

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

41st Legislative Day

April 27, 1999

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

Pugh: "Let us pray. Dear God, omnipresent parent of our ancestors Abraham, Issac, and Jacob, Mary, Martha, and Esther. We come before your presence with our hearts bowed beneath our feeble knees, seeking forgiveness, forgiveness for all the times we were insulting to our children, intimidating to our neighbors, or violent to strangers. Forgive us for the unconscious and conscious contributions we have made to the violence taking place throughout the nation, throughout the world, throughout our homes and communities. Help us as we attempt to make right decisions. Help us to make good decisions. Help us to make conscious decisions. Help us to know that as King stated, 'Courage asked the question, is it safe? Vanity asked the question, is it popular? Politics asked the question, is it expedient? But our consciences asked the question, is it right?' Help us, dear Lord, as we try to find reasons in an unreasonable world. Help us to use our mind and our heart as we make decisions that impact the world, that impact the nation, that impact our homes. Help us to make right, conscious, and good decisions. 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."

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Giglio and Turner are excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Yes, Mr. Speaker, let the record show that all Republicans are present today."

Speaker Madigan: "This is the Attendance Roll Call. Please record yourselves. Mr. Clerk, take the record. There being 116 Members responding to the Attendance Roll Call there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Lou Lang, Chairperson from the Committee on Mental Health and Patient Abuse, to which the following measures were referred, action taken on April 27, 1999, report the same back with the following recommendations: 'do pass as amended Short Debate', Senate Bill 849 and Senate Bill 1107. Representative Skip Saviano, Chairperson from the Committee on Registration and Regulation to which the following measures were referred, action taken on April 21, 1999, reported the same back with following recommendations: 'do pass Short Debate', Senate Bill 367."

Speaker Madigan: "Mr. Bost, for the purpose of an announcement."

Bost: "Thank You, Mr. Speaker, Members of the House. It is my honor and privilege today to have on the House Floor here with us, Miss Illinois, Miss Christina Lamb. And I would like for you to welcome her if you could. And she'd just like to say just a word or two."

Christina Lamb: "I just wanted to say, thank you to Representative Bost for having me here today, and all of his staff, for all their hard work to get me here today. And it's my privilege to be here and thank you all for all

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your hard work."

Speaker Madigan: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. I'd like to be recognized for a Motion."

Speaker Madigan: "Mr. McKeon."

McKeon: "Mr. Speaker, under House Rule 21, I'd like to suspend the Rule to allow Senate Bill 1111 be heard, waiving the posting requirement. And request your support."

Speaker Madigan: "The Gentleman has moved to suspend the posting requirements. Is there leave? Leave is granted. And the Gentleman's Motion to suspend the posting requirements is adopted. Representative Julie Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. I rise on a point of personal privilege."

Speaker Madigan: "State your point."

Curry: "I'd like to welcome members from the Stephen Decatur High School, in Decatur, Illinois, that are here visiting the Capitol today. If the colleagues could give them a round of applause and welcome them here. Thank you."

Speaker Madigan: "Mr. Persico."

Persico: "Yes, thank you, Mr. Speaker. I just rise to say that the Electric Utility Deregulation Committee, which is scheduled for 5:00, has been cancelled."

Speaker Madigan: "The Gentleman has announced the cancellation of a meeting of the Electric Utility Deregulation Committee. Is Mr. Acevedo in the chamber? Mr. Acevedo? Mr. Hartke? Mr. Hartke? Do you wish to call Senate Bill 678, on page 6 of the Calendar? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 678, a Bill for an Act amending the Grain Code. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House."

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Senate Bill 678 is the culmination of a lot of work that has been done over the last couple of years in the Department of Agriculture to update the Grain Code. Last year, this piece of legislation got hung up as an Amendment with the hog legislation and so this makes clarification and it updates the Department of Agriculture Grain Code issue, and I would like to... I'd be happy to answer any questions."

Speaker Madigan: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Lawfer."

Lawfer: "Thank you, Mr. Chairman. This has been read in committee and it cleans up a lot of things and I plan on supporting the Bill. Thank you."

Speaker Madigan: "Mr. Hartke to close."

Hartke: "Would just ask for support of the Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Is Representative Bellock's switch broken? Mr. Clerk, take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative O'Brien, do you wish to call Senate Bill 105? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 105, a Bill for Act in relation to anhydrous ammonia. Third Reading of this Senate Bill."

Speaker Madigan: "O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Code of Civil Procedure regarding anhydrous ammonia and it creates the offense of

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tampering and it also... This has a civil provision in it, which includes that no one that owns the property that anhydrous ammonia tank sits on, that owns the tank, or that is the dealer of the fertilizer can be held civilly responsible if an individual tampers with the anhydrous ammonia tank and causes injury or death to themselves. And that is the basic provisions of the Bill. It's a companion Bill to House Bill 374 which created the criminal provision of tampering."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Lawfer."

Lawfer: "Mr. Chairman, question to the Sponsor, if it's possible."

Speaker Madigan: "The Sponsor yields. Sponsor yields. Mr. Lawfer."

Lawfer: "Does this meet the requirements and the thoughts and has the support of the Fertilizer Association?"

O'Brien: "Representative Lawfer, this Bill was drafted by them and it is their initiative."

Lawfer: "I think it's a good Bill. I plan on supporting it. Thank you."

O'Brien: "Thank you, Representative."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, didn't we pass a very similar Bill that you were the lead Sponsor early... earlier in the Session? Isn't there a House Bill that we've already sent over to the Senate?"

O'Brien: "Yes, Representative Black, in committee, when we voted on House Bill 374, it contained both the criminal and civil

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provisions of this Bill. When it got on to the floor we thought there might be a problem with single subject matter. We stripped the civil provisions out of 374 and sent the Senate only the criminal provision. This Bill, Senate Bill 105, is the civil portion and that is what's come over, so we kept them separate."

Black: "All right. So effectively then, it would bar someone who trespasses on a farm, tampers with an anhydrous ammonia tank, is subsequently injured by that chemical, from seeking to sue me, the landowner, for his or her action, correct?"

O'Brien: "That's right."

Black: "Sounds like a good idea to me. Thank you, Representative."

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

Speaker Madigan: "The Lady moves for the passage to the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke. Mr. Scott. Mr. Doug Scott. Do you wish to call Senate Bill 330? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 330, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hartke in the Chair."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 330 simply adds a factor in

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aggravation, that the person who was convicted was a federally licensed firearm dealer and was previously convicted of a violation of subsection A of Section 3 of the FOID Card Act, which is an illegal sale, and has now committed either a felony violation of the Act or an act of armed violence while armed with a firearm. This has received unanimous support everywhere it's been, both in Senate Committee, on the Senate Floor, and in House Committee. And I'd ask for your support."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, the penalties in the Bill, only, if I read it correctly, only apply to a licensed firearm dealer, correct?"

Scott: "Yeah, and it's not exactly a penalty, Representative Black. It's a factor in aggravation that a judge can consider when making his sentence in the first place. So it's not an enhanced penalty. It's just a factor in aggravation that the judge can consider. And who it applies to are people that were federally licensed firearm dealers, who committed an illegal transfer, were found to have illegally sold a firearm, and now they're back again and have committed a felony violation of the FOID Act or an act of armed violence while armed with a firearm. So it's narrowly limited to a fairly select group of people."

Black: "So it has nothing to do with an individual who might be legally in possession of firearms in their home. Only a federally licensed firearm dealer."

Scott: "A person who, when they committed their first act... "

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Black: "Okay."

Scott: "... it's contemplated here, was a federally licensed firearm dealer. Correct."

Black: "And subsequently, fails to follow the law again."

Scott: "Right."

Black: "Okay. Fine."

Scott: "Exactly."

Black: "Thank you very much."

Scott: "Thank you."

Black: "Thank you, Mr. Speaker."

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

Scott: "Thank you. I just ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 330?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? This is Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 330, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 404. Representative McGuire, Jack McGuire. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 404, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hartke: "Representative McGuire."

McGuire: "Thank you, Mr. Chairman. Senate Bill 404 amends the Criminal Code of 1961, public indecency, window peeping. And it states that a third or subsequent conviction for public indecency or window peeping would become a Class IV felony, which is three years or \$25,000. The first or

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second conviction for window peeping would become a Class A misdemeanor, one year, \$2500. Under the current law, public indecency is chargeable now as a Class A misdemeanor and window peeping is chargeable as a Class B misdemeanor, regardless of the number of prior convictions. So we would like to pass this Bill and I'd try to answer any questions, if you have any. Thank you very much."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, is this an identical Bill that passed the House, unanimously, sponsored by Representative Biggins? I think it was House Bill 1761. Is this Bill identical to that?"

McGuire: "I'm not aware of that. It's possible. I'm not aware of that."

Black: "I just wondered. Do you know where House Bill 1761 is in the Senate? Is it still... "

McGuire: "No, but I'll look in my new book."

Black: "Well that's all right. I was just curious as to whether it was in Senate Rules since it's an identical Bill that we passed earlier, unanimously. So I would expect we would pass the Senate Bill, unanimously, but I was just curious. Maybe Representative Biggins could tell us because it was his Bill."

McGuire: "Yeah."

Black: "Maybe he could tell us where it was in the Senate. Just out of curiosity is all I'm really asking for."

McGuire: "I was not aware of the other Bill, but if Biggins is here, he could enlighten everybody. Could Representative

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Biggins speak?"

Speaker Hartke: "Further discussion. Representative Biggins."

Biggins: "Thank you Mr. Speaker, Representative Black, Members of the House, Sponsor Representative McGuire. The Bill is in the Senate. We're hoping that it moves along there, but it's getting a little slower going. Apparently, they favor their Bills more than they favor House Bills. Maybe we should favor House Bills more than Senate Bills or maybe we should just get this Bill done. I'm gonna vote for it."

McGuire: "Thank you."

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

McGuire: "I just ask for a favorable vote, and thank you very much."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 404?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 404, there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Page 5, of the Calendar, appears Senate Bill 624. Representative Curry. Julie Curry. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 624, a Bill for Act amending the State Finance Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. This is an initiative of the Auditor General. And the Bill amends the State Finance Act, requiring the Comptroller and the Treasurer to transfer certain amounts from funds within the

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state treasury into the Audit Expense Fund to cover the auditing costs incurred by the Auditor General's Office. This is something... a house cleaning measure that we have to do on an annual basis for the Auditor General. And it simply just transfers money into his account so that audits can be paid for. I'd be happy to answer any questions."

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

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

Speaker Hartke: "State your inquiry."

Black: "Yes, are we on the Democrat Order of Call? Is this a special order of Democrat Bills with Republican Senate Sponsors. Is that a special order?"

Speaker Hartke: "Your day will come."

Black: "I think this is the fifth one in a row with a Republican Senator and a Democrat House Member. I mean, in the spirit of bipartisanship, I can understand that, but do you think later on maybe we can call a Senate Bill that has a Democrat Senate Sponsor and a Republican House Sponsor. Could we do that, maybe?"

Speaker Hartke: "Yes."

Black: "Well, thank you, I appreciate that. Thank you very much."

Speaker Hartke: "Do you have any discussion on this piece of legislation?"

Black: "Oh no, this Bill is a fine Bill. It's come out of the Senate with absolutely no negative votes and of course, the House of Lords usually subjects these Bills to a microscopic examination so obviously, I would have no questions on this."

Speaker Hartke: "Representative Curry to close."

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Curry: "I would just ask for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 624?' 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 Senate Bill 624, there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1117. Representative Winters. Representative Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1117, a Bill for an Act concerning rehabilitation of persons with disabilities. Third Reading of this Senate Bill."

Speaker Hartke: "The Sponsor has requested that this Bill return to Second for the purpose of an Amendment. Place that Bill on Second. Senate Bill 943. Representative Giles. Calvin Giles. Representative Harris. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 943, a Bill for an Act concerning sex offenses. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Harris."

Harris: "Thank you, Mr. Speaker. The intent of Senate Bill 943, as amended, is to protect the victims' privacy in sex crime by permitting the records to be accessible to law enforcement personnel. Senate Bill 943 is identical to House Bill 854 sponsored by Representative Gash, which passed the House 112-0. Proponents of this Bill: the Illinois Coalition Against Sexual Assault, Illinois Now, Illinois Chapter of American Association of University Women, ACLU, the Illinois Planned Parenthood Council, and the Department of State Police. Thank you. I'd like a favorable vote for this. Are there any questions?"

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

Black: "Yes, would the Sponsor Yield?"

Speaker Hartke: "He indicates he will."

Black: "Thank you. Representative, can you summarize for us, succinctly, what is the overriding reason to seal these records?"

Harris: "Representative, and in all due respect, I've had people come to me in regards to this Bill. Normally, anyone that wanted to get information on a victim that had been abused or raped would be able to get that information. The only thing here to add to that is that if there are children involved, then the parent would have to give their consent before the information would be released. Now, the police would be able to get that information at will."

Black: "All right. But there is a provision in your Bill, is there not, that upon a court order these records will be open for inspection, correct?"

Harris: "That's correct, Representative."

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

Harris: "Thank you."

Black: "Thank you, Mr. Speaker."

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

Harris: "Mr. Speaker, I would love for a favorable vote, please."

Speaker Hartke: "The question is, 'Shall Senate Bill 943 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 Senate Bill 943, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting

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'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does the Lady from Sangamon, Representative Klingler, seek recognition?"

Klingler: "Mr. Speaker, I had voted 'aye' and the light came on and then it went back out. So I was intending to vote 'aye'."

Speaker Hartke: "The record will... the Journal will so reflect your wishes. On page 2, of the Calendar, appears Senate Bill 17. Representative Lindner. Representative Lindner. Out of the record. On page 2, of the Calendar, appears Senate Bill 44. Representative Black. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 44, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. This is an identical Bill to a House Bill that I sponsored, that has gone over to the Senate, and is out of Senate Rules and is moving through the process. It simply authorizes, and amends the Public Aid Code to increase the cap on payments for funerals from the current \$650 to \$1000. And for a cemetery burial, from the current \$325 to \$500. Be glad to answer any questions you have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 44?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 44, there were 116 Members

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voting 'yes', 0 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 2, of the Calendar, appears Senate Bill 30. Representative Biggins. Representative Biggins. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 30, a Bill for an Act concerning respiratory care practitioners. Third Reading of this Senate Bill."

Speaker Hartke: "Zickus. Excuse me, Representative Zickus."

Zickus: "Yes, one second. Thank you, Mr. Speaker. Senate Bill 30 amends the Respiratory Care Practice Act. It is similar to another Bill that we... it is the same language as House Bill 147, that passed out of this House, unanimously. I'm sorry 117 with 1 'present'."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 30?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 30, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Page 2, of the Calendar, appears Senate Bill 17. Representative Lindner. Mr. Clerk, read the Bill."

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

Speaker Hartke: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Last year we established a Life Safety Task Force to look at the life safety rules in the schools and the Life Safety Task Force has just been

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appointed. And this Bill merely extends that date from May 1, 1999 to December 31, 1999."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall Senate Bill 17 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 17, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 4, of the Calendar, appears Senate Bill 378. Representative Bugielski. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 378, a Bill for an Act relating to the regulations of certain financial businesses. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker and Members of the House. Senate Bill 378 amends the Illinois Savings and Loan Act. It authorizes savings and loan associations to act as a custodian or a trustee, provides that the Commissioner of Banks and Real Estate may be deferred, taking control of a savings and loan association if it is resolving the matter in accordance with the direction of its Deposit Insurance Corporation. This is a Bill that came out from the Commissioner's Office of Banks and Real Estate. There's a lot of cleanup language and cosmetic language changes, both in the Savings and Loan Act, the Savings Bank Act and the Corporate Fiduciary Act. All those changes are just cosmetic changes and changes of words to bring it up-to-date with many of the other states."

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

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the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, did this Bill originate out of the savings and loan difficulties that happened a few years ago?"

Bugielski: "No, it did not. A lot of this is... "

Black: "I can't find anything in our Bill file that indicate the savings and loan institutions themselves favor the Bill. Are you aware of any concerns that they may have expressed about the Bill?"

Bugielski: "There is no opposition to the Bill. A lot of it is all cleanup language and bringing the language up-to-date that was not handled in the last several years."

Black: "I try to be very careful of cleanup language because one time, I remember, in a cleanup Bill, we simply changed the word 'million' to 'billion' and I thought that might have cleaned up more than we really wanted to cleanup. There is certainly nothing like that in this Bill, correct?"

Bugielski: "There's nothing like that in here, Sir."

Black: "This is a very good Bill. And did Senator O'Malley ask you to carry this Bill for him?"

Bugielski: "Yes, he did, Sir."

Black: "Well, and may I say in this case, he chose wisely. It appears that you're going to get this Bill slipped through, while nobody's listening except you and I."

Bugielski: "Very good. Thank you."

Black: "All right. Thank you."

Bugielski: "Thank you."

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

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Senate Bill 378?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 378, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2, of the Calendar, appears Senate Bill 12. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 12, a Bill for an Act amending the Public Water District Act. Third Reading of this Senate Bill."

Speaker Hartke: "For what reason does the Gentleman from Cook, Representative Lang, seek recognition?"

Lang: "Thank you, Mr. Speaker. On the previous Bill, Senate Bill 378, I intended to vote 'aye', if the record would reflect, please."

Speaker Hartke: "The Journal will so reflect. Is there any discussion on Representative Holbrook's Bill? Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Representative, is there a quick-take provision in this Bill?"

Holbrook: "Absolutely not. This simply allows the owner of property to petition to go into a water district. That's all it does."

Black: "Is this identical to a House Bill that I'm trying to remember. It was House Bill 452 that passed pretty much on a partisan Roll Call. Is it identical to House Bill 452?"

Holbrook: "I don't believe so. I don't know there's been another

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Bill addressing this. It could have been, but I'm not aware of it."

Black: "All right. The people asking to be annexed into a water district, I assume that they're currently not served by any water utility, publicly or privately owned of any kind, correct?"

Holbrook: "Correct. This is strictly for if the property is vacant the owner of the property can do it. This doesn't... Currently, they have to go out there and pitch a tent, or create a residence on the property if they want to have the water district bring water to them. This passed unanimously out of the Senate and unanimously out of the House Committee. I know of no opposition to this."

Black: "I'm trying to figure out why the Bill is necessary. If I own land in an unincorporated area and I want to be served by a municipally-owned or investor-owned water utility or I want to annex to the Muhammad Aquifer Water District, can't I already do that?"

Holbrook: "Not if you don't live on it and not if you're not a registered voter living on it. If you're just the property owner, you cannot do it. You have to be a voter to do it."

Black: "Then what's to prevent a landowner from purchasing several hundred acres utilizing this law having then joined with a water district which greatly enhances the value of the property that he purchased?"

Holbrook: "Nothing would stop that. But it still, it goes before the normal hearing just like it was a voter. There's no different procedure in this at all. It simply says the owner of the property or the voter can do that. It's still up to that water district, before that administrative judge."

Black: "Well, let me ask you this, just for devil's advocate, if

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the other residents already served by this water district are concerned that expanding their territory may draw down their own water supply or the pressure or the gallonage or something, do they have any safeguard to say, 'No we don't want this. We don't want this 5,000 acres to be served. We have a hard enough time maintaining our water quantity and quality right now, without adding an additional 5,000 acres.'

Holbrook: "Absolutely. They can go before that water district or their board and let them know what their stand is on that, so that when they go before that administrative judge the water district can make that determination."

Black: "So, there is constructive notice and a safeguard for those already in the water district to protect what they may regard as their water rights from an expansion that they don't think they can legitimately fill, given their existing capacity. Right?"

Holbrook: "Yeah, it would be just the same as if it was just like one voter wanting to come in and he had a lot of ground."

Black: "Okay. All right."

Holbrook: "It would be exactly the same except, this one, he isn't the resident."

Black: "What I was getting at is maybe a large agricultural operation that would need, down the road, say two or three years hence, would need large amounts of water. And then the residents may find that their pressure or their quantity seriously diminished. But you're telling me there are safeguards in this Bill for such an event?"

Holbrook: "Yes."

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

Speaker Hartke: "Further discussion? Could we have a little order here in the chamber? We are on Third Reading."

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Please. Shhh. Representative Parke. You're seeking recognition?"

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, is the Illinois Municipal League signed off on this Bill?"

Holbrook: "I know of no opposition at all. There was none in committee."

Parke: "Thank you very much."

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

Holbrook: "It's a good Bill. I encourage your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 12?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 12, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3, of the Calendar, appears Senate Bill 175. Representative Crotty. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 175, a Bill for an Act amending the School Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Crotty."

Crotty: "Thank you very much. This is Senate Bill 175, it's not new to the chamber. Under the current law, the state aid calculation for high schools had changed the districts from \$1.10 to \$1.20. Senate Bill 175 will put the state's 105 high school districts at a funding disadvantage under that Bill, forcing them to rely on the hold harmless. What Senate Bill 175 will do now is change that high school

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calculation rate from \$1.20 to \$1.05. This has grown quite some support here in the House chambers. It has passed the Senate. I ask for a favorable vote."

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

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

Speaker Hartke: "She indicates she will."

Black: "Representative, you caught my attention, when you said we are 'again amending the State Aid Formula'. I just looked at some preliminary printouts in my legislative district and I can't afford anymore changes to the School Aid Formula. I think every school in my district, but two, are getting less money under the formula in the next fiscal year, than we do now. So how are you, in a nut shell, how are you changing the State Aid Formula now, with this Bill?"

Crotty: "The State Aid Formula is being changed by allowing the high school districts to capture their funding locally, by putting that tax rate at \$1.05. It was at \$1.10 prior to December of '97. And at that time the tax rate went to \$1.20. The School Aid Formula is based on the amount of money the dollars can receive locally, therefore the higher the tax rate the less money that the state actually gives our high schools. That's put a lot of our high schools and I know some of yours are at that hold harmless. This will allow our districts to be able to capture those dollars locally and receive the aid from the state that they're supposed to have, instead of them relying on our taxpayers' property taxes."

Black: "All right. Staff tells me that there's a fiscal impact of about \$6.5 million with this Bill that high school

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districts will gain \$6.5 million in general State Aid Formula payments. Now if they gain, does anyone lose? Does a unit district lose? Does a grade school district lose?"

Crotty: "No, they do not lose. But the high schools... it's correct, they're only going to be recapturing \$6.5 million, but it also will reduce their hold harmless requirement by \$20.2 million."

Black: "Okay."

Crotty: "So, this is a very good Bill, Representative Black."

Black: "Well, I... "

Crotty: "And I think you know that."

Black: "... and you usually sponsor those kinds of Bills, but I always like to reserve judgement till we have full and reasoned debate. I'm just curious why the Large-Unit District Association is not reflected as having a position on the Bill?"

Crotty: "No, there has been no opposition. I have had nothing but proponents on this Bill, from all areas of education, from school boards to teachers unions, to... in fact, the High School Association."

Black: "So the... the State's Attorney of Cook County is in favor of the Bill?"

Crotty: "I betcha if I looked up his high school and it's on hold harmless, he'd be here talkin' to the Bill."

Black: "Well, since there was no opposition, I usually try to raise some specter of opposition. The Mayor of Chicago okay on this Bill?"

Crotty: "Pardon me?"

Black: "Is the Mayor of Chicago, has he weighed in on this Bill?"

Crotty: "You know, I've really never spoken to him... "

Black: "Okay."

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Crotty: "... about this Bill or anything else, so... "

Black: "All right. I see Representative Franks behind you with a full pad of cosponsor forms. Is he waiting to get on this Bill with you?"

Crotty: "I would love... probably he's on the House Bill. But you know these Senate Bills, I can only allow five on there and I've got those."

Black: "As well you should, because I may have to change my opinion of the Bill if you let Representative Franks on it. He's the only guy on the floor that carries two packs of Sponsor request forms with him at all times. The man is a regular machine."

Crotty: "I'll tell ya, these freshmen, you know how they get carried away. He's thinkin' he's gonna help me with this Bill."

Black: "I thought maybe he had joined staff there for a second, he was whispering in your ear, but that's... "

Crotty: "He's cute enough to be staff, isn't he?"

Black:: "We'll revisit that on another occasion, I'm sure. I do thank you for answering the questions, Representative. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall Senate Bill 175 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 175, there were 113 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 2, of the Calendar, appears Senate Bill 99. Representative Durkin. Representative Durkin. Out of

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the record. Senate Bill 116. Representative Wait.

Representative Wait. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 116, a Bill for an Act amending the Illinois Uniform Transfers to Minors Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Wait."

Wait: "Thank you. Basically, this is just a change in a law that would change the custodians to allow them to be a trust, so it would not be taxed in their estate. This here brings in a conformity with the Federal Law. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 116?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 116, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 2, of the Calendar, appears Senate Bill 99. Representative Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 99, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Durkin, are you ready to call this Bill? Mr. Durkin?"

Durkin: "Yes. This Bill is an initiative of the MWRD. This states that in certain lease-hold properties, which are up for sale, that the MWRD is allowed to in limited circumstances to... if increased the bid by no more than

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5%. What happens is that they have a great number of property throughout the area and people will low bid or no bid on the projects in order to them to get at least some type of money back for the reasonable value of the property. They're allowed, in this situation, to go no more than 5% than the bid price."

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

Schoenberg: "Thank you, Mr. Speaker. A question for the Sponsor. Will he yield?"

Speaker Hartke: "He'll yield."

Schoenberg: "Mr. Durkin, what does this Bill do to alter the standards for leases and competitive bidding procedures for leases that are in the new procurement law?"

Durkin: "It allows MWRD to go for the top two bids for a piece of property, to go up to 5% over that bidding price, if they choose."

Schoenberg: "And is the bidding process anymore subjective as a result of allowing them to do that?"

Durkin: "No, it allows them to get a greater value back 'cause I think it... I don't think it's more subjective, I think, it just allows the MWRD to get back a better bang for their buck, so to speak, 'cause of the enormous amount of parcels of land which have become very valuable in the eyes of individuals. However, 'cause there are so many that the bids are extremely low in that situation, do not meet what they believe is the reasonable value of the property. So, they want this opportunity to go above that bid price."

Schoenberg: "So, you don't think that this is weakening the bidding procedures for lease requirements?"

Durkin: "I don't believe so."

Schoenberg: "Thank you."

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

Durkin: "Thank you very much. I think this is a reasonable Bill. The MWRD, what they're planning to do is that if they can raise revenues in this way, they'll rebate it back to the taxing bodies and perhaps, you know, it will bring some reasonable sales in the property. I think this is a reasonable Bill and I would ask for your 'aye' vote."

Speaker Hartke: "The question is, 'Shall Senate Bill 99 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 99, there are 104 Members voting 'yes', 12 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3, of the Calendar, appears Senate Bill 176. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 176, a Bill for an Act in relation to bond fees. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 176 passed out of the Senate 53-1. It provides that the bond fees of sheriffs' apply to both civil and criminal cases. Current statute does not specify whether the bond fee can be collected by both, for both criminal and civil. Counties around the state are collecting this. This is simply a clarification that says they can. Counties, like I say, all around the state; Iroquois, DeKalb, Fayette, Coles, Knox, DuPage, Stephenson, Ford, Carroll, Kane, Williamson, Peoria, and others are collecting this. It's simply a clarification. I'm not

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aware of any opponents and the Sheriffs' Association is signed in as a proponent, and I have a letter from the Sheriffs' Association in support of this Bill. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall Senate Bill 176 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 176, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3, of the Calendar, appears Senate Bill 127. Representative Saviano. Representative Saviano. Out of the record. On page 3, of the Calendar, appears Senate Bill 257. Representative Turner. Representative John Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 257, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. Senate Bill 257 provides upon motion and its discretion, the court may appoint as a special process server a private detective agency certified under the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993. Be glad to answer any questions, if there are any."

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

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

Speaker Hartke: "He indicates he will."

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Dart: "Representative, this would allow... is it the court? Would this allow the court to utilize private detectives to serve summons and the like?"

Turner, J.: "No."

Dart: "What does it do then?"

Turner, J.: "Amends the Civil Practice Act so that an agency who's certified can be appointed, as compared to an individual. Does not apply, however, I don't think I said to Cook County."

Dart: "This does not apply to Cook County?"

Turner, J.: "Correct."

Dart: "But it would allow for... who would it allow now to serve... process?"

Turner, J.: "Serve process, serve summons. Yes, correct."

Dart: "And this would allow private detectives is that... who does... "

Turner, J.: "Yes, it would allow a private detective. I don't think, though Tom, the purpose of the Bill was brought to me by the Chicago Bar Association, I believe was the proponent of it. What it does is rather than putting in an order of specific individual who must serve process, what it says is that the agency itself can be nominated by the court pursuant to a motion to actually serve the process."

Dart: "Is the thinking behind this to supplement where areas where they don't have people, or is this to give a new type of business to private detectives?"

Turner, J.: "Yes, I wasn't aware of it, but apparently it has been a problem in a few instances, so that they wanted to make the statute a bit more liberal to make sure the service can be obtained, although it does have within it still the safeguards to make sure that process is made upon a given defendant before, obviously, you proceed."

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Dart: "Did you say this was a liberal statute?"

Turner, J.: "I don't think I said that. If I did, perhaps I should reword. Did I say liberal?"

Dart: "Yeah. I don't think I've ever heard you use that word before."

Turner, J.: "I'm rather fond of that word and I hope I did make use of it today in this presentation."

Dart: "Yeah."

Turner, J.: "Thank you for your questions."

Dart: "Oh, anytime."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 257?' 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? Mr. Clerk, take the record. On Senate Bill 257, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Representative from Cook, Representative Moore, or Lake, excuse me, Andrea Moore. Are you seeking recognition?"

Moore: "I guess I am. For purposes of an announcement, is that what your asking me or with this... "

Speaker Hartke: "Yes."

Moore: "Yes, I would. I would like to announce that the Conference of Women Legislators event that is scheduled for this evening will be postponed and you will be getting information as far as the date that it will be held. We are hoping to still hold it at the Illini and stay tuned for further information."

Speaker Hartke: "The Chair recog... On page 3, of the Calendar, appears Senate Bill 127. Representative Saviano. Mr.

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Clerk, read the Bill."

Clerk Rossi: "Senate Bill 127, a Bill for an Act concerning professional engineers. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 127 is the rewrite of the practice Act for the professional engineering profession. It simply changes the date to January 1, 2010. It's an Agreed Bill, and I would ask for your favorable vote. Thank you."

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

Dart: "Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Dart: "Skip, is there any other substantive changes other than just the extension of the date?"

Saviano: "It changes the date, and it says that... what we're doing with all Licensure Acts, there's uniform language that we're putting in all the Bills to make 'em all on the same playing field. So they're technical changes, nothing substantive."

Dart: "Yeah, that was my only concern. So, it's technical in just extending it? Fine. Thanks, Skip."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Saviano asks for the passage of Senate Bill 127. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 127, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. Senate Bill 642. Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 642, a Bill for an Act concerning prostitution offenses committed near a school. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Acevedo. Mr. Clerk, what is the status of this Bill?"

Clerk Rossi: "Senate Bill 642 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Mr. Clerk, take this Bill out of the record. What is the status of Senate Bill 643?"

Clerk Rossi: "Senate Bill 643, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Acevedo."

Acevedo: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 643, basically, what it does it authorizes the court to extend a period or probation to assure complete restitution is made and to assure that the victim is paid in full. I ask for a favorable support."

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

Cross: "Can you explain to us the definition in your Bill of 'short as time as possible'?"

Acevedo: "Yes, Representative Cross, right now the period is five years where restitution has to be paid. We're asking the court to extend that period of five years, in which an offender has to pay the restitution at that time."

Cross: "All right and this Bill does provide for an additional riverboat license in Cook County. Is that correct?"

Acevedo: "I'm sorry, Representative. I can't hear a word you're

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saying."

Cross: "Pardon me?"

Acevedo: "I can't hear what you're saying."

Cross: "I can't hear anything you're saying. So all I said is, this is the Bill that provides for an additional riverboat license in Cook County?"

Speaker Hartke: "Ladies and Gentlemen, could we please have some order in the chamber. Shhh. Mr. Cross."

Cross: "So, I think what you said was this would give the City of Chicago three additional riverboat licenses?"

Acevedo: "I don't know if there is something wrong with my microphone, but that's not what I said."

Cross: "I'm sorry was it four?"

Acevedo: "I said it authorizes the courts to extend a period of probation to assure complete restitution is made. I never said nothing about a riverboat."

Cross: "This is a riverboat Bill? Does it say anything about additional licenses in Cook County?"

Acevedo: "Mr. Speaker, can we get the electrician here 'cause I think there's something wrong with the microphone?"

Speaker Hartke: "I think there's something wrong with Representative Cross's hearing aid."

Cross: "I don't think there's anything wrong with my hearing aid. You just can't hear a thing in this chamber, Mr. Speaker."

Speaker Hartke: "Can we have some attention here in the chamber, please? This is a very important piece of legislation. Representative Cross."

Cross: "So, all your Bill does... apparently, I made a mistake in listening. There was nothing to do with riverboat licenses, especially additional ones in Cook County. Is that correct?"

Acevedo: "That's correct."

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Cross: "Nor, does this deal with horse racing, in any way?"

Acevedo: "No, this does not."

Cross: "All right, our mistake. It does provide that in the event you're ordered to pay restitution, you have to pay it as soon as possible. Is that correct, Representative?"

Acevedo: "Right now, the period is five years, Representative. We're trying to extend that period of five years."

Cross: "You're trying to what?"

Acevedo: "Extend the period of five years."

Cross: "You mean shorten it?"

Acevedo: "I'm sorry, shorten. You're right. You're right, Representative. I'm sorry."

Cross: "I just want to make sure, Representative, and I think everyone's going to support the idea. In the event someone can't pay the restitution within a shorter period of time, we aren't prohibiting a longer period of time where the circumstances are warranted, is that correct?"

Acevedo: "Yes, we are."

Cross: "That is correct, okay. So, if you were guilty of committing an offense on a riverboat, even though that riverboat wasn't in Cook County, you'd have to pay the restitution, if there was restitution, within the shortest period of time, is that correct?"

Acevedo: "I wouldn't know that, Representative. I don't gamble on riverboats."

Cross: "I didn't think so. This looks like a good Bill. Thank you, Mr. Speaker."

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

Acevedo: "I ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall Senate Bill 643 pass?' All those in favor will vote 'yes'; those opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 643, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3, of the Calendar, appears Senate Bill 276. Representative Cross... Krause. Out of the record. Page 3, of the Calendar, appears Senate Bill 291. Representative Jones, John Jones. Out of the record. For what reason does the Gentleman from Lake, Representative Osmond, seek recognition?"

Osmond: "I rise on a point of personal privilege."

Speaker Hartke: "State your point."

Osmond: "I would like to introduce a new member of the Senate for the Lincoln Land College. And it's also his birthday today, one of our Pages, Eric Welsh. Happy Birthday."

Speaker Hartke: "Welcome to the General Assembly. Page 3, of the Calendar, appears Senate Bill 319. Representative Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 319, a Bill for an Act regarding health insurance for children. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Krause."

Krause: "Thank you, Mr. Speaker. This Bill is, basically, one that is of a technical changes to what was the original Children's Health Insurance Program. Just basically, it made changes to make it clearer in the legislation, that on copayments under the Bill they are to be at or below 150%, not merely below. In addition, the legislation does provide in order to pick up additional funds under Social Security Title XXI that the Juvenile Rehabilitation Services Medical Matching Fund, which would enable the

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department to secure an enhanced match of 65% rather than the standard 50%. Those are the changes that did occur in Senate Bill 319 and I would ask for its support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 319?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 319, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4, of the Calendar, appears Senate Bill 396. Representative Osmond. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 396, a Bill for an Act to amend the Sex Offender Management Board Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Osmond."

Osmond: "Senate Bill 396 extends the period that the Governor needs to appoint a sex offenders board. Governor Edgar did not meet that deadline, and this simply extends the deadline so that members can be appointed. There was no opposition to this."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 396?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 396, there were 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared

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passed. On page 4, of the Calendar, appears Senate Bill 461. Representative Meyers (sic-Representative Meyer). Jim Meyers (sic-Jim Meyer). Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 461, a Bill for an Act to amend the Illinois Savings and Loan Act of 1985. Third Reading of this Senate Bill."

Speaker Hartke: "Ladies and Gentlemen, can we have a little order in the chamber, please? This is Third Reading. It helps when we don't have to repeat the questions. Representative Meyers (sic-Representative Meyer)."

Meyer: "Thank you, Ladies and Gentlemen of the House. This is the most attention I've had in six years, going on seven. Thank you. Senate Bill 461 is a Bill that amends the Savings and Loan Act of 1985. It deletes provisions in the current law, which exempt the savings and loan institution from garnishment proceedings concerning the capital accounts. And this just brings the savings and loans institutions up-to-date with what the banks are today."

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

Davis, M.: "Thank you, Mr. Speaker. Is there still a department in the State of Illinois called Professional Regulations?"

Speaker Hartke: "You're asking the Sponsor?"

Davis, M.: "No, I'm just asking you."

Speaker Hartke: "Yes, I believe so."

Davis, M.: "There is still a department in the state of Illinois, Professional Regulations and Registration? And should they have a telephone where someone answers that phone?"

Speaker Hartke: "785-0900."

Davis, M.: "Okay, we'll try it again, Sir. Thank you."

Speaker Hartke: "Thank you. Is there any discussion on Representative Meyers (sic-Representative Meyer) Bill?"

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Representative Black."

Black: "Well, I'm sorry, Mr. Speaker. I'm confused."

Speaker Hartke: "I am too, go... "

Black: "Is Representative Meyer garnisheeing the Department of Professional Regulation? What'd he go garnishee their phone? What has he done here?"

Speaker Hartke: "Representative Meyers (sic-Representative Meyer)."

Meyer: "I have no axe to grind with Department of Professional Regulations. So, you'd have to ask the Representative that interrupted the debate here. I was standing here ready to answer all sorts of questions and I'm not sure how I answer that one."

Black: "Well, I... and I do appreciate you getting order in the chamber, Mr. Speaker, but I'm confused. What was... Was the previous Representative's question to the Sponsor or was it to the Chair?"

Speaker Hartke: "I think the previous question was stated to the Chair."

Black: "To the Chair."

Speaker Hartke: "She's lost her phone book, I think."

Black: "I see and the Chair responded?"

Speaker Hartke: "The Chair responded to her and now we're asking you if you stand in opposition to Representative Meyers (sic-Representative Meyer) Bill?"

Black: "Well, I don't know. I'm still trying to figure out what... Are you directory assistance for the chamber now or what? Can I reach you at 411 or what? I see. Well, obviously, this question's going nowhere. Your phone is obviously off the hook. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Hello, Representative Meyer, are you there?"

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Meyer: "I'm here, it's a long ways, long distance, but... "

Black: "Yes, it is. I... In all due respect to your Bill, I don't understand what you're doing. You're making savings and loans... "

Meyer: "Well, historically... "

Black: "Are you telling me if I have an account in a savings and loan, that account cannot now be garnisheed?"

Meyer: "That's correct. Historically, that was carved out because of the nature of savings and loans at one point in our banking history. That nature's certainly changed over the years and they've become more and more like banks. And no longer are we carving that out under this legislation."

Black: "Well, I had no idea that if I had an account in a savings and loan, it couldn't be garnisheed. Given what you've told me, would you take the Bill out of the record until I can move all of my accounts to a savings and loan?"

Meyer: "Well, certainly Representative, we're trying to change that today on this very spot."

Black: "They say that any day you learn something is a good day. And I really and truly did not know that an account that I might have at a savings and loan could not be garnisheed. But this Bill will correct that, is that your intent?"

Meyer: "That's correct. Again, historically, savings and loans were carved out because of the very nature of the accounts. Normally, they were established primarily just to save for the purchase of a home and therefore, that was not available for garnishment, and again, that's changed."

Black: "Do the savings and loan institutions... have they taken an official position on the Bill?"

Meyer: "Everyone is in agreement with this."

Black: "All right. Thank you very much, Representative. I appreciate your indulgence. Mr. Speaker?"

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Speaker Hartke: "Yes."

Black: "I need to call my bank about an overdraft and I don't know the number. Could you get the number? Actually, it's my savings and loan and I'd like to do some financial transactions before this Bill passes. If you could get me that number, I'd be very grateful."

Speaker Hartke: "We'll start to work on that."

Black: "Well, thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Meyers (sic-Representative Meyer) to close."

Meyer: "Well, I'd just like to ask the House for a favorable vote on this and I'm glad to see that the Speaker, currently in the Chair, knows the number for the Professional Regulations. I think he's a fine professional Gentleman."

Speaker Hartke: "Thank you. The question is, 'Shall Senate Bill 461 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 461, there were 114 Members voting 'yes', 0 voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4, of the Calendar, appears Senate Bill 475. Representative Persico. Mr. Clerk."

Clerk Bolin: "Senate Bill 475, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Persico."

Persico: "Thank you, Mr. Speaker. Senate Bill 475 eliminates the... or amends the Trustees of School Article of the School Code. Provides that notwithstanding Section 2-3 of the School Code, within the sch... a waiver of mandate

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established in the County School Unit Section, may not be requested. It eliminates the ability of school districts under the authority of a township treasurer, which is only Cook County, to seek approval through the mandate waiver process to employ a school treasurer. And I would ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall the House pass Senate Bill 475?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 475, there are 109 Members voting 'yes', 6 Members voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5, of the Calendar, appears Senate Bill 481. Representative Beaubien. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 481, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Senate Bill 481 expands the provisions of the Consumer Fraud and Deceptive Business Practice Act to additionally apply to holders of motor vehicle retail installment contracts. This Bill passed through the House on a vote of 115-0, as a Bill 1177. It's a companion Bill in the Senate. It's sponsored by the Bankers Association, Automobile Dealers Credit Union, and Financial Services Association. If you have any questions, I'd be pleased to answer them."

Speaker Hartke: "Is there any discussion? There being none, the

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question is, 'Shall the House pass Senate Bill 481?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 481, there were 104 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5, of the Calendar, appears Senate Bill 527. Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 527, a Bill for an Act to amend the Lawn Care Products Application and Notice Act. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you. This Bill is to amend the Lawn Care Products Application and Notice Act. It provides for notification requirements for application of lawn care products or pesticides to school grounds other than school structures. What this Bill does is to change the Lawn Care Act. And that children who are allergic to pesticides can register at their local school and can be notified within two days before the spraying of school grounds. It passed unanimously out of the Senate and out of committee."

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

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

Bellock: "Yes."

Speaker Hartke: "She indicates she will."

Black: "Representative, wouldn't a reasonable compromise of this be that they just wouldn't use pesticides or fertilizers on their lawns while the students are in school?"

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Bellock: "It would be, but this... Actually, Bill 529 pertains to that in trying to come away from pesticide spraying, but right now they are allowed to do that. So what we've asked is this notification, but Bill 529 does address that issue."

Black: "How big does... What constitutes notice? That little thing that they put in my yard when they put it down or is it a bigger sign or is it notice to all of the parents? Or how is the notice given?"

Bellock: "Okay. Now the notice, by the change in this Act, can be given either by a notice to the individual parents, which register with the school, which could be just two or four students in a school, or it can be given just in the monthly calendar, or some form of notice that's given out by schools of other calendar of events during the month. So, it doesn't really cost anything to the school."

Black: "So, you don't have to notify every student?"

Bellock: "No."

Black: "Does the... Is there a penalty provision in the Bill for a school that somehow forgets to make the notice?"

Bellock: "I'm not sure if there was penalty provision in there. I don't think there was."

Black: "I don't see any language in the actual Bill, but I just wonder... on page 4 of the Bill, I see where it says notification. I'm just curious if the school overlooks it or they get into a real bind, you know, the crush of the year, the end of the year, graduation practice, all that stuff."

Bellock: "Oh, in case of emergency, there does not need to be notice. They can do it at their regular time if there's... and if there's a sporting event or something that takes place, they can do it afterwards. There is a provision in

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there in case of emergency."

Black: "Okay. So it's not your intent to put a penalty... "

Bellock: "No."

Black: "... upon school districts who might in good faith overlook the prior written notice?"

Bellock: "No, absolutely not."

Black: "Would it be cause for a civil action?"

Bellock: "The schools are responsible anyways. We discussed this in committee that the schools are responsible because they're doing spraying anyways. So in this case, it actually protects the school because they have given notification to those people that have registered."

Black: "Okay. I'm just curious Representative, in your area, do schools have large lawns and nice green grass?"

Bellock: "Yes."

Black: "I'd love to visit up there. Most of my schools don't have nice lawns or green grass. They do have a lot of asphalt, but I... you know... Someday I'll visit your district and schools and you can come visit mine, okay?"

Bellock: "I will."

Black: "That's great. Thank you."

Bellock: "Thank you."

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

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

Bellock: "Yes."

Speaker Hartke: "She indicates she will."

Lang: "Representative, was this Bill amended in committee?"

Bellock: "No, this Bill wasn't amended in committee."

Lang: "So, this is on the House Floor in the same form it left the Senate?"

Bellock: "Right."

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Lang: "All right. Have the school principals, the superintendents, commented on your Bill?"

Bellock: "They're all in favor of it. We have no opposition whatsoever."

Lang: "Now, what about the people that are in the pesticide business?"

Bellock: "Right. They have no opposition to it either. We met with them. They had some concerns about Senate Bill 529, but they worked all of that out, too. But they had no problem with the Notification Act whatsoever."

Lang: "All right. Thank you."

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

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

Speaker Hartke: "She indicates she will."

Lawfer: "Representative, and I think I understood, you said there was no known opposition to this. Is that correct?"

Bellock: "Correct."

Lawfer: "Would this pertain to area or a pesticide that was sprayed in the area of a school or just on the school grounds?"

Bellock: "Just on the school grounds."

Lawfer: "So, if there was an application adjacent to the school and so on, there would be no notification needed?"

Bellock: "Right. This just pertains to on the school grounds."

Lawfer: "Okay and I may not have heard all of that discussion earlier, you may have touched on this. But this would only be application made by people that were employed by the school or contractors?"

Bellock: "Right. Contracted by the school, right."

Lawfer: "Okay."

Bellock: "Yes."

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Lawfer: "Okay. Thank you very much."

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

Bellock: "Oh. Well, I thank you very much for your support. I think this is something that the pest industry and the schools are in support of. And I encourage your vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 527?' All those in favor signify by voting 'yes'; those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 527, there were 106 Members voting 'yes', 9 Members voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 4, of the Calendar, appears Senate Bill 400. Representative Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 400, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This is a rather straightforward Bill. It permits the courts, as a condition, and I stress as a condition of probation, to require the removal of a tattoo, where that tattoo symbolizes allegiance to a street gang. It passed out of the Senate 58-0. It passed out of the House Committee, unanimously. I guess it was 11-0, when I was there a couple of weeks ago. And I'd appreciate an 'aye' vote. I don't know of any opposition. Thanks."

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

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what reason do you seek recognition?"

Black: "I just wanted to know if the Sponsor of this fine piece of legislation, on which the entire future of the western world hinges, would yield for a question?"

Speaker Hartke: "He will."

Black: "Thank you."

Cross: "No, he won't."

Speaker Hartke: "He refuses to yield."

Cross: "Thank you."

Speaker Hartke: "Further discussion?"

Black: "I don't blame him. If I was... "

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

Black: "If I was car... "

Turner, J.: "Sponsor yield, Mr. Speaker?"

Cross: "No."

Speaker Hartke: "The answer is 'no'."

Cross: "Yes, I will for both you and of course, Representative Black, 'cause I know.... "

Speaker Hartke: "Representative Turner, proceed with your question, please."

Turner, J.: "Representative Cross, how long have you been working on this legislation?"

Cross: "Pardon me."

Turner, J.: "How long have you been working on this piece of legislation?"

Cross: "Well, Representative, I've been working with the President of the Senate on this and I know he talked to me and said he thought you would be very supportive of this, and was gonna keep an eye out on how you voted. And he and I've been working on this for a long time."

Turner, J.: "Has there been a tattooing problem in Kendall

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county?"

Cross: "No, but up in Kane County, which is in the 16th Judicial Circuit, the area I represent, Representative, and I know you're not making light of this. We have a problem with gangs in both Aurora and Elgin. And our judges feel very strongly about this and they think this will make a difference to help eradicate the gang problem in our area. And I appreciate your thoughtful questions."

Speaker Hartke: "Further discussion? The Chair rec... "

Turner, J. "Thank you for your thoughtful responses, Representative Cross."

Speaker Hartke: "The Chair recognizes Representative Black."

Black: "Yes, Mr. Speaker, I'll try again. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, in all seriousness, this isn't a mandate. If a judge wants to order the removal of the tattoo as a condition of probation, it's at the discretion of the judge, correct?"

Cross: "Yes, and then you raise a valid point, to this Bill and obviously, you've spent some time reading it, unlike the previous speaker in question there. And I appreciate your insight and I appreciate, actually, by asking that question you've helped me explain this Bill even better. The answer's 'yes'."

Black: "Now, trust me, I have no idea how you remove a tattoo. Do you do it with sandpaper or how do you remove a tattoo? I, really, have no idea how you do that."

Cross: "And I realize Representative, you're being very serious about this and I appreciate it, unlike the previous speaker. We use, in this day and age, a concept known as laser removal. Maybe years ago, and I'm not at all

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suggesting that you're older than I am, where sandpaper was utilized, but we're now in the age of laser removal, Representative."

Black: "And I'm not being facetious. I didn't know you could remove a tattoo. Actually, through a laser procedure you can remove the tattoo? What does it do to the underlying skin?"

Cross: "Bill, I think in all seriousness, there was a day where removal of tattoos was a technique that was not pleasant, it was rather painful and I think it did do damage to the skin. In this day and age, the laser removal process is a lot less burdensome, if you will, on the skin and not as... it doesn't do as much damage, I guess to say."

Black: "All right. So, you're telling me that medically, it's a safe procedure? It can be done... "

Cross: "Much more so than we... yes."

Black: "All right."

Cross: "And much more so than the concept that we've all maybe grew up listening to about, for people, tried to get them removed... "

Black: "Okay."

Cross: "... and it was very painful."

Black: "Now, what happens under your Bill... what happens if the person before the court says, 'No, no, I absolutely will not let you remove that tattoo.' Is that within the person's realm of his or her rights? Maybe if the tattoo says 'mother' and he's very attached to it."

Cross: "Well, I think and once again, you're asking an insightful question. It says the tattoo has to be gang related or have an affiliation with the gang and so I think the mother or the reference to a girlfriend or a sister, are more whatever, an earring, would not be applicable,

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Representative. But if there is some connection between the tattoo and the gang that's what we're after."

Black: "All right."

Cross: "And I think you know that."

Black: "But what if the defendant in the court says, 'No, absolutely, I will not give you permission to remove this tattoo.' What happens to the defendant at that point?"

Cross: "Well, if the sentence is handed down, the defendant, he or she could be held in contempt of court. It would be a condition of the sentence, just like jail, just like a fine, just like any other things. I think there are a whole host of sentencing alternatives available to our judicial system in this day and age."

Black: "So, you know... "

Cross: "So, if I would be you, it'd be held in contempt. Now, it's possible, too, that in a situation such as that, that there might be some type of plea agreement arranged where there might be an alternative to the removal. Where the defense attorney or public defender might be able to work out an arrangement with the State's Attorneys Office. Hopefully, the judge will agree. But I... "

Black: "So, surely, you're not saying that if this Bill passes and I'm watching the Most Wanted (sic-America's Most Wanted) show on television two years from now, John Walsh isn't going to come in there and say, put somebody's picture on there and say, 'Help us find this criminal. He's wanted for fleeing and eluding the removal of a tattoo from the State of Illinois.' We're not gonna get to that point are we?"

Cross: "I certainly hope not."

Black: "I certainly hope not, too. I mean, I guess what I'm trying to get at, is his punishment likely to be enhanced

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if the defendant refuses to have the tattoo removed?"

Cross: "I don't think so, Bill. And it's a good question to ask, but this actually's been going on a little bit already in our... "

Black: "All right."

Cross: "... systems up North and this will, basically, codify what judges have been doing. And I think that this came out of DuPage County. I know the judges in the 16th (sic-Judicial District), the area I represent, have already been doing it and there hasn't been a problem."

Black: "And I appreciate the work you've done on this, Representative. And as... I don't mean to make light of it, but as God as my witness, I did not know that there was a tattoo parlor in DuPage County. Is there?"

Cross: "I don't represent that area, Representative."

Black: "Would there be one in Kane County? Or Kendall County?"

Cross: "There's not one in Kendall, I'm sure of that. Do you know what happens? These gang members sometimes go down to southern counties, maybe to Vermilion, where there are tattoo parlors, and then they come back up and do their dirty work. So.... but there aren't any up in Kendall. I'm sure you knew that."

Black: "Well, no... Now that you've explained it and I understand what's going on, I hope to join you in stopping this illegal trafficking of tattoos. So, I'm with ya."

Cross: "More power to you."

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

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

Speaker Hartke: "He indicates he will."

Morrow: "Representative Cross, in this Senate Bill 400, is there a language that defines what a gang tattoo is?"

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Cross: "There's not a definition, Representative, of what a gang tattoo is. I know that throughout the Criminal Code there is a reference to what gang activity is, Charles, but there's not a specific definition in this Bill of what a gang tattoo is."

Morrow: "Well, I'm glad that you brought that up. What if I'm not a member of a gang, but I had just happened to have a certain tattoo that gang members wear. Bring out a point, the Star of David, it's a symbol that represents the Jewish faith. Unfortunately, a lot of gang members find that symbol to be a star of any kind, as something that they would like to wear. I have problems with this Bill, Representative Cross, because of the fact that a gang tattoo is not defined. I had a problem when we passed a Bill several Sessions ago that designated if three people that are suppose to be gang members, the police can stop and detain. What defines or is there a certain look about a young person that says, 'Oh, you're in a gang and you're not in a gang.' I have a problem with that. The point I'm bringing out we had an unfortunate tragedy out in Colorado last week, where some of the newspapers are saying these kids were part of a clique. And if you define a clique, a clique says, 'people that are exclusive and hang to theirself'. These kids weren't exclusive, these kids projected a racist, antisocial attitude. You look at the definition of a gangbanger, the definition of a gang banger is someone that is antisocial and nonproductive, disruptive. So I want us to be very careful in passing this legislation or voting on this legislation, that we don't target kids who are productive citizens that follow the Dennis Rodman's of this world and decide to get a tattoo. They don't do drugs, they're not in gangs. If

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they want to foul up their beautiful skin with markings, that should be their God-given right, it's the right of the First Amendment. You're taking away the First Amendment right of young people to disfigure themselves, if they wish to. That's the problem I have with this Bill."

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

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

Speaker Hartke: "He indicates he will."

Fritchey: "Representative, to follow up a little bit on what Representative Morrow was discussing. It's very tempting for all of us to sponsor and vote for and pass all types of antigang legislation and all types of tough crime legislation. But when you look at the language of this Bill and it talks about a requirement to have a tattoo symbolizing allegiance to a street gang removed, I'm just curious, if you see a First Amendment implication in that language? If this type of amorphous language came up in another context that wasn't set up to crack down on street gangs, I think people would be jumping up left and right on this floor complaining about the erosion of First Amendment rights. I'm just curious what your response is."

Cross: "Representative, I'm not sure I heard all your question, but let's remember that this is not mandatory, this is discretionary in the court's opinion. We already allow a judge to prohibit the association as a condition of a supervision or probation, of an association with a gang. So, I'm not sure where you're trying to go with this. But... and we also... and let me emphasize this, we are talking about the Juvenile Act. We're not talking about the Adult or the Criminal Code. We're talking about the Juvenile Court Act, which we are where we do treat things

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and we do treat children and keep in mind, with a respect for their rights. But we do treat the Juvenile Court Act and kids a little differently, as we should, than we do adults."

Fritchey: "I agree with you and I think there's good reasons that we do that many times. But is that a concession then that maybe we are willing to strip some of the First Amendment rights from Juveniles?"

Cross: "Well, if you want to... You don't have a problem, Representative, with the prohibiting of the association with gang members do you? Which we have already outlawed."

Fritchey: "I think that one's been troubling, as well. But this one, you can... "

Cross: "This General Assembly's passed that."

Fritchey: "But you can hone this one down a little bit more with references to the Star of David, that Representative Morrow brought up, or a cross that may be brought in, or I've seen individuals that have... they'll just have G/D. Now, is that a veiled reference to God or is that a 'Gangster Disciple' reference? And the issue and obviously, there's nothing but good intentions in this Bill. But the issue is, are we throwing out the baby with the bath water?"

Cross: "Well, and John, I think you know the court system as well as I, that we're talking about Juvenile Court Judges. And I think Juvenile Court Judges and all of the people that are involved with the Juvenile Court system are very conscientious. And I think even... I know in Cook County you have a lot of quality people that end up where is used to be the judge wouldn't want to go to Juvenile Court because it's... no one wanted to be a prosecutor, no one wanted to be a judge. Now, you have people that they make it their livelihood of being part of the Juvenile Court

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system. When you're to that point, where you're gonna order the removal of a tattoo, the defendant or the juvenile has probably been in... not probably, has been in the court system numerous occasions. And it is probably gonna be a last resort on the part of the judge in any particular case. So, to suggest that a judge is gonna remove, or utilize this section in an extreme case, I think is not gonna happen. I think the people in the Juvenile Court system are frustrated like many of us are and are trying to grapple with doing the right thing. And I think they're gonna use this in isolated cases."

Fritchey: "Let me ask... Were you done?"

Cross: "Sure."

Fritchey: "I don't want to cut you off. I'm sorry. Let me ask you a procedural question that I'm not familiar with. If a judge were to order the removal of a tattoo as a condition of probation, would the defendant in that case, or would the juvenile involved in that case, be able to appeal that order of a condition?"

Cross: "Well, I guess in a plea agreement or I guess in any judgement. There are some people in here that are better at criminal law than I am. But you have 30 days to file an appeal, and I think you do that even when you enter a plea agreement."

Fritchey: "Are you concerned that there's a risk, that you could start opening up First Amendment appeals to probation agreements, where all of a sudden somebody's... a lawyer for a juvenile says, 'My client's being ordered to remove a tattoo as a condition of probation. It's gonna violate his First Amendment rights.' And now we've got probation decisions that are going all the way up to the Supreme Court."

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Cross: "Well, in a plea agreement... I mean you've been around the business of courthouses quite a bit, John. I don't know... I can't think of any plea agreements where people have appealed. Certainly, there are those cases, but I... as a general rule, that doesn't happen."

Fritchey: "Tom, let me ask you a question, then. Is this only, and this may be my misunderstanding, is this only within the context of a plea agreement?"

Cross: "No, it's condition of probation or supervision. But you asked me... I was using that scenario of a plea agreement, and I thought we were continuing that string of discussion, or those string of questions. Certainly, in a nonplea agreement someone could appeal and there's no question about it."

Fritchey: "I was being informed by one of my more knowledgeable colleagues, that in a blind plea, that they can't appeal the terms of that. And like I said Tom, I understand what we're trying to do. And I'm just real concerned that this may be overreaching on our part and I don't want to see us open this up and it start just to create more litigation that may ultimately, I think, get thrown out by the court. If this type of Bill and people... and Speaker, you know what, to the Bill, because the Sponsor's been very forthcoming in answering my questions. To the Bill."

Speaker Hartke: "To the Bill."

Fritchey: "Everybody, as I said initially, it is very, very tempting politically, to do whatever we can to crack down on street gangs. It's very tempting, as well as it should be, to do whatever we can to try to improve and redirect juvenile offenders in a more positive direction. The majority of requirements that we have as terms of probation are things that are definitely aimed at bettering that

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juvenile, so that we're not gonna see them back in the system again. Requiring them is a condition of probation to remove a tattoo, that may well not have any gang affiliation connoted within it whatsoever, is a very dangerous precedent. To have an individual remove a religious symbol off of their body, which they firmly and truly believe is only there as a religious symbol, is not a road that I think we want to be going down. If you want to do this, if you feel that it's worth impairing somebody's First Amendment rights, if you feel that it's worth issuing decisions as conditions of probation over what somebody is going to do with their body and how they're going to treat their body, and what they can do to their body, then vote for the Bill. But do not come back later on and say that you weren't aware what this Bill did. This Bill is an erosion of First Amendment rights. I don't know that it's a permissible erosion of First Amendment rights, and I think it's something we need to tread very carefully with. Thank you, Speaker. Thank you, Representative Cross."

Speaker Hartke: "Further discussion? The final person seeking recognition is the Lady from Cook, Representative Davis."

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

Speaker Hartke: "He indicates he will."

Davis, M.: "Representative, this medical procedure will be done to remove the tattoo that appears to be a gang symbol. Is that correct?"

Cross: "Well, actually the language in the Bill, Representative, 'tattoo symbolizing allegiance to a street gang' is the way it's phrased in the Bill."

Davis, M.: "Representative, what about members that have tattoos that show an allegiance to a hate group, for example, the

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KKK, or a militia, a swastika? Are those significant enough to be medically removed?"

Cross: "Well, Representative, if the court, or at least in the court's opinion, those types of groups fall under the definition of 'street gang' as we have 'gang' described in the General Assembly or the statutes already, then perhaps it would."

Davis, M.: "Well, to the Bill. As much as I detest gangs, I really detest gangs. Representative, I really detest tattoos, even though I like Dennis Rodman, I think he's a superior basketball player. I like Dennis Rodman an awful lot. I hate gangs, I love Dennis Rodman, and I hate tattoos. I think it is un-American, it is un-American to single out a particular groups' symbol. Now, I don't belong to any of those gangs, but I don't think it's fair to the American people to single out one group whose tattoo you don't like. Do you like the KKK tattoo? Do you like the swastika tattoo? Do you like the militia tattoos? Do you like hate crime tattoos? It's just gang member signs you don't like. Well, that's too bad, Representative, that's just really too bad. Because you belong to a gang and you want that on your arm we're supposed to have it medically removed before this kid can be given probation. There's something un-American and discriminatory with that language. Now, if you want all tattoos removed before you could get probation, I can go along with that. But it's got to be all of them, not just some of them. I ask, what about a swastika. Is that acceptable, Representative? It's not acceptable to me, and I would be here standing saying that's the first sign we ought to remove. The swastika is the first tattoo that should be removed. So, before you perform medical procedures on gang members,

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let's remove and perform medical procedures on all tattoos on juveniles. You cannot just single out people who you think are... well, let's say different from other people. To leave this language as it is is very discriminatory, and it does not protect anyone. It doesn't protect anyone from gang behavior. Just because a person has a tattoo on them, it doesn't mean they'll act that out. And we cannot continue to attack membership rather than attacking behavior. Now, we recently had some kids to commit a bank robbery. We have laws against robbing banks, but they went home. These kids went home after robbing a bank. Those gang members would never have gone home after robbing a bank. The gang members would have been dealt with to the extent, the fullest extent of the law. No, Sir, you may not discriminate against so-called gang members, and perform medical procedures on them because they have what you perceive to be a gang sign. I disagree with this kind of thinking. It's very un-American, and it is not what the Land of Lincoln is all about. Plus, who's going to pay for the removal? Who's going to pay all of this medical expense? Now, I have children, none of them are in a gang, but if they decided to put that gang tattoo on them, I would say they would have just as much right to have that sign on them as people have to have swastikas on them. Time is up and I thank you for your 'no' vote."

Speaker Hartke: "Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hartke: "He indicates he will."

Giles: "Representative Cross, in all sincerity I'd simply like to ask you, is your legislation trying to truly get at to the individuals or the juveniles that are actually in the

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system that has a record that may be wearing some type of a tattoo, or some type of emblem on themselves?"

Cross: "That symbolizes loyalty to an allegiance to a gang, correct."

Giles: "To a gang. And could you just, you know, just briefly or could you tell me how, if I were to walk over to you right now, is there anything that you could show me or present to me or direct me to that will show an allegiance to an actual gang?"

Cross: "Representative, I, personally, can't and I wish I could. I'm not... There was a time, when I was in the State's Attorneys Office, I knew all the gang symbols. But at this point, I couldn't give you one right now and I apologize."

Giles: "Well, and I ask for a valid reason, and I'm not trying to be facetious or anything. And the reason I say that is, because this past Sunday at my church or my congregation, I teach the youth ministry. And we have some young men who we are trying to get them to come into the church to better their lives, to try to give them some good guidance, some spiritual guidance and direction. And a couple of these young individuals had some tattoos on their bodies. Now, I could have said that these individuals belong to some type of a gang or affiliated to some type of gang and I don't want to talk to them or I would like for them to be removed from the church. Now, I live in a... I represent a district that is ridden with gang activity and I have known about gang activity, primarily, all my life. And I am truly against any gang activity or any affiliation with gang activity. But we can simply cannot discriminate anyone because it may appear or may seem to be affiliation with gang activities. I think what you're trying to do is you're trying to rid a situation which is sort of difficult

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because you cannot actually tell by looking at an individual or because of a tattoo that an individual is involved in some type of illegal or illicit activities. I think what we need to do is really take this legislation back and really look at it and really try to find out exactly what we want to do with this legislation. Because there's a lot of young individuals that we may call juvenile, who may be on the road of getting their life back on track with some good guidance. And we need to nurture this and not discipline or not punish. We continue sometime in this chamber to think about punishing, punishing. But we should sometime show a little love and a little guidance and a little support and a little mentorship. And so Representative , I would really like for you to seriously consider this legislation and maybe take it out of the record, and let's look at it because I do understand what you're trying to do. But I believe, at this time, this is the wrong way to go. Thank you, Mr. Speaker."

Speaker Hartke: "Representative Cross to close."

Cross: "Thank you, Mr. Speaker. I want to just briefly respond to some earlier comments in... you know, I don't approve of swastikas, I don't approve of memberships in the KKK, and I agree with those comments from a previous speaker. But we're talking about and let's make sure we keep this in context, juveniles, we're not talking about adults. We're talking about juveniles that have been charged with crimes. We're not talking about discriminating. We're not talking about taking someone off the street. We're talking about juveniles who are within the court system, because they have committed crimes, and because they are associated or affiliated with gangs. I'll tell you what's un-American.

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Un-American is coming to the City of Aurora and watching drive-by shootings take place and having young people killed. That's un-American and everybody within this system is struggling with what works and doesn't work with eradicating gang problems. I don't know if this is going to work. I don't know if the judges know if this is going to work or not work. But it is an attempt, as many other things we've done in this General Assembly, it is an attempt to try to fight the gang problem. It is a condition of probation or supervision, meaning you had to have committed a crime. I think it's a pretty simple procedure, I think it's an ability on the court systems' part to separate potentially bad kids from continued activity in gangs. And I would appreciate a 'yes' vote. Thank you very much."

Speaker Hartke: "The question is, 'Shall Senate Bill 400 pass?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, record Mr. Turner as 'aye'. Mr. Clerk, take the record. On Senate Bill 400, there are 89 Members voting 'yes', 22 voting Members voting 'no', 5 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, First Reading of Senate Bills."

Clerk Rossi: "Senate Bill 1121, offered by Representative Kenner, a Bill for an Act to amend the Criminal Code of 1961. First Reading of this Senate Bill."

Speaker Hartke: "For what reason does the Gentleman from Cook, Representative Parke, seek recognition."

Parke: "Thank you, Mr. Speaker. I have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

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Parke: "Do you think tomorrow, since you... the Chair has a tendency to start at the beginning of the Calendar and work up, that some of the Bills on the back part of the Calendar don't necessarily get the same attention, so maybe tomorrow you can start with the back of the Calendar and work down to the lower numbers? So, that the numbers... higher numbered Senate Bills will have a fairer chance of being heard sooner?"

Speaker Hartke: "Representative Parke, you had a request of a certain Bill, you can sure approach the Chair and we'll take it under consideration."

Parke: "Thank you. That's what I appreciate."

Speaker Hartke: "Representative Black, First State Bank Savings and Loan is 446-3854. 3854. The Chair recognizes the Gentleman from Madison, Representative Davis."

Davis, S.: "Yes, Speaker, thank you. A point of personal privilege. I'd like to welcome the grade school class from Mitchell, Illinois, to the Illinois General Assembly. And I wish everybody would join me in welcoming them to Springfield."

Speaker Hartke: "Welcome to the General Assembly. Mr. Clerk, you have an announcement."

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

Speaker Hartke: "Mr. Dart, for what reason do you seek recognition?"

Dart: "Thank you, Mr. Speaker. For purpose of announcement. The Judiciary Committee will meet at 8:30 tomorrow and not at 8:00."

Speaker Hartke: "Mr. Clerk, what is the status of Senate Bill 1087?"

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Clerk Rossi: "Senate Bill 1087 is on the Order of Senate Bills-Third Reading. Senate Bills-Second Reading."

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

Clerk Rossi: "Senate Bill 1087, a Bill for an Act concerning Illinois open spaces and natural land. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of Senate Bill 741?"

Clerk Rossi: "Senate Bill 741 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Place that Bill on Second for the purpose of an Amendment. Senate Bill 1117."

Clerk Rossi: "Senate Bill 1117 has been returned to the Order of Senate Bills-Second Reading."

Speaker Hartke: "Senate Bill 1024."

Clerk Rossi: "Senate Bill 1024 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading for the purposes of an Amendment. Senate Bill 1199. Representative Smith. Mr. Clerk, read the Bill. 1199."

Clerk Rossi: "Senate Bill 1199, a Bill for an Act amending the Livestock Management Facilities Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Ladies and Gentlemen, we have an announcement. May I have your attention, please. Shhh. Representative Andrea Moore would like to make an announcement."

Moore, A.: "Thank you, Mr. Speaker. I know most of you already know this, but earlier today the Conference of Women Legislators is postponing the event that they had tonight."

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And I know you are all so disappointed. But I am happy to tell you that you'll have another opportunity to attend as soon as we get the final date. But I wanted to make sure that everyone really knew. And I also wanted to thank everybody for the wonderful show of support that we've had.

We've had so many people that have really been willing to support us and we wanted to say thank you for that, and we'll get the new date scheduled and let you know. Thank you."

Speaker Hartke: "The Chair recognizes the Gentleman from Will, Representative McGuire. For what purpose do you seek recognition?"

McGuire: "Thank you, Mr. Speaker. I just want to announce first of all, I'm sorry to hear that was postponed. But I want to announce that the Aging Committee will meet this Thursday. We were not originally scheduled to meet. We do have one Bill posted. The Aging Committee will meet this Thursday at 11 a.m. in Room C-1. So those who are on the Aging Committee, please make a note, Thursday 11 a.m., Room C-1. We have one Bill. Thank you, Sir."

Speaker Hartke: "On page 13, of the Calendar on Second Reading, appears Senate Bill 1082. Representative Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1082, a Bill for an Act concerning motor fuel. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1084. Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1084, a Bill for an Act amending the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. No Committee Amendments. No Floor

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Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1087. Representative Moore. Mr. Clerk, read the Bill. Senate Bill 1088. Representative Righter. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1088, a Bill for an Act amending the Environmental Protection Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1076. Representative Osmond. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1076, a Bill for an Act amending the Illinois Nuclear Safety Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1089. Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1089, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1090. Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1090, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1091. Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1091, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No

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Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1092.
Representative Madigan."

Clerk Rossi: "Senate Bill 1092, a Bill for an Act to reenact a
portion of Public Act 89-21. Second Reading of this Senate
Bill. No Committee Amendments. No Floor Amendments. No
Motions filed."

Speaker Hartke: "Third Reading. Bill 1093. Mr. Madigan. Mr.
Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1093, a Bill for an Act to reenact a
portion of Public Act 89-21. Second Reading of this Senate
Bill. No Committee Amendments. No Floor Amendments. No
Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1094.
Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1094, a Bill for an Act to reenact a
portion of Public Act 89-21. Second Reading of this Senate
Bill. No Committee Amendments. No Floor Amendments. No
Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1095.
Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1095, a Bill for an Act to reenact a
portion of Public Act 89-21. Second Reading of this Senate
Bill. No Committee Amendments. No Floor Amendments. No
Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1096.
Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1096, a Bill for an Act to reenact a
portion of Public Act 89-21. Second Reading of this Senate
Bill. No Committee Amendments. No Floor Amendments. No
Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1097.

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Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1097, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1098. Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1098, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1099. Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1099, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1100. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1100, a Bill for an Act to reenact a portion a Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1101. Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1101, a Bill for an Act to reenact a portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1102. Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1102, a Bill for an Act to reenact a

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portion of Public Act 89-21. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1109. Representative Pankau. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1109, a Bill for an Act in relation to child welfare. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1110. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1110, a Bill for an Act to amend the Disabled Veterans Housing Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Representative Kenner, for what reason do you seek recognition? Mr. Kenner."

Kenner: "Thank you, Mr. Speaker. I move to waive the posting requirements for Senate Bill 1121."

Speaker Hartke: "The Chair recognizes Representative Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "I don't want to precipitate another argument, like I had a week or two ago, but if you're going to persist in these kind of movements of Bills and waive the posting requirements, before you put it on the board, could you at least have the common courtesy to speak to the Republican spokesperson, so that we can have an agreement? If there's a necessity to do this, I don't know that we've ever failed to acquiesce. But we are at the point where it catches us by surprise, we are not going to acquiesce, and we are going to stand in opposition. We have no idea what you're

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doing or why. At least you could come talk to the spokesperson of the committee."

Speaker Hartke: "I agree."

Black: "Thank you."

Speaker Hartke: "We apologize. Mr. Kenner, for what purpose do you seek this action?"

Kenner: "I will address that matter with Mr. Black."

Speaker Hartke: "Okay. The Motion is, 'Shall the House waive the posting requirements for Senate Bill 1121?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the waiving... the posting requirements are waived. Representative Moffitt now moves that the House stand adjourned until the hour of 11 a.m., tomorrow, on Wednesday. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does stand adjourned."