to have one charter school. To set up one individual charter school, not as a district charter."

Bassi: "He was... he was referring to... to a school that might be a smaller district, that in effect, could make their whole school a charter, but that has not happened statewide. Those... most of those schools are downstate. They have not done that, as yet and have already the opportunity to do that under the current law."

Mulligan: "It's not your legislative intent that that were to

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happen... with the single school district moving to that."

Bassi: "What... what did... what the intent of this legislation is to allow school districts the same opportunity that has... that have been afforded to the City of Chicago and it has proven to be the most effective use of... chartered schools in the rest of the nation. The intent of the Bill was to allow different uses... creative uses... a different setting for individuals with chartered schools. This... what this does is keep the money... it takes the money out of the mix, because the money stays within the school districts who are granting the charter. Although they still have to apply to the State Board of Education, and go through the same application process that any charter school would have to go through."

Mulligan: "What kind of a vote did this Bill have coming out of committee?"

Bassi: "Fifteen to eight."

Mulligan: "I think... "

Bassi: "At that time the IFT was opposed to it. They are now neutral."

Mulligan: "Well, I think the IFT was opposed to any charter school Bill in that committee for the simple reason that they'd like to address charter schools in a omnibus Bill, but that may or may not happen. But I think this is an individual issue that certainly addresses issues across the state as far as setting up a charter and trying to get a special school. And I think that you were wise to go back to them and have them remove their objection and I think that is the only reason in that committee that you didn't a got... didn't get a hundred percent votes since I sit in that committee and that was my feeling that it had nothing to do with that, but more of an issue that they had with

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addressing charter schools as a whole and not individually. But since we don't have that Bill out here and there are only a couple of good charter school Bills, I think this is certainly excellent and would certainly give school districts the opportunity to address special needs or certainly children that have extraordinary needs or are particularly bright, gifted children. Any number of things that they could do if they can find the money and the effort to do it, which we seem not to be able to do. So I would certainly like to give the school districts a chance to do that and see if we can't move forward the legislation that we passed several years ago and make it a little better. I would certainly support your Bill."

Bassi: "Thank you."

Speaker Turner, A.: "The Lady from Cook, Representative Bassi to close."

Bassi: "All right. This... this is a Bill which is bri... going to the original intent of the law and as I stated, allows the school board to establish their own charter schools. I thank you for your attention and request an 'aye' vote."

Speaker Turner, A.: "The question is, 'Shall House Bill 230 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. This Bill having received 86 'yes', 21 'noes', 7 'presents', that means, it shall hereby be declared passed. On the Order of Third Readings, page 66, we have House Bill 235. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 235, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Peoria, Representative

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Leitch."

Leitch: "Thank you very much, Mr. Speaker. This Bill comes to me from the Shriners who then among a number of other charitable organizations became very much involved with this Bill. It would simply reduce the license plate fee to \$8 for minivans carrying from seven to ten passengers. It's something that would save them some money and something that would make it more convenient for them to transport, in this case, children to hospitals. And I would simply ask for your favorable support."

Speaker Turner, A.: "The Gentleman from Effingham, for what reason do you rise, Representative Hartke?"

Hartke: "I'd like to ask some questions, if the Sponsor would yield."

Speaker Turner, A.: "The Sponsor indicates he will."

Hartke: "Representative Leitch, in committee we talked about the cost of this piece of legislation to the Road Fund. Have you ascertained any figures on that for the Secretary of State's Office and the Department of Transportation?"

Leitch: "The estimate remains at 150,000 ."

Hartke: "Could be more, could be less, correct?"

Leitch: "Well, that was the most recent discussion I had in... in asking the department for another answer."

Hartke: "And... and when was this recent discussion?"

Leitch: "Maybe about two weeks ago."

Hartke: "Two weeks ago... "

Leitch: "I held the Bill... "

Hartke: "You haven't checked back."

Leitch: "I held... "

Hartke: "What... what is the number of charitable vehicle license plates that we have now?"

Leitch: "I don't recall. This... this is speak... referencing

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not all of them in the state. This is simply referencing the... "

Hartke: "Wha... whi... "

Leitch: "... minivans that would be available."

Hartke: "Let me inform the Body... "

Leitch: "This only impacts seven to ten passenger minivans."

Hartke: "I understand that. Right now, there are 30,000 charitable vehicle license plates in the State of Illinois. And I'm not sure how many of these charitable organizations have the passenger vans that hold between seven and ten individuals that would now qualify for the charitable vehic... vehicle plates. However, the Department of Transportation has estimated just maybe \$150,000 that this will cost the Road Fund for the State of Illinois. That's the figures you have, correct?"

Leitch: "Yeah, and if you recall, I've held this Bill for a least three weeks in order for them to get back with any other Amendment or recommendation and to date, that has not happened. And as recently as last week, I invited them to visit again about it, so I feel that I have bent over backwards to accommodate those who may wish to propose any... any Amendments to the Bill."

Hartke: "Well, you know, I... it puts most of us in a bind because we really don't know what... really don't want to vote against our charitable organizations, whether it be our local church or organization that is not-for-profit that have charitable vehicles, but then again, if you're downstate, \$150,000 is a lot of money. That could overlay a couple roads for us or... or help repair maintenance on some of the roads even in... in your area in Peoria. So I think we ought to be very careful on legislation that we... we purpose to help one group that's gonna hurt us all in

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the long run. Now, many of the charitable organizations are... can't... can't afford these extra dollars for the plates. I don't think the... the cut in the plate from 48 to I believe, \$8, right, is substantial. Most of these organizations probably only have maybe five or six church vans that they may have. The buses, now, are already qualified. That'd be a lot of vans for a la... charitable organization. Most of the organizations, I would think, of any substantial size are financially well enough off that they probably could afford the \$48 for the normal plate for these vans. I'm gonna vote 'for' this legislation, but I just want to caution Members that the... Road Fund is in dire straits and we may have to answer that cause by some other method this year. So I just wanted you to be aware of it. I'm not opposed to what you're trying to do, but it does put many of us in a bind. Thank you."

Speaker Turner, A.: "Seeing no further questions, the Gentleman from Peoria to close."

Leitch: "Thank you... "

Speaker Turner, A.: "Sorry."

Leitch: "Mr. Speak... "

Speaker Turner, A.: "Representative I... I didn't see Rep... the Gentleman from Vermilion, Representative Black. His light was on. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Speaking in favor of the Bill. You know I... would hope that somebody sends a brochure into my district that I robbed \$150,000 of the Road Fund because I voted for this Bill. I welcome that. Any of you want to send one into my district, you go right ahead. Because I'm gonna come right back at ya and say this is aimed at charitable organizations like the Shriners who transport

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burned and crippled children to Shriners' hospitals, at no cost to the taxpayer and get this, if they buy a full-size van... full-size van, that's a charitable vehicle plate and it might get ten miles a gallon. But if they buy a more fuel efficient minivan to transport these same sick and injured children to the hospital someone in some office in their infinite wisdom said, 'Oh no. Oh no. The minivan can't get a charitable license plate.' Well, how much money do you think it would cost if the Shriners just said, 'I'll tell you what, let's just dump the Shriners hospitals and let the taxpayers of Illinois pay for this treatment that we do for free.' This is the most ridiculous argument. In all due respect to the Gentleman who... who issued a concern and I share his concern about the Road Fund. But if any bureaucrat wants to make an issue out of this \$150,000 on the Road Fund, let him come into my district and make it. Because if the Shriners and other charitable organizations like the Red Cross don't transport people to and fro for medical care or other concerns and instead, dump it on the taxpayer you're talkin' hundreds of millions of dollars. This is a step in the right direction. I'm surprised somebody didn't bring it up ten years ago and I commend the Sponsor for his willingness to try and compromise. And as he said, to this date, three weeks after he brought it in committee, nobody's even had the common courtesy from the department to come and ask him about an Amendment. This is a ridiculous, bogus argument. It was three weeks ago. It is now. Vote 'aye'."

Speaker Turner, A.: "The Gentleman from Peoria, Representative Leitch to close."

Leitch: "All right. I'd like to thank Representative Black and ask the Members to vote in support of this very good Bill."

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Thank you."

Speaker Turner, A.: "The question is, 'Shall House Bill 235 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, this Bill having received 115 'aye', 0 'noes', 0 'presents'. It shall be declared passed. On page 66 of the Calendar, House Bill 236. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 236, a Bill for an Act to revise the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Cook, Representative Durkin."

Durkin: "Thank you very much, Mr. Speaker. House Bill 236 is the recodification of the Civil Administrative Code which is the duty of the Legislative Reference Bureau to do on a periodic basis. It makes revisions and it brings clarity to the code. There is no... this Bill does... makes no substantive change to the existing law. This is cutting and pasting which is required under the Illinois Statutes to the Legislative Reference Bureau. I'll entertain any questions."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall House Bill 236 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 114 voting 'aye', 0 'no', 0 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading, page 66, we have House Bill 251. Read the Bill,

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Mr. Clerk."

Clerk Bolin: "House Bill 250... 251, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Out of the record. On the Order of Third Reading, we have House Bill 252. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 252, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Cook, Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 252 would amend the Illinois Criminal Code of 1961 by changing the penalties for the possession and trafficking in the substance of nitrous oxide. Currently, the penalties for possession of and trafficking are a Class B misdemeanor. This Bill would change the penalty to simp... for simple possession to a Class A misdemeanor, for a second offense a possession, would change it to a Class IV felony and for the penalty of trafficking it would change it to a Class III felony which would be punishable to two... from two to five years. It is supported by the Illinois State Bar Association, the Illinois Chiefs of Police and the Illinois Sheriffs' Association. The need for the legislation arose out of an instance in my district where traffickers would have been involved in using this ni... noxious substance over an 18 month period, essentially, walked away with no criminal fit... penalty. I would be pleased to answer any questions."

Speaker Turner, A.: "The Gentleman from Madison, Representative Hoffman."

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Hoffman: "Yes, will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Hoffman: "Representative, the only question I really have is regarding the issue of unlawful use of the substance. Could you explain to me how you define that?"

O'Connor: "The current law defines 'unlawful use' as using it without... in the absence of a licensed trained professional for the purpose of... of intoxication. And that is the current law."

Hoffman: "So this doesn't change the definition of unlawful use of nitrous oxide?"

O'Connor: "It does not."

Hoffman: "It just changes the penalty to... from a Class A misdemeanor to a Class IV felony, is that correct?"

O'Connor: "It... it changes the penalty... the current penalty is a Class B misdemeanor, for first time use. It is now changed to a Class A misdemeanor. For a second offense to a Class IV felony and the... but the most important part is for the offense of trafficking in the substance. It is a Class III felony which is punishable by two to five years in... in the penitentiary."

Hoffman: "And trafficking would mean selling?"

O'Connor: "It would be a course of conduct and dealing in the substance for the purpose of... with the understanding that the substance would be used for an unlawful purpose."

Hoffman: "I think it's a good Bill. I urge an 'aye' vote."

O'Connor: "Thank you."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black."

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

Speaker Turner, A.: "He indicates he will."

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Black: "Representative, I thought Representative Bost had a Bill that addressed nitrous oxide just a year or two ago. What are you doing... are you... I assume that you're strengthening the penalties for the abuse of nitrous oxide. Is that correct?"

O'Connor: "That's correct."

Black: "You're making this a... I noticed the Amendment reduced the penalty for unlawful possession... "

O'Connor: "That's correct."

Black: "... what... down to a... from a Class III felony down to a Class A misdemeanor? What is... in your Bill, as amended, what... what's the penalty now? If I... if I have illeg... if I have in my possession, illegally, nitrous oxide, what... what is the penalty?"

O'Connor: "For a first time offense, it is now a Class A misdemeanor."

Black: "Okay. And a sec... a second offense then would be a Class IV felony?"

O'Connor: "Correct."

Black: "And you could do prison time for that, right?"

O'Connor: "That is correct."

Black: "Do you... what was the Corrections impact? Do you... do you have that with you?"

O'Connor: "Corrections is... I... I don't have it. It's minimal and Corrections is neutral on it."

Black: "Okay. Whe... were there any concerns expressed about this Bill in... in committee? Anybody sign in, in opposition?"

O'Connor: "There were no... there was no one in opposition. The co... the principal concern was that... when... as initially filed, not as amended, law enforcement community thought that making a Class... a Class III felony for first

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time use was excessive. After a discussion with the Chiefs of Police, the State Bar Association and the Sheriffs we... and also, with local law enforcement in my district, we agreed to amend the Bill to have a staggered system of penalties."

Black: "Okay. What... would constitute illegal possession? Anyone who does not have... because this is a commonly used material, particularly in I think, in dentists' office and others. Illegal possession would be anyone who does not have specifically under existing statute the right to said material?"

O'Connor: "It... it would be the... it would be first of all, not being licensed, as you point out. And secondly, using it for and I... for an unlawful purpose which is to... to intoxicate yourself which would be proven at trial by circumstantial evence... evidence. Obviously, the act of into... of... of breathing it to intoxicate."

Black: "Okay. What's the... Representative, the last question I have. What is the common street name of nitrous oxide?"

O'Connor: "I don't know."

Black: "I think it... I think it's called laughing gas."

O'Connor: "Oh, yes."

Black: "Is it not?"

O'Connor: "That's true. I... la... I... wouldn't think of it, yes. It is... that is the... "

Black: "Yes."

O'Connor: "... It is called laughing... laughing gas."

Black: "Well, thank you, Representative. I don't blame ya for not knowing the common street name for nitrous oxide, but, Ladies and Gentlemen of the House, you heard the Representative. Possession of laughing gas will be a felony. I can see it now. You're sent to Joliet and

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you're in with a serial killer and he turns to you and says, 'What are you here for?' Possession of laughing gas. I rest my case."

Speaker Turner, A.: "The Gentleman from Cook, Representative Lang, for what reason do you rise?"

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

Speaker Turner, A.: "He indicates he will."

Lang: "So, Representative, what is the current law on this? What is the penalty, currently?"

O'Connor: "The current law is possession or trafficking is a Class B misdemeanor."

Lang: "And the original Bill created what penalty?"

O'Connor: "The same penalty, a Class B misdemeanor."

Lang: "And the Amendment that you added to the Bill?"

O'Connor: "Oh, I'm sorry. I'm sorry, Representative. The... the Bill which I filed said that for any possession it was a Class III felony."

Lang: "So, why did you reduce it with your Amendment?"

O'Connor: "Because, on the advice of law enforcement and interested associations in the law enforcement area here in Springfield, they... suggested that the penalty as... I had proposed it, was too extreme and suggested that we instead have a staggered penalty for the... based upon the nature of the offenses. I agreed with that. I raised it with the Judiciary Committee which also concurred with that view and it passed out of Judiciary with 23 'yes' votes and 0 'no' votes."

Lang: "Well, since I don't serve on that committee that doesn't move me at all. So let me... ask you this. Did this Bill... this Bill gives the same penalty for sale or distribution as it does for possession. Is that correct?"

O'Connor: "That... it does not... it... my... my change would

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make trafficking a Class III felony which would make it different. The current law does not distinguish between trafficking and simple possession."

Lang: "But yours does?"

O'Connor: "Yes."

Lang: "So, what is the penalty for possession under your new Bill?"

O'Connor: "It's a Class A misdemeanor."

Lang: "And the penalty for trafficking?"

O'Connor: "Would be a Class III felony."

Lang: "Now, my understanding is that this is used often by dentists, is it not?"

O'Connor: "It is."

Lang: "Is there an exemption in the Bill for dentists who use this or will they be misdemeanants or felons?"

O'Connor: "Representative Lang, current law exempts the use of this substance by a licensed and trained professional, including a dentist. The Dental Society was notified with respect to this legislation and they have no position on the Bill. That's also true of the Medical Society."

Lang: "I understand that nitrous oxide is often used as a propellant in cans."

O'Connor: "It is... that's correct."

Lang: "Is there an exemption here or are we gonna make anyone that has a can of Reddi-Whip a... a criminal?"

O'Connor: "There's no specific exemption, but current law defines unlawful use as having it in your possession for the purpose of intoxicating yourself. My law... my proposed Bill does not affect that."

Lang: "So, there... there is no penalty for possess... possession unless you intend to use it for some illegal purpose?"

O'Connor: "That is correct."

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Lang: "Like inhaling."

O'Connor: "Correct."

Lang: "What if you had a can of Reddi-Wip and you inhaled the gas? Would that be a crime?"

O'Connor: "It would... it would depend upon your intent in inhaling it."

Lang: "It would intend on your intent when you inhale it."

O'Connor: "Right. It would be... if it were inadvertent, it would not be a cri... it would not be actionable, but if it were intended, it would be."

Lang: "Now, you're getting to the real issue. What if I intended to inhale the nitrous oxide from a can of Reddi-Wip, then what?"

O'Connor: "Under current law, that would be a violation of the statute. And my proposed legislation would not affect that."

Lang: "So, do we need to have whipped cream or deodorant police out there?"

O'Connor: "Representative, we don't now have whipped cream or deodorant police out there and I don't think we will need it in the future."

Lang: "Well, you know, the fiscal note on this talks about the impact on our prisons. But I think it should give some thought to the impact on our law enforcement around the State of Illinois. Will we have to station law enforcement personnel at the Jewel or the Dominic's in your district to watch out for how many people are buying cans of any kind that use nitrous oxide as a propellant?"

O'Connor: "Well, Representative, with these kind of concerns I always would defer to law enforcement professionals who've advised me that they support the Bill and are not concerned about the need for that... that kind of... of law

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enforcement activity."

Lang: "All right, but just be careful, because you don't want to go back to your district for reelection and have somebody say to you that you spent all this extra money chasing down people who buy deodorant. I think that would be very dangerous for you, but I'm prepared to think about supporting your Bill."

O'Connor: "I thank you for your thoughtful comments."

Speaker Turner, A.: "The Gentleman from Cook, Representative O'Connor to close."

O'Connor: "I would urge an 'aye' vote. Nitrous oxide is a lethal substance which has been used, unfortunately, by more than a million American young people. It is a problem in Illinois. This closes an important loophole in the Illinois Criminal Code and I would urge an 'aye' vote."

Speaker Turner, A.: "The question is, 'Shall House Bill 252 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 111 voting 'aye', 1 voting 'no', 1 voting 'present'. This Bill received the Constitutional Majority is hereby declared passed. On the Order of Second Reading, page 16, we have House Bill 710. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 710, a Bill for an Act relating to education funding. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. Notes have been requested on the Bill and have not been filed."

Speaker Turner, A.: "Hold the Bill, Mr. Speaker (sic-Clerk). On the Order of Third Reading, page 67, we have House Bill

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404... 404. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 404, a Bill for an Act to amend the Illinois Power of Attorney Act. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady from Will, Representative Kosel."

Kosel: "Thank you, Ma'am. Thank you, Sir. I am here to present 404 (sic-House Bill 404). 404 (sic-House Bill 404) amends the power of attorney for health care legislation to include ama... anatomical gifts. It... it adds two lane... and adds two lines to that. One of them where you can specify what anatomical gifts and the other one which... which is very specific about what organ could be donated. It's an improvement... it's an improvement on what is already a very good piece of legislation in a very good form that is commonly accepted in the hospitals. And I would strongly urge a 'yes' vote on this. Thank you."

Speaker Turner, A.: "The Gentleman from Cook, Representative Dart. For what reason do you rise?"

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

Speaker Turner, A.: "She indicates she will."

Dart: "Representative, you were saying this was gonna be a great addition to the law that's already on the books. How does it change it?"

Kosel: "It adds... it adds two lines to it. When you're making the selections, as you go through on the power of attorney Bill, and you talk about the kind of care you want if you are seriously ill or sign a person to be part of that, it would add two other things to that power of attorney Bill. One of them saying that I would authorize any organ or a specific organ. Specific organs to be donated, also. It's a time when families are already discussing some very sensitive issues. This gives another opportunity for

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donation of organs, something that is very desperately needed. As I told the folks in committee, when I filed this Bill, I filed it because my husband and I had sat and done these power of attorneys and said that this is the time that it should be there. In the meantime, my son-in-law lost his mother while she was waiting for a liver and this is something that... that we have people all the time that don't make those lists, so although we all hear about the wonderful people who get the organs, there are those everyday that don't get them. Just another opportunity to donate organs."

Speaker Turner, A.: "Seeing no further questions, the Representative Kosel to close."

Kosel: "I would ask for your favorable vote on this piece of legislation. Thank you."

Speaker Turner, A.: "The question is, 'Shall House Bill 404 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 114 voting 'aye', 0 'no', 0 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 38, on the Order of Second Readings, we have House Bill 1681. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1681, a Bill for an Act to amend the Illinois Emergency Management Agency Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. The Gentleman from Cook, I mean from Kane, Representative Schmitz. For what reason do you rise?"

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Schmitz: "Thank you, Mr. Speaker. I believe, I voted 'yes' on the last Bill, #404 (sic-House Bill 404) and it did not register on the board."

Speaker Turner, A.: "The record will so reflect your vote and we'll have the electrician check your light. On the Order of Second Readings, page 51, we have House Bill 2130. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2130, a Bill for an Act to amend the Fire Protection District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Third Readings, page 67, we have House Bill 448. Read the Bill, Mr. Clerk. Out of the record. On the Order of Third Readings, page 67, we have House Bill 449. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 449, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Mr. Speaker, Members of the House. This is a simple little Bill that adds to our Vehicle Code that it would be unlawful to have a laser jamming device as well as a radar jamming device. Evidently, with the new technology what we're finding is people are now using laser jamming devices as... instead of radar and that's to, of course, avoid arrest for speeding. Be happy to take any questions."

Speaker Turner, A.: "Are there any questions? Seeing none... no. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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

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yield?"

Speaker Turner, A.: "He indicates he will."

Black: "Representative, this'll only affects motor vehicles, what... large trucks over what... 26,000 pounds?"

Johnson, Tom: "Yes."

Black: "In other words, it just adds to current law... "

Johnson, Tom: "That's right."

Black: "... it isn't extending any new vehicles under the coverage?"

Johnson, Tom: "No."

Black: "All right. Thank you."

Johnson, Tom: "It's exactly the same."

Speaker Turner, A.: "Seeing no further questions, the Gentleman from DuPage, Representative Johnson to close."

Johnson, Tom: "Just request an 'aye' vote on this."

Speaker Turner, A.: "The question is, 'Shall House Bill 449 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 114 'ayes', 0 'noes', 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Consent Calendar, Third Reading, page 69, we have House Bill 541. Read the Bill, Mr. Clerk. We will do the whole Calendar. House Bill 541, House Bill 607 and House Bill 668."

Clerk Bolin: "House Bill 541, a Bill for an Act to amend the Township Code. House Bill 607, a Bill for an Act to amend the Fire Protection District Act. House Bill 668, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of these House Bills."

Speaker Turner, A.: "And the question is, 'Shall the Consent

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Calendar, which includes House Bills 541, 607 and 668 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 voting 'aye', 0 'noes', 0 'presents'. This Bill... these Bills having received the Constitutional Majority are hereby declared passed. On the Order of Third Reading, page 67, we have House Bill 424. Representative Lyons. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Out of complete and total frustration, Mr. Speaker. And I have an inquiry of the Chair or the Clerk... "

Speaker Turner, A.: "State your... "

Black: "... or whoever's responsible for this latest bureaucratic foul up. I'm trying to use my telephone at my desk to return a call from a gentleman who works for Damelier Chrysler. Who seems to have some problems... oh no, not about my car. I only wish... He and I are working on some legislation about a... Chrysler Corporation doesn't like a use tax policy, so it's been told to me that they aren't gonna donate cars to our community colleges and schools and we're try in' to work this out. I suddenly find that I can't make a long distance call on the telephone at my desk. It's automatically disconnected. Now, what are we supposed to do? Do we have a code number or a credit card or how are we supposed to handle that?"

Speaker Turner, A.: "Representative, on the back of your ID is... should be a code."

Black: "Back of my ID?"

Speaker Turner, A.: "On the back of your ID, the little card with... "

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Black: "The little ID card?"

Speaker Turner, A.: "... your picture on it. No, the General Assembly card that has your picture on it. Well, on the back, it has a code."

Black: "Oh, the one that we got from the Clerk's Office four weeks after we took it."

Speaker Turner, A.: "Absolutely."

Black: "I see."

Speaker Turner, A.: "And on the back of that... well... well, the Clerk has something for you, there. Oh there's the pho... telephone."

Black: "All right."

Speaker Turner, A.: "And then try punching in that code number on the back of your ID card."

Black: "Reach out and touch someone."

Speaker Turner, A.: "You certainly have, Representative."

Black: "Were... were we given any constructive notice as to this change in phone policy?"

Speaker Turner, A.: "Well, we were notified on our side of the aisle, Representative. I thought... "

Black: "Well, you guys are always notified. You set the rules. You're supposed to notify us."

Speaker Turner, A.: "Representative, I see two Clerks here in... in the well. I'm not certain. Maybe we need to see what the other Clerk's doin'."

Black: "Well, I... As I recall, the Clerk, our Clerk, the Assistant Clerk of the House, following in illustrious footsteps I might add, was told... was told he wasn't suppose to tell us. Well, whatever. I'm going to look on the back of my card and find this code number and if it doesn't work, I'll be back in touch with you."

Speaker Turner, A.: "Just reach out and... "

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Black: "Yes."

Speaker Turner, A.: "... touch someone."

Black: "Have no fear. Thank you."

Speaker Turner, A.: "Okay. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 424, a Bill for an Act to amend the Reenact the Gang Crime Witness Protection Act. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady from Cook, Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 424 merely extends a... a 'sunset' date. In 1996, this House passed, unanimously, the Gang Crime Witness Protection Act and last year, we tried to exte... it's a pilot program. We tried to extend the deadline for that program to June 30th of 1999. The Governor did not sign it until after that date. What we're merely doing now is asking for the 'sunset' date to be extended to July 1st of the year 2000."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall House Bill 424 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 113 voting 'aye', 0 'no', 0 'presents'. And this Bill having received the Constitutional Majority was hereby declared passed. What's the status, Mr. Clerk, of House Bill 2645?"

Clerk Bolin: "House Bill 2645 is on the Order of House Bills-Third Reading."

Speaker Turner, A.: "Please move that Bill back to Second Reading at the request of the Sponsor, Mr. Speaker (sic-Mr. Clerk). Mr. Speaker (sic-Mr. Clerk), what's the status of House Bill 2644?"

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Clerk Bolin: "House Bill 2644, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Se... Third Readings, page 67, we have House Bill 466. Representative Wojcik. Is she here? Out of the record. On the Order of Third Readings, page 67, we have House Bill 449. Representative Johnson. On the Order of Third Readings, page 67, we have House Bill 518. The Gentleman from Macon, Representative... no... no. The Gentleman from Whiteside... read Mr... read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 518, a Bill for an Act to amend the Fish and Aquatic Life Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I present to you, House Bill 518, which basically, changes the law concerning the number of fishing poles we can have in a ice fishing hole when you're ice fishing in Illinois. Now, this is a very important Bill to those people that enjoy that sport in the wintertime. Most all the states around Illinois have changed their laws and can now have three poles rather than two holes (sic-poles) in an ice-fishing hole. So we have taken it upon ourselves to amend the law in Illinois, so that it reads like other states and with this we can now have three poles in a hole or three tip ups in a hole versus two. I would be more than happy to have anybody else but me answer questions, but I'll try. Thank you very much."

Speaker Turner, A.: "The Gentleman from Jo Daviess, Representative Lawfer. For what reason do you rise?"

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Lawfer: "Will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Lawfer: "Re... Representative Mi... Representative Mitchell,  
this... can you... can this be used when there is no ice?"

Mitchell, J.: "It certainly... it certainly can be for someone like  
you, Representative, since I have heard that you can walk  
on water."

Lawfer: "I... don't think... I don't think that would work,  
but... No, I think this is a... for a lot of people that do  
ice fishing and so on, it brings this state into co...  
compliance with the adjoining states and I urge a 'yes'  
vote."

Speaker Turner, A.: "The Lady from DuPage, Representative  
Cowlshaw. For what reason do you rise?"

Cowlshaw: "Will the Sponsor yield for a couple questions,  
please?"

Speaker Turner, A.: "He indicates he will."

Cowlshaw: "Representative Mitchell, is there any age given for  
the people who might qualify for this particular  
exceptional opportunity for fishing?"

Mitchell, J.: "No, Representative. It's... it's open to all ages  
as long as you have a... "

Cowlshaw: "Okay."

Mitchell, J.: "... fishing license... "

Cowlshaw: "I see. All right... "

Mitchell, J.: "... in your possession."

Cowlshaw: "So it's... there's no age specification. What about  
the... the general personality of the individual involved?  
Is this just for people who are good-natured and really  
love fish and are good sportsmen or just anybody would  
qualify, would they?"

Mitchell, J.: "Well, I... I think really the only prerequisite is

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someone that can stand the cold."

Cowlshaw: "So this is not just for grumpy old men?"

Mitchell, J.: "Certainly not. Grumpy old ladies can also ice fish?"

Cowlshaw: "Well, I... I would think that if it was appropriate for grumpy old men, we might be able to enable one of them to catch the granddaddy of all bull... all of those bullfrog... frog fish or whatever those fish are called. The ones that you can only catch late at night under... under the pier. But if you're sure that you don't have to be a grumpy old man to qualify, then I think we ought to pass your Bill."

Mitchell, J.: "Representative, this definitely is a gender equity Bill."

Speaker Turner, A.: "Seeing no further questions, the Gentleman from Whiteside to close."

Mitchell, J.: "Thank you, Mr. Chairman (sic-Speaker). I just ask for an 'aye' vote for all those folks that really enjoy the sport of ice fishing."

Speaker Turner, A.: "The question is, 'Shall House Bill 518 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 113 voting 'aye', 0 'no', 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. Speaker Madigan in the Chair."

Speaker Madigan: "Yeah, we do have good news for everybody. The plan for the rest of the evening is that momentarily we shall adjourn, to return at 10:00 a.m. in the morning. And there will be an immediate Democratic Caucus. So, the Democrats should go to caucus, immediately. The sooner you

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get there, the sooner we'll get out of the caucus. The caucus will be in Room 114. So there being nothing further to come before the House, Representative Currie moves that the House does stand adjourned until 10:00 a.m. tomorrow morning, providing perfunctory time for the Clerk. Democrats, please go to Room 114, immediately."

Clerk Rossi: "House Perfunctory Session will come to order. Committee Reports. Representative Julie Curry, Chairperson from the Committee on Appropriations-Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on March 9, 1999, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2528. Introduction and First Reading of Senate Bills. Introduction - First Reading of Bills. Senate Bill 5, offered by Representative Zickus, a Bill for an Act to amend the Crime Victims Compensation Act. Senate Bill 30, offered by Representative Zickus, a Bill for an Act concerning respiratory care practitioners. Senate Bill 4, offered by Representative Bost, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill 33, offered by Representative Stephens, a Bill for an Act to amend the Property Tax Code. Senate Bill 34, offered by Representative O'Connor, a Bill for an Act to amend the Property Tax Code. Senate Bill 52, offered by Representative Tim Johnson, a Bill for an Act concerning property taxes. Senate Bill 55, offered by Representative Murphy, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 98, offered by Representative Brady, a Bill for an Act to amend the Illinois Credit Union Act. Senate Bill 144, offered by Representative Currie, a Bill for an Act in relation to taxation. Senate Bill 145, offered by Representative Currie, a Bill for an Act in

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relation to environmental protection. Senate Bill 146, offered by Representative Mautino, a Bill for an Act in relation to State bonds. Senate Bill 147, offered by Representative Hamos, a Bill for an Act creating the Criminal Law and Corrections Commission. Senate Bill 163, offered by Representative Steve Davis, a Bill for an Act concerning recreational hunting and trapping. Senate Bill 169, offered by Representative Reitz, a Bill for an Act to amend the Intergovernmental Cooperation Act. Senate Bill 249, offered by Representative Bugielski, a Bill for an Act to amend the Illinois Business Brokers Act of 1995. Senate Bill 251, offered by Representative Mautino, a Bill for an Act to amend the State Employees Group Insurance Act. Senate Bill 258, offered by Representative Erwin, a Bill for an Act to amend the Code of Civil Procedure. Senate Bill 377, offered by Representative Mautino, a Bill for an Act to amend the Motor Vehicle Franchise Act. Senate Bill 378, offered by Representative Bugielski, a Bill for an Act relating to the regulations of certain financial businesses, amending named Acts. Senate Bill 389, offered by Representative Hannig, a Bill for an Act concerning education, amending named Acts. Senate Bill 45, offered by Representative Coulson, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of these Senate Bills. Introduction of Resolutions. House Resolution 123 offered by Speaker Madigan, House Resolution 124 offered by Speaker Madigan and House Resolution 125 offered by Representative Silva are assigned to the Rules Committee. Introduction and First Reading of House Bills. House Bill 2863 offered by Speaker Madigan, a Bill for an Act to amend the Illinois Pension Code. First Reading of this House Bill. There being no further business, the House

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Perfunctory Session stands adjourned."