

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

84th Legislative Day

January 27, 1998

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We will be led in prayer today by Lee Crawford, who is the assistant pastor with the Victory Temple Church in Springfield. The guests in the gallery may wish to rise for the invocation."

Lee Crawford: "Let us pray. Precious and eternal God, we come so humbly before You in the spirit of Your word that says, 'Seek, and you shall find. Knock, and the door shall be opened. Ask, and it shall be given unto you.' So this Assembly humbly comes before You seeking and knocking, asking that the blessings of Almighty God, Redeemer and Sustainer of all life, be upon us this day and forevermore. Amen."

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

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

Speaker Madigan: "Roll Call for Attendance. Mr. Cross."

Cross: "Thank you, Mr. Speaker. You could show on the records that you keep that Representative Cowlshaw is excused and Representative Turner is apparently having trouble with his button, but he is here."

Speaker Madigan: "Mr. Cross."

Cross: "Just Representative Cowlshaw, apparently Representative Turner has fixed his button."

Speaker Madigan: "Okay. Let the record reflect that excused absence. Representative Currie, on the matter of excused absences."

Currie: "Thank you, Speaker. Please let the record show that Representatives Woolard and Brosnahan are both excused

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today."

Speaker Madigan: "Let the record reflect those excused absences.

Mr. Clerk, take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Messages from the Governor. 'To the Honorable Members of the Illinois House of Representatives, 90th General Assembly, pursuant to the authority vested in the Governor by Article IV, Section 9(e) of the Illinois Constitution of 1970 and reaffirmed by the people of the State of Illinois by popular referendum in 1974 and conforming to the standard and articulated by the Illinois Supreme Court, the Gubernatorial action be consistent with the fundamental purposes and intent of the Bills, I hereby return the following House Bill with my specific recommendations for change, House Bill 1485.' Introduction of Resolutions: House Joint Resolution 45, offered by Representative Currie. Introduction and First Reading of House Bills. House Bill 2490, offered by Representative Parke, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2491, offered by Representative Mitchell, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. House Bill 2492, offered by Representative Moffitt, a Bill for an Act to amend the School Construction Law. House Bill 2493, offered by Representative Cowlshaw, a Bill for an Act to amend the School Code. House Bill 2494, offered by Representative Capparelli, a Bill for an Act making appropriations. House Bill 2495, offered by Representative Kubik, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2496, offered by Representative Flowers, a Bill for an Act concerning tattoo artists. House Bill 2497, offered by

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Representative Flowers, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2498, offered by Representative Flowers, a Bill for an Act in relation to persons wrongfully imprisoned. House Bill 2499, offered by Representative Daniels, a Bill for an Act to amend the Transportation Bond Act. House Bill 2500, offered by Representative Wood, a Bill for an Act to amend the Civil Administrative Code. House Bill 2501, offered by Representative McAuliffe, a Bill for an Act concerning the Department of Human Services. House Bill 2502, offered by Representative Kubik, a Bill for an Act concerning children's rights in State residential care facilities. House Bill 2503, offered by Representative Lindner, a Bill for an Act to amend the Freedom of Information Act. House Bill 2504, offered by Representative Kubik, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2505, offered by Representative Zickus, a Bill for an Act concerning missing children. House Bill 2506, offered by Representative Bost, a Bill for an Act to amend the Illinois Rural/Downstate Health Act. House Bill 2507, offered by Representative Bergman, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2508, offered by Representative Parke, a Bill for an Act to amend the Illinois Insurance Code. House Bill 2509, offered by Representative Meyer, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2510, offered by Representative Brown, a Bill for an Act to amend the Motor Fuel Tax Law. House Bill 2511, offered by Representative Zickus, a Bill for an Act concerning local government. House Bill 2512, offered by Representative Moffitt, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance

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Act. House Bill 2513, offered by Representative Poe, a Bill for an Act to amend the Criminal Code. House Bill 2514, offered by Representative Daniels, a Bill for an Act concerning appropriations. House Bill 2515, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2516, offered by Representative Daniels, a Bill for an Act regarding appropriations. House Bill 2517, offered by Representative Daniels, a Bill for an Act regarding appropriations. House Bill 2518, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2519, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2520, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2521, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2522, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2523, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2524, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2525, offered by Representative Daniels, a Bill for an Act making appropriations. House Bill 2526, offered by Representative Daniels, a Bill for an Act to make appropriations to the Department of Nuclear Safety. House Bill 2527, offered by Representative Daniels, a Bill for an Act making appropriations to the Department of State Police. House Bill 2528, offered by Representative Daniels, a Bill for an Act making appropriations to the Department of Military Affairs. House Bill 2529, offered by Representative Daniels, a Bill for an Act making appropriations to the Department of Corrections. House Bill 2530, offered by Representative Lindner, a Bill for an Act

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concerning motor vehicle raceways. House Bill 2531, offered by Representative Lindner, a Bill for an Act to amend the Legislative Reference Bureau Act. House Bill 2532, offered by Representative Bost, a Bill for an Act in relation to economic development. House Bill 2533, offered by Representative Bost, a Bill for an Act in relation to economic development. House Bill 2534, offered by Representative Ryder, a Bill for an Act in relation to amphetamine and methamphetamine. House Bill 2535, offered by Representative Biggert, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2536, offered by Representative Winters, a Bill for an Act to amend the Juvenile Court Act. House Bill 2537, offered by Representative Biggert, a Bill for an Act amending the Unified Code of Corrections. House Bill 2538, offered by Representative Kosel, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2539, offered by Representative Zickus, a Bill for an Act to amend the Unified Code (of Corrections). House Bill 2540, offered by Representative Hoeft, a Bill for an Act regarding abuse and neglect of the elderly and disabled. House Bill 2541, offered by Representative Zickus, a Bill for an Act to amend the Elder Abuse and Neglect Act. House Bill 2542, offered by Representative Mitchell, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 2543, offered by Representative Mitchell, a Bill for an Act to amend the Illinois Act on Aging. House Bill 2544, offered by Representative Mitchell, a Bill for an Act to amend the Property Tax Code. House Bill 2545, offered by Representative John Jones, a Bill for an Act to amend the Property Tax Code. House Bill 2546, offered by Representative Eileen Lyons, a Bill for an Act to amend the

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Vehicle Code. House Bill 2547, offered by Representative Beaubien, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2548, offered by Representative John Jones, a Bill for an Act concerning taxes. House Bill 2549, offered by Representative Winters, a Bill for an Act concerning taxes. House Bill 2550, offered by Representative Noland, a Bill for an Act to amend the Alternate Fuels Act. House Bill 2551, offered by Representative Myers, a Bill for an Act to amend the County Cooperative Extension Law. House Bill 2552, offered by Representative Klingler, a Bill for an Act to amend the Illinois Pension Code. House Bill 2553, offered by Representative Scott, a Bill for an Act concerning sanitary districts. House Bill 2554, offered by Representative Tenhouse, a Bill for an Act to create the Mid-America Intermodal Authority Port District. House Bill (sic-2555) 2525, offered by Representative Moffitt, a Bill for an Act to create the Auctioneer Licensing Act. House Bill 2556, offered by Representative Cross, a Bill for an Act to amend the Counties Code. House Bill 2557, offered by Representative Beaubien, a Bill for an Act to amend the Counties Code. House Bill 2558, offered by Representative Winters, a Bill for an Act to amend the Criminal Code. House Bill 2559, offered by Representative Ryder, a Bill for an Act to amend the Criminal Code of 1961. Introduction and First Reading of these House Bills. The House Rules Committee will meet at 1:15 in the Speaker's Conference Room. The House Rules Committee will meet at 1:15 in the Speaker's Conference Room. Introduction and First Reading of House Bills. House Bill 2564, offered by Representative Dart, a Bill for an Act to amend certain Acts in relation to liens. House Bill 2565, offered by

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Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. House Bill 2566, offered by Representative Erwin, a Bill for an Act to amend the Board of Higher Education Act. First Reading of these House Bills."

Clerk Bolin: "First Reading and Introduction of House Bills. House Bill 2560, offered by Representative Hoeft, a Bill for an Act to abolish regional boards of school trustees. House Bill 2561, offered by Representative Lang, a Bill for an Act to amend the Illinois Pension Code. House Bill 2562, offered by Representative Brunsvold, a Bill for an Act to amend the Livestock Management Facilities Act. House Bill 2563, offered by Representative Hartke, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2567, offered by Representative O'Brien, a Bill for an Act to amend the Illinois Drainage Code."

Speaker Granberg: "Representative Granberg in the Chair. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I have two inquiries of the Chair, if I might. The first inquiry has to deal with an Agreed Resolution on page 2 of the Calendar. A House Resolution 215, sponsored by the honorable Representative Granberg. A question has come up. I don't know who agreed to this, but what is the racoon school? Is it a school for raccoons, or what?"

Speaker Granberg: "You were not recognized for this purpose."

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

Speaker Granberg: "You know the downstate school system, anyone can graduate."

Black: "I'm looking forward to the proper rule. I'm referencing the rule where that must be read on the House Floor before we can take action on it."

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Speaker Granberg: "We're looking forward to it."

Black: "Thank you. I'll reserve my other inquiry until later in this very hectic day."

Speaker Granberg: "I'm looking forward to that. Thank you, Mr. Black, always a pleasure."

Black: "Thank you."

Clerk Rossi: "Committee Reports. Representative Currie, Chairman from the Committee on Rules, to which the following measures were referred, action taken on January 27, 1998, reported the same back with the following recommendation: 'be approved for consideration' Motion #1 to House Bill 1485 and 'be adopted' House Joint Resolution 45. Supplemental Calendar #1 is being distributed."

Speaker Granberg: "The Gentleman from Sangamon, Mr. Poe, would you like to proceed?"

Poe: "Yes, Mr. Speaker, I'd like to accept this Amendatory Veto. The actual Bill is not being changed at all. It's going to be the department that administrates the program. Currently, the Attorney General and Court of Claims already administers programs very similar to the Amendment, and we're going to take it away from CMS and the Court of Claims and the Attorney General's Office will administer the program."

Speaker Granberg: "The Gentleman moves to accept the Governor's Amendatory Veto to House Bill 1485. On that, is there any discussion? The Gentleman from Vermilion, Mr. Black."

Black: "I'm sorry, Mr. Speaker. I was going to ask where this was on the Calendar, but I was just handed Supplemental #1, so that answers my question. Thank you."

Speaker Granberg: "Thank you, Mr. Black. The Gentleman has moved to accept the Governor's Amendatory Veto of House Bill 1485. Any discussion? There being no discussion, all in

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favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 114 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion, having received the required Constitutional Majority, the House accepts the Governor's specific recommendations for change, for changes in House Bill 1485. Mr. Clerk. On House Calendar Supplemental #1 appears House Joint Resolution #45. The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. This is the Resolution that organizes the convening of the Joint Session tomorrow in order to hear the Governor's State of the State Message. I urge its adoption."

Speaker Granberg: "Any discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Yes, will the Sponsor of the Resolution yield?"

Speaker Granberg: "She indicates she will, proceed."

Black: "Representative, is there any reason we couldn't put this off for a day? Do we have to do it tomorrow?"

Currie: "Well, what time tomorrow would you like to consider this Resolution, Representative?"

Black: "Well, the President is in Champaign-Urbana tomorrow and I, for one, would dearly love to be there on this momentous occasion. But if you persist with your Resolution, then I'll have to be here."

Currie: "I do persist in the Resolution, sorry."

Black: "Well, I may not... I imagine that one or two reporters may cover the President's visit to Champaign, so I'm sure I can read about it in the paper; therefore, I think this Resolution is probably in order, Mr. Speaker."

Speaker Granberg: "Thank you, Mr. Black. The Lady moves for the

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adoption of House Joint Resolution 45. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it. The Resolution is adopted. The Gentleman from Rock Island, Representative Brunsvold, for purposes of an announcement."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On February 24 the Illinois Legislative Sportsmen's Caucus will have their Fifth Annual Reception and Auction. The money for this event goes to youth and disabled hunts in the Illinois Conservation Foundation. It's a well attended event. A lot of fun, auction a lot of nice items off, and I would like to remind the Members of the Caucus here on the Floor of the House that if they could provide us with one auction item of some sort, it can be a golf item, hunting, fishing, hiking, tents, whatever, it doesn't make any difference. If you can beg, borrow or steal something from your local sporting goods store or a friend, jackets, anything, hats, things like that, we'll accept any of that stuff for the auction on the 24th. So, just a reminder to everyone that we'll have that event on the 24th of February at the Hilton again. So, it will be a fun time, so let's get our items in and that night we'll have a lot of items to auction off and have a very enjoyable evening. Thank you, Mr. Speaker."

Speaker Granberg: "Thank you. Mr. Clerk. Ladies and Gentlemen, the Clerk is going to announce committees."

Clerk Rossi: "The following committees will meet at 2:15. The House Elementary and Secondary Committee will hear Senate Bill 569, Conference Committee Report #1. The Executive Committee will meet in Room 118 to consider House Bill 2471. The House Appropriation Human Services Committee will meet in 114 to consider House Bill 2439. The House Judiciary II Criminal Law Committee will meet in D-1 to

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consider Floor Amendment #1 to Senate Bill 363. The Local Government Committee will meet in 122-B to consider House Bill 2473. The House will stand in recess until 3:30."

Speaker Hannig: "The House will be in order. The Members will be in their seats. Will all unauthorized personnel please remove themselves from the Chamber. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Gash, Chairman from the Committee on Judiciary Criminal Law, which the following Amendment was referred, action taken on January 27, 1998, reported the same back with the following recommendation: 'be approved for consideration' Floor Amendment 1 to Senate Bill 363. Representative Stroger, Chairman from the Committee on Local Government, to which the following Bill was referred, action taken on January 27, 1998, reported the same back with the following recommendation: 'do pass short debate' House Bill 2473. Representative Phelps, Chairman from the Committee on Elementary and Secondary Education, to which the following Conference Committee Report was referred, action taken on January 27, 1998, reported the same back with the following recommendation: 'be approved for consideration' Conference Committee Report #1 to Senate Bill 569. Representative Burke, Chairman from the Committee on Executive, to which the following Bill was referred, action taken on January 27, 1998, reported the same back with the following recommendation: 'do pass short debate' House Bill 2471."

Speaker Hannig: "Supplemental Calendar #2 is being distributed. On the Order of Supplemental Calendar #2 is Conference Committee Report to Senate Bill 569. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. First of all, I would move to

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suspend House Rule 75-B for purposes of hearing the Bill immediately."

Speaker Hannig: "Is there any discussion? Being none, the Motion is, 'Shall the Rule be suspended?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Rule is suspended. Representative Stephens."

Stephens: "Thank you, Mr. Speaker, Members of the House. Conference Committee Report to Senate Bill 569 affects the Triad School District. This is language that we passed over a year ago. It has been discussed on both sides of the aisle, but we had to make technical changes in this language to meet the requirements of the Bond Council, which is Chapman and Cutler. The... I'd be glad to respond to any questions. This passed out of the House 113 to 0 on January of '96. I would move the adoption of Conference Committee Report #1 to Senate Bill 569."

Speaker Hannig: "The Gentleman has moved for the adoption of the First Conference Committee Report to Senate Bill 569. And on that question, the Gentleman from Effingham, Representative Hartke."

Hartke: "Yes. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Hartke: "Representative Stephens, could you explain very briefly, again, exactly what changes were made in this Conference Committee Report as it differs from the way we passed it?"

Stephens: "Yes, the Conference Committee Report... first of all, for the Senate Bill has nothing to do with the original language of this Senate Bill. It guts the Bill and the Conference Committee Report is entirely related to changes in January of 1996 House Bill 207, a Daniels/O'Malley Bill, allowed the Triad School District to extend their bond authorization. And the language, in the opinion of the

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Bond Council, was too strict, too narrow. And we went back and we added language, not included in 207, that had to do with population. We struck the language from 207 that established to the county a population of parameters in which the school district is located of more than 240 thousand but less than 260 thousand that are currently... that's deleted in this language. And all we're doing, Representative, is changing the wording so that it's not so restrictive that Bond Council is worried that it may be challenged in court."

Hartke: "Well, are the Bond Councils happy with this language and it will make it easier to secure those bonds?"

Stephens: "They have helped us draft the revised language and have signed off on it and are ready to issue the bonds if we pass this and the Governor signs it."

Hartke: "Educate me a little bit. Triad School District is in your legislative district?"

Stephens: "It is. It is in Madison County."

Hartke: "Why, I think it's a good idea then, just for you."

Stephens: "God loves you."

Speaker Hannig: "Is there any further discussion? Representative Stephens to close."

Stephens: "I think we understand what the Bill does. I'd appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 569?' All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And the House does adopt the First Conference Committee Report and this Bill, having received a

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Constitutional Majority, is hereby declared passed. On the regular Calendar, on page 2 under the Order of Senate Bills-Second Reading, Senate Bill 363. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 363 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Cross, has been approved for consideration."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Floor Amendment #1 is, in essence, the Bill and provides substantive changes to the Juvenile Court Act. To preface, or before I begin, I'm talking about the substance of the Bill and I'd appreciate a 'yes' vote."

Speaker Hannig: "Is there any discussion on the Amendment?"

Cross: "Mr. Speaker, I'd like to go ahead and explain. I just don't think anyone can hear us at this moment."

Speaker Hannig: "Oh, I'm sorry, Representative, let me get a little attention. Could we have the attention of the House? Representative Cross would like to explain this important Amendment, so could we give the Gentleman your attention, please? Okay."

Cross: "As I said, Mr. Speaker, Floor Amendment 1 becomes the Bill. This is, as I said, also a rewrite of the Juvenile Court Act. Just so everyone's aware, this is a Bill that's been in the process for the last two or three years. This chamber created a legislative committee or task force to examine the Juvenile Court System. Our present Juvenile Court System was created in 1899 and we really have not, in any substantive way, changed it. We met for two to three years, traveled around the state. Members of the committee included the Judiciary, state's attorneys, probation,

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public defenders, Representatives, and at that time, the head of DCFS, the head of the Department of Corrections, and a variety of other people involved in the process. At the conclusion of that committee meeting, the state's attorneys of this state attempted to draft a Bill which is contained in Floor Amendment #1. Just like the committee, the drafters of this Bill have met with numerous people involved in the process. All of the people I mentioned earlier, as well as many others. And as a result of that, we finally come together with this Bill. We were going to run it last May. There were several concerns at that time. We've attempted to address them... We attempted to address them over the summer; there were concerns in the fall. We continued to meet with people that opposed the Bill and at this point, we have, I believe, taken care of as many objections as we can. While it may not be a perfect Bill, I think it is a very good step forward in the juvenile court process... or of mending the juvenile court process. Among the many things it does is, it creates a statewide data base, which for the first time ever, for those age ten and older, we will start fingerprinting them and putting those fingerprints and descriptions of the individuals in a statewide data base. We are limiting the number of station adjustments for the first time ever to nine under this Bill and at that time, or thereafter, we will start dealing with state's attorneys... the state's attorney's office to deal with how we handle station adjustments. We are creating a creature known as 'blended sentencing' where we will start... where we will sentence a juvenile to a traditional juvenile sentence, but at the same time, give that juvenile an adult sentence. If the juvenile does not complete the juvenile sentence as he or she is ordered, then the adult

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sentence will be put into place. There are a variety of other issues in this Bill. I will be glad to try to answer any other questions. The purpose of this Bill and the purpose clause of the Juvenile Court Act that we've changed... as we have changed it, talks about a balanced and restorative justice, where we now are going to require accountability for juveniles and also focus on public safety. I'd be glad to answer any questions."

Speaker Hannig: "And on that question, the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I have to ask the question. To the Sponsor of this Bill..."

Speaker Hannig: "He indicates he'll yield."

Davis, M.: "Does this Bill require that ten year olds be fingerprinted when they have committed a misdemeanor?"

Cross: "I'm sorry, if she could repeat the question."

Speaker Hannig: "Representative Davis, could you repeat the question?"

Davis, M.: "Does this Bill require a ten year old be fingerprinted by the police department when a misdemeanor has been committed?"

Cross: "No."

Davis, M.: "Could you tell us what it says about a ten year old?"

Cross: "Right now, Representative, the law does not limit the age, but for ten and over, for felonies, we have that in the Bill where they will be fingerprinted for felony offenses."

Davis, M.: "Does the Bill actually state it is for felony offenses or does it leave it up to the discretion of the probation or juvenile officer?"

Cross: "It says specifically felony offenses, Representative."

Davis, M.: "If a ten year old comes..."

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Cross: "Excuse me, just so I don't mislead you, on Class A and misdemeanors, it's in the discretion of the police department."

Davis, M.: "All right, say that again."

Cross: "For Class A and B misdemeanors, in the discretion of the police department, they can."

Davis, M.: "Okay, for Class A and Class B misdemeanors, the policeman can decide if a ten year old should be fingerprinted."

Cross: "I'm sorry, Representative, I didn't hear that question."

Davis, M.: "For Class A and Class B misdemeanors, the police department can decide if a ten year old should be fingerprinted?"

Cross: "Yes."

Davis, M.: "Once a ten year old who has committed a misdemeanor, perhaps like taking candy from the grocery store, perhaps being with some older people who commit a misdemeanor, once this ten year old becomes a member of the juvenile system, which he or she will, once that fingerprint is taken, at what age does that ten year old get released from the juvenile justice system?"

Cross: "Representative, I'm not sure what you mean by released, but we have lowered the age in this Bill. If a juvenile hits majority, or adulthood, age 17 or older, within five years of that age, if he or she does not commit any adult offenses, their juvenile record can be expunged or extinguished or eliminated. And I'm not sure if that's responsive to your question but that would... they would no longer have a juvenile record."

Davis, M.: "Representative, if a youth commits a crime, he is automatically tested for drugs. Is that correct, no matter how minor or how serious that crime is?"

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Cross: "No."

Davis, M.: "According to your legislation, it says, 'This youth will be examined', which means he will be tested. It says, 'He will be examined for drugs'. Let me say this to you, Representative. I took this legislation and I went into my office with invited guests. The invited guests were the representative from two judges, two social workers, a probation officer, a psychiatrist, not a psychologist, a psychiatrist, a couple of ministers and we went through this legislation line by line and we asked, 'What will be the result of this Bill?' First of all, we will be... we will keep young people in the juvenile system much longer and the question must be asked, 'Where will you keep them?' The current juvenile facilities in Chicago are extremely overcrowded. Are we going to pass a tax, either county or statewide, to provide the housing that will be needed to keep these youth, some who will have committed misdemeanors? We don't object to those who have committed violent crimes, but to enlarge the pool of people who will be in this net, you are going to have to expand those facilities. I don't want another tax increase to pay for a juvenile prison. I don't want to do that. This legislation also states that if a child is picked up and put into this system and a parent comes to retrieve his or her child, that parent is tested for drugs, and the parent has committed no crime. That is a violation of the Constitutional rights of that parent. You are going to say, and if the parent tests positive, the parent and child will be separated. The child goes into a foster home. I've been through this Bill line by line and the only intent and purpose that I can come up with is, you want to incarcerate a larger group of people and keep them for a

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much longer period of time. That costs money, Representative. You can't just put this mandate out there and don't put any dollars with it, because somebody's going to have to pay for it. The children today, in the Cook County Juvenile Center, many of them are sleeping on mats, on the floor. Some of them have committed no crime. Some of them are living lives in which they're neglected or abused and they're placed in this center until someone will take them. These places are crowded already, all over the State of Illinois. We must realize that when we want to incarcerate ten year olds and we want to keep them until they're 21, someone has to be responsible for them if they're under the juvenile system. They are going to need more probation officers, more youth officers, more correctional guards, more youth correctional officers, and somebody has to pay the cost. Now, we hear all the time that crime in Illinois and in this country is decreasing. Every one of us has read in the past two weeks that crime is on the decrease. With that in mind, why this push to incarcerate people from the age of ten until 21? This double sentencing, where you want to sentence people for... as an adult and as a child and then you want the child to know if he completes his sentence as a child, you won't put on the adult sentence. Do you know that kids don't know the ramifications of their behavior from now until tomorrow, but you want them to think that they'd better do this as a child because that'll happen to them when they become adults? Psychologists, psychiatrists, teachers, parents will tell you, children don't think that way."

Speaker Hannig: "Representative, your time has expired. Could you bring your remarks to a close? This is Second Reading, as well, Representative..."

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Davis, M.: "I understand. I'm going to take every opportunity that I can to inform people of what's in this Bill."

Speaker Hannig: "... and you'll be recognized again on Third Reading."

Davis, M.: "Thank you, Sir. May I just say to you, your intentions may be ever so noble, but what you have drafted is the closest thing that I have seen to apartheid legislation since I have been here. I think we deserve... this vote deserves... you should vote 'no'."

Speaker Hannig: "Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Hartke: "Representative Cross, I ... looking at this piece of legislation, I think I agree with most of the things that are in it because we're trying to accomplish something that hasn't been done in the past. We know that young juveniles who have committed crimes, and their recording is not taking place, communication is not... between agencies and sometimes it leads to repeat offenders that were not on record, and so forth, and there's no communication between various law enforcement agencies, but I have a question. Would the Sponsor yield?"

Cross: "Yes."

Speaker Hannig: "Yes, he indicates he will."

Hartke: "Representative Cross, what is the cost of this program as it relates to most of the counties, particularly downstate? Is there any estimated cost?"

Cross: "Representative, I'm not aware of any specific costs. Most of what we do is discretionary of allowing counties to handle this Juvenile Court Bill however they may want to. The fingerprinting is mandatory but most of what we do, or a lot of what we do, is 'may', as opposed to 'shall'. So

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the costs seem to be minimal. The other thing we are trying to do from a cost standpoint is, we're authorizing parents or ordering parents to pay the cost of detention where they can. We are limiting notice requirements to follow the current Supreme Court Rules to limit costs. We are also attempting through community... what we're calling community councils to utilize current facilities we have, current after school programs with churches, with schools, to utilize those in the intervention of prevention worlds. And we think that... many people think if we do that adequately, and do it the right way, we'll cut costs, as opposed to actually increasing. So, we don't have... I don't have a number, Chuck."

Hartke: "Well, I don't know if there was a fiscal note filed on it or not or even requested, but I do know that the county officials in the State of Illinois were quite concerned about the Bill and its cost, but they agree with the principle, and so forth, and I guess they're saying, 'Well, okay, but let's... you know, this runs into a real problem and we may be coming and asking for some...'"

Cross: "And the counties, the metro counties are for this and I think most of the other counties, from what I understand, are for it, Chuck. We also have a provision here. Let's... now it's going to depend on an appropriation, but allowing the counties to come to the state or DCFS for reimbursement if they do incur additional cost."

Hartke: "Right, well, that's one of the concerns they had. Not that they object to the basic principle of the Bill that they were unsure about what costs this would be incurred upon the counties. Many of the counties are now strapped, as far as their juvenile justice system, detention, and so forth, transportation of youth to facilities that could

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hold the troubled youth, et cetera."

Cross: "Chuck, let make sure to clear up a point the previous speaker talked about. This Bill does not, does not include enhanced penalties and the concern is that would be a concern for increased costs. There are some additional times where we can hold kids longer in terms of the charging and before the trial, but that's only to give the State's Attorney's Office and the police additional time to get their case ready. Right now we... many people feel we've rushed them. But there aren't any additional or enhanced penalties in here where you would see traditional increased cost."

Hartke: "Well, and like I said, I think I agree with this because now we can hold those youths in a local facility a little longer. Is that right?"

Cross: "There's the potential to do that, like right now we're going to... right now you have to hold the kid six hours before you charge them. We're going to 12 because many state's attorneys have said, 'We're having to make decisions whether to charge a youth without having all the adequate information, and so we need more time to make a decision. We could still do it in six hours. We may do it in three. We may do it in nine, but we just need additional time to make that decision.'"

Hartke: "I understand that and many of the problems that we incur downstate is when a juvenile is suspected of committing a crime, say 11 o'clock in the evening, you know, it's very difficult to decide what to do, where to hold that individual. They've got to be transported, you know, upstate or downstate or a... long distance and that ties up, not only one deputy, but sometimes two, sometimes three, and then when they get them there to house them

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overnight, they've got to transport them back again. This... or weekend... I think this is a good idea, and so forth, but the counties were also concerned about some of the costs that may be incurred. But you're assuring me that it's going to be okay. Is that right, Tom?"

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

Hartke: "Well, you're assuring me that somewhere down the road, if extra costs are insured (sic-incurred) by the local units of government, that they may..."

Speaker Hannig: "Representative, your time is expired. We'll let you state the last question and we'll let Representative Cross answer it and then we'll move on."

Hartke: "What you're saying is that the local agencies may be able to, in some point in time, apply to DCFS or somewhere for reimbursement, and hopefully that is your intent."

Speaker Hannig: "Representative Cross."

Cross: "Chuck, that's specifically in the Bill where they have the authority to go back and ask for reimbursement."

Speaker Hannig: "The last speaker asking for recognition is Representative Gash."

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

Cross: "Yes."

Gash: "Representative Cross, we know that information is one of the most important tools in law enforcement with respect to juvenile records. You know that I have been working on inter-agency sharing issues for quite some time now."

Cross: "Yes, Representative, and you and I both, I think, shared those concerns and I didn't hear your exact question, but did you have a question?"

Gash: "I don't have a question yet."

Cross: "I'm sorry, it's a little..."

Gash: "I'm just saying that information sharing is one of the

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most important things we can do with respect to law enforcement and with respect to inter-agency sharing, we've been working on these issues for sometime. Can you explain to the Members what this Bill will do to address these issues so that we can address the needs of kids as well as the needs of society as a whole?"

Cross: "Representative, what we've found in meeting those two years with the legislative task force was that if we're going to ask all of these groups to work together, and that includes schools, DCFS, probation, state's attorneys, public defenders, judges, we have to have an adequate flow of information. For instance, many kids that are committing delinquent acts are at the same time kids that were abused when they were younger. To help us to determine how to treat or sentence an adult, or a juvenile, we need to know what happened when they were younger. So, we think in this Bill that we have adequately broken down those barriers of confidentiality that exist now where we can't share information and limit it to the official use of all of their offices, but make sure we share information between all of the groups, much like what you've already been doing. We think we've even expanded our sharing of information, but it's a good point, and thank you."

Speaker Hannig: "Representative Cross, to close on the Amendment."

Cross: "Thank you. I think maybe on Third Reading we can go into more detail. I'd appreciate a 'yes' vote on the Amendment."

Speaker Hannig: "On the Amendment, all in favor of the Amendment vote 'yes'; all in favor (sic-opposed) vote 'no'. Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 10 voting 'no' and

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the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 363, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I ... as I said earlier, Senate Amendment #1 was the Bill. I will be glad to entertain any other questions at this time. But I explained in great detail, or tried to, many of the proportions earlier in the Amendment, and I'll be glad to answer any questions."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of Senate Bill 363. We all know that the juvenile justice system today is broken and needs to be fixed. We have rampant gang activity in some areas of Illinois, and we have a growing sense in some communities, even some of the best communities in Illinois, that we're losing some of our young people to crime, drug crime, gun crime, intimidation and exploitation of children. This is a Bill that begins to remedy that by taking the system apart and putting it back together. This Bill is about prevention. It's about creating tools for the law enforcement community. This Bill will give an opportunity to our kids who are starting to be involved in crime, to turn around and to go back in the direction from which they came, so that we won't lose them to serious crime and so that we won't lose them in their quest to become useful citizens in our state and in our country. This Bill creates tools for local communities to be involved in the prevention of crime within those

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communities. Some very well thought out provisions deal with that. The ideas in here regarding blended sentences, sentences that say, 'We'll give you a juvenile sentence so long as you tow the mark, but if you don't tow the mark, that adult sentence will kick in', are fabulous ideas in terms of going directly to these young offenders and saying, 'This is your opportunity to turn around. We've created a system for you, so that you can turn around and we will help you turn around to be the kind of citizens you would like to be, the kind of citizens that would make your parents proud, the kind of citizens that will be model citizens for our state.' So, this is a Bill about, not only community safety and safety in our streets, but it's a Bill about prevention and community involvement. And it's a Bill that not only looks for today, but it's a Bill that looks forward, looks forward to a time when we can start eating into the problem of gangs, start eating into the problem of violence in our streets. I applaud the authors of this legislation. Many on the House Floor, Mr. Cross, Mr. Dart, and others have worked very hard. Many of the state's attorneys across the State of Illinois, particularly Dick Devine from Cook County, Illinois, deserve our applause, deserve our consideration and they need to know that we appreciate the hard work that they have put into this very well thought out, and I'm sure, successful legislation. So, Ladies and Gentlemen, I rise to support this Bill. It's a Bill a long time coming to protect our communities, to protect our children, and to make the criminal justice system work better, not only for the adult criminals that are in the system and the adjudication of their crimes, but also dealing with youthful offenders. This legislation will work. It's well

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crafted, it's well thought out and I would invite your 'aye' votes."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "He indicates he will."

Black: "He hasn't indicated to me that he will. Representative, can you give me any idea on how many more juveniles will enter the criminal justice system should this Act become law?"

Cross: "Representative, and I'm not being cute, when you say the system, do you mean the court system?"

Black: "Correct."

Cross: "I'm not sure if more will enter. I think there's a chance because of the station adjustment provision, that we may actually keep some kids out of the Juvenile Court System if the station adjustment system works like we'd like it to. We would keep kids in that process before we would charge them in the juvenile system and keep them out of the whole detention world. I think in many respects, we can narrow that or diminish the number in the system."

Black: "Well, what provision in the Bill... When does a guardian ad litem have to be made available to a juvenile under this Bill? I think it greatly expands the need for a guardian ad litem, does it not?"

Cross: "Representative, as a general rule in the Juvenile Court System, we're not talking about the abuse and neglect side, but in the delinquency side, there is a public defender appointed often if the... you know, depending on cost or indigency, but I'm not always... I'm not sure that there's a guardian ad litem appointed in a traditional delinquency case."

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Black: "Well, one of the judges in my circuit, who has read the Bill very carefully and been involved in it for the last year, indicated to me that it would create a demand for that judge to appoint counsel to juveniles in the system that now necessarily do not have to be represented by counsel. And she was wondering where she was going to find in downstate counties attorneys who would be willing to do this. I think currently she has three that she indicated that she can use in such cases and that she thought this Bill would necessitate perhaps having as many as ten on contract."

Cross: "Bill, I'm not sure about your particular judge, with all due respect to him, we met with the Judges' Association on this Bill and this provision had never in any... did not come up. And, once again, I'm ... the GAL is appointed in abuse and neglect case and there are... certainly there are exceptions in delinquency cases, but I'm just not aware or I'm not tracking what your particular judge is talking about."

Black: "All right. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Black: "It is a warm day in January, so technically I'm in support of the Bill, and I find it odd that Representative Lang and I are on the same side of an issue, but then again, it is a warm day in January. But I don't think anybody in this chamber, for one minute, should look at this Bill and think you aren't going to get some grief. There are mandates in this Bill that are... that will be extremely expensive to some counties. This Bill has been around for years, but I've never seen it in final form until six hours ago. Now, supposedly there is a hold harmless matter in the Bill that increased costs, over and

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above what is already borne by counties will be taken care of by state appropriation. I trust that will happen, but I'm telling you, my home county spends almost a quarter of a million dollars a year now transporting juveniles to approved detention facilities. I don't see that cost going down. I agree with Representative Lang, juvenile crime has changed dramatically and people are crying out to get tougher on it, but this Bill has some costs that will be borne by your local counties. I just say, if you're going to vote 'yes', as I will, be prepared to answer those questions about what I consider to be some serious unfunded mandates should this Act become law."

Speaker Hannig: "Representative Art Turner. Representative Turner."

Turner, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Will the Gentleman yield for a question?"

Speaker Hannig: "He indicates he'll yield."

Turner, A.: "Representative, I understand that there's been a number of revisions to this legislation, some of which we've actually worked with the Sponsor of the legislation over the summer. One provision in particular deals with this concept of the balance and restorative justice model. In it, as it was explained to me, it would allow for community organizations to be utilized in the criminal justice process in terms of sending kids to a particular organization. It's been brought to my attention that the language which would have provided immunity to these organizations, so that if, in fact, they would want to work with these kids, they would not be held for any civil liabilities that, that particular clause has been removed. And I just wanted to verify if, in fact, that has been removed, and what's the proposal in terms of how you intend

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to deal with that?"

Cross: "Well, Representative, I would love to have seen that provision stay in the Bill, but in an attempt..."

Turner, A.: "And that provision was taken out since we were here last time, am I correct?"

Cross: "Right. Well, it was one more attempt to satisfy some concerns of people. Right now, Representative, under a court order, if you're... if someone is... pursuant to a court order, handling or performing community service, that liability is limited for the agency that's authorizing or conducting the community service. It's not as broad as I'd like it with the limit... with the liability, but in talking with the State's Attorney's Office, we're going to try to, you know, expand or broaden the liability or the limit of the liability to include more than just a court order provision like we had in this Bill. But at this point, to get the Bill moving and pass it, we took it out."

Turner, A.: "So, that provision is... so I am correct? That provision providing immunity for those organizations has been removed?"

Cross: "Correct."

Turner, A.: "And a court order, you say, will rectify that imbalance?"

Cross: "Yes, part of a supervision order or a probation order or a conditional discharge or a juvenile order, a delinquency order, and you're ordering someone to do community service. In that situation, the liability is limited. What we would like to, what we ideally had in this Bill is in a pre-court system sentence, so to speak, maybe as part of a teen court or the community mediation program, we would have had the liability limited. We haven't gotten there yet because we took it out, but we're going to keep working on it."

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Turner, A.: "I guess my concern is, Representative... to the Bill, is that it's that type of legislation or that type of thinking that worries me about this legislation. The fact there are things that we haven't gotten to. There's clauses that need to be addressed. Certainly the issue of prevention and prevention dollars is one that many of us consider very important and that has now been addressed and it's one that we're saying we can get to at another time. It's that type of expediency on this legislation that concerns me and others regarding why can't we make certain that we have at least, damn near a perfect Bill, if not a perfect Bill now, or what's the rush to do it right away? And it's for that reason that I'm very reluctant to vote for this legislation, admitting that there are some good provisions in this legislation. I refer to it when I've been talking with my constituents. I refer to this proposal as similar to that of the education funding, that being when we were told last fall that the immediate Bill before us was going to provide new dollars, but yet it didn't deal with the permanent fix. I see this Bill being in the same situation. This particular legislation will make current legislation a little bit better, but it does not deal with the inequities in terms of the amount of moneys that we spend on the back end in terms of incarceration versus on the front end for prevention. And it is for that reason, that I rise in opposition to this legislation, although I have worked and have talked long hours with the state's attorneys and the State's Attorneys' Association. I still believe that this Bill is not ready for us, and I would encourage the Members that we keep this Bill in the House for a few months. We have until June to continue to work and to develop a piece of legislation that

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is all-encompassing and that things that we don't have to come back and deal with later on in different pieces of legislation, and I urge other Members to consider holding this Bill in the chamber at this time. Thank you."

Speaker Hannig: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much. Will the Gentleman yield?"

Speaker Hannig: "He indicates he will."

Leitch: "Representative, I know how hard you and others have worked on this Bill and its history over a long period of time. I guess my concern relates to the implementation of this Bill and the eventuality of substantial unfunded mandates to the counties, and so it's in that connection that I am inquiring whether you or others have any commitments to follow this Bill with some substantial funding to counties, especially the smaller downstate counties who will be impacted rather dramatically by the Bill and will have to foot the cost of it. So, I think we need to hear from whomever the advocates that, yes, as we do all the time, it's great to pass substantial reform Bills, but will the money be there for us to... are there commitments for the funding to follow so that our counties can implement this Bill without having just really major, major expenses and potential tax increases?"

Cross: "David, I'm in complete agreement with you. And let's not separate downstate and upstate counties, I think everyone has a concern, but what we need to do if we're going to..."

Leitch: "Mr. Speaker, could we have some order, please? I can't hear what the Gentleman's saying and this, I think, is a very critical part of this Bill."

Speaker Hannig: "Okay. Could we give the Gentleman some order? Could we have a little order in the chamber, please?"

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Cross: "David, we have talked with the Governor's Office. We have talked with the Chairman of the Senate Appropriations Committee. We've talked with people throughout the state associated with juvenile justice and recognize the points you and the Representative several chairs over from me brought and your points we've made. We will... I will remain committed as will all of those other people to making sure that we attempt to tackle the funding it issue if it becomes a problem. I'm not convinced that it will be."

Leitch: "Well, I'm hearing from certainly our local people and I know other Members have expressed the same concern those of us downstate, especially those of us who represent some of the smaller counties in addition to the larger ones, they're very much concerned about the expense. I mean, this is a Bill that's going to pass; it should pass and all the rest of it. But, as so often occurs, we need to, I think, go the additional step of making sure that we're not just hanging out all these counties for very significant sums."

Cross: "David, let me just point a couple of things out. Some of the areas that there may potential detention, length of detention, are at the request of the state's attorneys to make sure they can get their case put together adequately. And in a larger county, it's going to take longer to put a case together, but in the smaller counties, where I live, down where you are, we don't need probably the length of time that maybe it would take in Cook County. We can put a case together quicker. We can go to trial quicker. We can sentence quicker; therefore, we won't have the detention costs that potentially would maybe happen in Cook County. We have made it easier to put on a case for the state's

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attorney where we have less need for police officers there. We can do what we call a proffer, you know, it's kind of a ... similar to a preliminary hearing where you can just put on an affidavit instead of have a police officer. So, in the downstate counties we can do it actually quicker than in the bigger counties. And I just... I think the concern about the higher detention costs is probably overstated in the smaller counties."

Leitch: "Thank you."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. What... is there anything in this legislation, Representative, to prevent juvenile crime or to rehabilitate them once they have committed a crime?"

Cross: "Representative, that's a good question."

Davis, M.: "I know it is."

Cross: "And, yes, I think there's a lot in this Bill. We have created, and there's a two part answer to your question. We are creating in this Bill, not mandating, but allowing the state's attorneys of each county to create county juvenile justice commissions. And those commissions, or those committees, are designed to ascertain what resources we have right now in the area of intervention and prevention, and they're made up of, not only law enforcement people, but community leaders."

Davis, M.: "Is there one in my community?"

Cross: "Not yet, but there... this Bill authorizes it and if you can let me finish my answer. By doing that, we can focus on what we have in place and we can utilize those instead of creating and spending new and large amounts of money, but utilize what we have. Second of all, by limiting station adjustments, and that's what we do in this Bill, in Cook County you are seeing kids having, or given 40 to 50,

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sometimes 60, station adjustments. And that's where the police get a kid, discipline that child at the police station and not putting the child in the court system. Because of the huge area in Cook County, when kids move around, we lose them and so they may be in one part of the city today; tomorrow they'll be in another, so we don't track them."

Davis, M.: "But isn't it... don't these station adjustments mean that this child has not committed a crime severe enough to be incarcerated?"

Cross: "No, let me..."

Davis, M.: "No, no, no, no. What you're doing is take... you're removing the authority from those policemen or juvenile officials who are on site... Ladies and Gentlemen, you really ought to listen to this. This Bill is removing the authority of the judicial people on site, the policemen, the juvenile justice officer, the youth ... you're taking from them the opportunity of whether this kid should be incarcerated or not. What you are saying is, 'Oh well, the police... we've seen you ten times or we've seen you...' How many station adjustments can a kid get?"

Cross: "Nine under this Bill, and that's the point."

Davis, M.: "Nine, now suppose, suppose... your Bill does not say that the station adjustments have to be for serious offenses. It could be something, for something silly like knocking on somebody's door and running."

Cross: "Representative, a station adjustment at this point today, and if this Bill passes after it goes into effect, can be for any offense, any offense."

Davis, M.: "To the Bill, Mr. Speaker. This weekend I attended a conference presented by the National Conference of State Legislators. And at that conference, one of the presenters

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was Dr. John Menza, Menza. Dr. Menza is a bio-engineer from the University of Washington in Seattle and their research has shown that children who are separated from their parents at an early age, even for a short period of time, suffer from depression. Children who suffer from depression don't produce serotonin in their brains and it completely halts their ability to learn. This measure that you have, that is so punitive, so punitive for children who have committed misdemeanors, then you talk about setting up a commission in a community, well, who... what standards will you have to determine what these commissioners have to know? Do I have to know anything about child development? Do I have to know anything about what the ramifications of my decision might be? Will they have the same standards that a judge has to meet, that he has to have certain courses? Will they have the knowledge that the juvenile officer will have, or will they just be a hodgepodge of people who don't have much to do, so they'll sit on this commission and decide what should happen to children who perhaps need therapy, therapeutic help, children who may need health services, children who may need guidance and counseling? There is nothing in this Bill to prevent a child from committing a crime. All this Bill does is gives us, the big old State of Illinois and all of our little counties, the right to hold these children hostage for most of their lives..."

Speaker Hannig: "Representative, your time has expired. Would you like to bring your remarks to a close? Okay, Representative Mautino."

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

Speaker Hannig: "He indicates he will."

Mautino: "Representative Cross, I just had a couple of questions

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here. For the... I see and hear that the Judicial Fiscal Note was what... 38 million? I think they are expecting the cost on this for the judicial side?"

Cross: "Representative, I think if you look at the language that precedes that, it talks about this legislation, but does not mandate its jurisdiction. That's a cost, that I believe, if there is a mandate."

Mautino: "Understood, some of these, though, will result in costs even though... the question that I wanted to ask had... related to the detention homes. You and I had worked together to get some additional funding for the detention homes throughout the state in the past. What... what are we expecting? Is there going to be an increased staffing need? What will be the effect on the actual detention homes throughout the state? Is there any?"

Cross: "Frank, and I tried to answer this with Representative Leitch, the only cost I see of the nature of a mandate is the length of detention from the time of arrest to trial and sentencing. In our... in the smaller counties downstate, as I said to David, I think the cost should remain stable because we can still put a case together quicker downstate. We can get a guy or girl or woman or man, boy or girl tried, or charged quicker and we can sentence them quicker. So, I really think in many counties downstate, it's going to be... the cost will remain stable. I don't see... is there some potential? Sure, but I think those will be isolated cases."

Mautino: "The... now when you said that the counties would be able to apply for funding, should these costs arrive, would they... would it be in all the new program areas? For example, the continuum for delinquency prevention, would that be considered a new area which would be subject to

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funding from the state?"

Cross: "It would just be in the area of detention, Representative, that you would be able to apply for reimbursement. I will point out, I should point out that the Federal Government in working on a juvenile crime Bill right now has allocated or appropriated, it appears, the sum of about \$8 million that looks like is going to come to Illinois in the area of prevention and intervention. But the issue you bring of detention, or that you raise of detention, is the only area where there can be reimbursement."

Mautino: "Okay, so, in the... now teen court, that should be covered because that was done under previous law so, I mean, there should be something there but... mediation and additional officers, would they be... is there a possibility that those would be subject to reimbursement? And if not, where would we get that funding?"

Cross: "Well, Frank, in both the teen court and the community mediation, you're using existing resources. You're using state's attorneys, public defenders, probation, youth officers, community volunteers, so we don't see, those of us and others that have been working on this Bill, additional costs with the Community Mediation Program."

Mautino: "And as far as, just as a final question..."

Cross: "And by the way, the mediation as is the community, the mediation and the teen courts are discretionary."

Mautino: "Okay. That's something that the counties can then decide whether they want to get involved with that program so..."

Cross: "That's exactly right."

Mautino: "And a final question on this, is the appropriation process of the General Assembly, now should we find that

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next year that this Bill is going to have a substantial impact to the counties, and the General Assembly does not appropriate those dollars, then where does this get paid from? Is it... will it go then on to a local... to the local governments? If we fail to do our job, which we have done on numerous occasions, and under appropriated or not appropriated funds, where then do the dollars fall?"

Cross: "Well, the only place where there may be an increase that I see, and I've said this earlier, Frank, is in the area of detention and that's a county issue. Now, I want to reiterate that the, you know, the metro counties, the larger counties, where I think there probably... there may be even bigger problems, are supportive of this Bill. And they've gone... you know, they've been going over this for the last year so I think they have..."

Mautino: "I appreciate that and you may have..."

Speaker Hannig: "Representative Cross, would you finish answering the question?"

Cross: "I just... I just said, Frank, they've analyzed this repeatedly."

Mautino: "Sure, okay. I thank you very much for answering those questions, and I appreciate the work that... my concern came from having one of the detention homes which is constantly overcrowded. I mean, to this day we're sitting with more kids there than we have space, so that was my concern, thank you."

Speaker Hannig: "Representative Kenner."

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

Speaker Hannig: "He indicates he will."

Kenner: "Representative, are there any provisions in this Bill for any funding for increased services for juveniles, preventative services?"

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Cross: "No."

Kenner: "For juveniles, many juveniles that come into the juvenile system suffer from mental health problems. Any increased funding for that?"

Cross: "Representative, I... there are no appropriations in this Bill. As you know, it's not an Appropriation Bill, so I'm not sure if you have other questions. They're all going to be 'no' in the area of appropriation."

Kenner: "Representative, many juveniles that come into the system are classified as special education. Are there any new services provided for these youths?"

Cross: "Are there any additional services? There's no additional money."

Kenner: "For youths that are classified as special education?"

Cross: "There's no additional money, no."

Kenner: "Representative, let's look at the case of a 15 year old child that has committed a crime and is transferred from the juvenile system to the adult system. Now, we already understand that there's no increased funding for juveniles in the juvenile system and it... the services are minimal at best already. One out of three juveniles transferred to the adult system have mental health problems. What type of services would be available for that 15 year old in the adult system?"

Cross: "Well, Representative, we have not changed anything in the area of transfers with the exception of one small piece, so there'd be... it would be the same as we have right now or..."

Kenner: "Representative, 80% of the juveniles transferred from the juvenile system to the adult system have a history of substance abuse. How is that addressed in the adult system?"

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Cross: "Well, Representative, you know, what we've done in this Bill in the area of... I guess that would be a two part answer. We, first of all, for the first time ever, what I talked about earlier with Representative Gash, have broken down the confidentiality of... and allow now the ability to share information between agencies like Public Aid, Mental Health, and DCFS. Where right now, oftentimes, we sentence kids and don't know their history, don't know if they were abused, don't know if they were special ed., don't know if they have alcohol or drug problems. Now, because we can share information under this Bill, we will be able to know their history when they were one year old or five years old or eight years old, and we can utilize that in the sentencing. Also, under this Bill, under the... when we limit station adjustments, we have a community mediation program. And before they even get into the system, we can order drug or alcohol rehabilitation, tutoring, additional schooling, a variety of dispositions. So we're trying to do it at the front end, as opposed to waiting until they get well into the deep bowels of the system, if you will."

Kenner: "Thank you, Representative. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Kenner: "But first of all, I would like to applaud the State's Attorney's Office for all the work that they put into this Bill. They've bent over backwards working with us to try to come up with a solution, but I would like to say that the only way that we can really reach many of these juvenile delinquents is through preventative services. And if we fail at this time to provide a funding mechanism to increase those services, we have really failed our youth and the blood of an entire generation of juveniles will be on our hands if we pass this Bill without providing those

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particular services. So therefore, Mr. Speaker, I would urge my colleagues to either vote 'present' or 'no' at this time on this Bill. Thank you."

Speaker Hannig: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Durkin: "Representative Cross, we've been talking a lot about the financial aspects of this Bill, but I think I would rather get into some of the substantive issues. Particularly, let's talk about the victims' rights expansion. Could you explain to me what previously the law was with regard to victims' participation within the juvenile court room? And what have we done to change that?"

Cross: "Currently, many of you are familiar with the concept of a victim impact statement and the majority, if not all, of the adult cases, a victim can provide an impact statement to the court at the time of sentencing. In the juvenile court system, we only allow an impact statement by the victim for murder cases and some sex offenses. Under this Bill, we are expanding the Victims' Bill of Rights that we passed here. I think we had a Constitutional Amendment that passed from the adult court to include the whole juvenile court system. So, not only will people be able to get victim impact statements, they will be able to be at court. They'll know when court dates are and victims and their families will be able to have more input than ever before under this Bill."

Durkin: "Representative, how many station adjustments are we limiting under this Bill?"

Cross: "We have... I guess to answer that question, Representative, we are going to have a combination informal, as well as a formal station adjustment, and the

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total of the two would be nine. Now, I want to stress the fact that you could have additional station adjustments but at the point you reach nine, you have to confer with the State's Attorney's Office."

Durkin: "Representative, does community mediation... How does that work in with the station adjustment process?"

Cross: "As a... I guess a condition of the station adjustment... or it would be somewhat like a court system, but out of the court system, where you would take a child that's been placed in a station adjustment scenario and authorize or order that child to undergo a variety of things, alcohol or drug rehab programs, as I said earlier, tutoring, counseling of a variety types, additional schooling. And the hope is, under the station adjustment limitation and the community mediation program, is that we will truly be intervening at an early stage where we can keep kids out of the Juvenile Court System, where we can identify them as problems, try to determine the kids that have some risks and keep them from moving on in the system, and I think this is one of the better parts of this Bill."

Durkin: "Thank you very much. To the Bill. Needless to say, folks, the juvenile system, up until this day, has been a failure. A perfect example of this is what I have in my hand. I have a three page rap sheet of a young man from the year of 1991 to 1996. He had 42 station adjustments. To me, that shows that there's been no intervention. No one has stepped into that young man's life and under... and predictably and unfortunately, that young man right now as an 18 year old, is doing time in the Illinois Department of Corrections. Robert Sanderford, the young man, who a number of years ago was nationwide news. He had over 20 station adjustments at that young age. That is a sign

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that, not only is the police, but our whole criminal justice system has failed to intervene to get help to those young men. I believe that this Bill is good and I ask for everybody's support on this."

Speaker Hannig: "Representative Harold Murphy."

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

Speaker Hannig: "He indicates he will."

Murphy: "Representative, it's so noisy in here I can barely hear anything and perhaps..."

Speaker Hannig: "Could we give the Gentleman a little order, please?"

Murphy: "... and perhaps you answered some of these questions, but I just did not hear them. The civil liability part of this Bill, and which I thought it would be pretty fair because all attorneys then could participate, that part was taken out. Could you tell me why?"

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

Murphy: "The civil liability part of this Bill that was in here the last time we was here has been taken out. Could you tell me why?"

Cross: "It has changed, Representative... I... Representative Turner asked the same question, it is... it is different."

Murphy: "Now, I didn't hear why, okay, and you perhaps said it, and forgive me, I did not hear you, but could you explain to me why it was taken out? That's my question."

Cross: "Well, Representative, there was some opposition to that language and the interests, as we have throughout the last year, tried to accommodate people's concerns. We took it out and we're going to keep working on it, though."

Murphy: "Well... and I can appreciate that, and so if we're going to keep taking things out because of certain Members, we have some things that we'd like to have taken out and added

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to, also."

Cross: "Representative, I believe we've done quite a bit of that."

Murphy: "Well, you might have done quite a bit, but to take it out, it seems to me that only high powered attorneys could get these cases, and I think that was unfair to take that out. This Bill needs a lot of work on it, a lot of work. Now, I did a lot of work on this Bill in Cook County. I had people in my office and we went over the Bill. We went over the Bill with the State's Attorney's Office, and it was my understanding that we had that agreement up until last week."

Cross: "Representative, if you could maybe elaborate. I'm not aware of an agreement that you're talking about."

Murphy: "Well, we're talking about the civil liability. That's what we're talking about."

Cross: "Representative, I'm not aware of the... an agreement you had... I'm just not aware of it. Maybe there was one, but I'm not aware of a civil liability agreement that you're talking about."

Murphy: "Well, since we've been working on this for over a year now and thought we had something that we might be able to work with, and it's been changed and, of course you know, this Bill consists of about 300 pages. Is that right? Has that been changed? Does it consist of about 300 pages?"

Cross: "There are about 300 pages in this Bill."

Murphy: "Pardon me?"

Cross: "You're right, there are 300 pages."

Murphy: "So, Representative, so based on that alone and misinformation, because the changes I don't have on the Amendment, would you consider pulling this Bill out of the record, out of the record, until next week when we come

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down?"

Cross: "Representative, we've held this Bill now for a year and, with all due respect to you... and others, we have met, we have had... I've got three pages of examples, or not examples, three pages of meetings that have been held in the past year with various groups throughout the state, inner city people, churches, police, neighborhood groups, the list goes on and on, three pages. To now pull it out after spending a year, actually about two to three years working on this Bill, the last year trying to accommodate concerns, now is not the time to pull it out. This is ready to go and I'm going to ask for a vote today."

Murphy: "Yeah, I could appreciate that, Representative, but I'd like for you to see my side of the problem, and that was up until last Friday that was in the Bill. And I discussed that with judges, attorneys, clergy and that was in the Bill, only to find out here today, and I just found out today, it's out of the Bill, and that's enough for reconsiderations of further discussion based on this Bill."

Cross: "Well, Representative, you've been in this process longer than I have, and it's not unusual at the last minute to add a provision; it's not unusual to take a provision out. A week ago we added a provision the night before. It said we could charge parents, if they were able to afford it, the cost of detention of their children. That happened at the last minute; this happened at the last minute. I'd like to have kept it in there, as I've told you. I agree with you on this port... point but because of the opposition, as I said earlier, the attempt to resolve this and move it forward, we took it out. Now, I'm willing, if you want to introduce a Bill to address this issue, I'll be glad to work with you and others throughout this Body, to address

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that issue."

Murphy: "Well, I don't see the urgent of this Bill now... something wrong, Representative, anyway because if, in fact, this is a good Bill, then we should been open and discuss what we going to remove from the Bill as we did in Cook County, going all over the county and meeting with the state's attorneys..."

Speaker Hannig: "Representative Murphy, your time is expired. Representative Shirley Jones."

Jones, S.: "Mr., Mr., my mike is not on, Mr. Sp..."

Speaker Hannig: "Representative Shirley Jones."

Jones, S.: "Mr. Speaker, I would like to yield my time to Representative Murphy, please."

Speaker Hannig: "Okay. Representative Murphy, you have an additional five minutes."

Murphy: "Thank you. Thank you, Representative. So, the problem here is, there's a lot of problems with this Bill, and I probably understood you to say that... that this is not an unfunded mandate, is that right? This is not a unfunded mandate when we get ready to vote on."

Cross: "I'm sorry, Representative, I can't hear you."

Murphy: "I know I've been having a problem all evening here. I say is this... is this not an unfunded mandate that we getting ready to vote on here?"

Cross: "Representative, I don't think so; I think it's the reverse. If you utilize the tools that are ending up in this Bill, the County Juvenile Justice Councils, where we find out what we have right now in place within our communities, existing social service agencies, churches, schools, the list goes on and on, and we utilize them to the fullest, and we take advantage of what's already out there in our communities, and we quit duplicating efforts."

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And there are many people that think that we can actually narrow the cost of what we're spending in the Juvenile Court System. If we take advantage of the Station Adjustment Program, in this Bill, we can keep kids, by early intervening, from getting in the Juvenile Court System, so we don't have detention costs, so we don't have state's attorney costs, so we don't have police officer costs. If we catch kids early, we will keep our costs down."

Murphy: "Okay, Representative."

Cross: "That's the beauty of this Bill."

Murphy: "Representative, now you're taking all my time. Now, let's talk about the station adjustments for a minute. We've always had station adjustments in the State of Illinois and the County of Cook; however, there are some people been in the system and has station adjustment for 50 times and other people go on the system and go right into the system with no station adjustments at all and so...and so on one hand, it works for some, on the other hand it don't work for others, and that's another part of this Bill. But remember, most of the crime that's committed here, is they tell me, is related to drugs and they have no provisions there. Somebody have to pay the cost for the attorneys and you know that's a high cost. We took out the provision as it relates to the liability, so you know, that's heavy cost there. So, I don't know how you could say this is not an unfunded liability when they're saying it's around 38 million, which means it's about 150 million by the time we get started, and that's an unfunded mandate. And I cannot understand for those Representatives here who never vote for an unfunded mandate, well, this is exactly what this is and a tax increase, too."

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Cross: "Representative, for my understanding, the County Board President, the Mayor of Chicago both support this Bill. It's not their belief that it's an unfunded mandate. I think as I said earlier, I think it's the opposite. They think they can reduce cost."

Murphy: "Well, I think the Governor didn't support this Bill. I don't know where he stands on it now. Corrections didn't support this Bill; I don't know where they stand on it now. But it's a bad Bill at worst. At worst... at best we should give this a 'present' vote. We have not had time to really communicate the Bill and examine it and deal with it. When we thought we had that time, and put the time in, nothing happened. You changed the Bill at the last minute. In other words, what you did was pull the plug once we got in the middle of the river and this is a bad Bill. This is an unfunded mandate for millions and millions of dollars. It's a tax increase and let's vote. At least if you can't vote 'no', you should vote 'present' on this Bill. Thank you."

Speaker Hannig: "Representative Mary Flowers."

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

Speaker Hannig: "He indicates he will."

Flowers: "Representative, would you please give me again the... What is the purpose of this legislation?"

Cross: "For the purpose clause in the Juvenile Court Act, Representative, focuses on accountability and public safety and with an attempt to create a balanced and restorative justice system in the juvenile court arena."

Flowers: "Accountability and public safety. Let me ask you this, without this legislation and what we have with existing laws now, what would happen to a juvenile? Can any ten

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year old, as we speak, without this legislation, without committing a heinous crime, could a ten year old be fingerprinted without this legislation?"

Cross: "I'm sorry, could a ten year old what?"

Flowers: "Can a ten year old be fingerprinted today, without this legislation?"

Cross: "Actually, Representative, at this point we have no age limitation, so a five year old could."

Flowers: "So, with this Bill, we are setting boundaries in which a ten year old may be fingerprinted?"

Cross: "Yes."

Flowers: "Representative, I've heard numerous conversations in regards to a cost factor. And where is the appropriation to go along with this legislation? Are there not now community organizations who are being funded for the purpose of juvenile prevention?"

Cross: "I'm sorry, Representative."

Flowers: "Are there not now organizations being funded for the purpose of juvenile prevention?"

Cross: "Yes."

Flowers: "Who are they accountable to? And what has their record been thus far?"

Cross: "Well, Representative, actually your question raises a good point. There's... in the area of prevention, there's a good deal of question about the accountability and, from what I understand, a good bit of prevention money goes into community programs throughout the state, including a large number in the City of Chicago. It's the hope, through these County Juvenile Justice Councils, that we can create some accountability and find out how our prevention money is being used. As I said earlier, not to you, but to another Representative, we are hopeful that we're going to

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get approximately \$8 billion plus to use in the area of prevention, and I think we're going to funnel that or hopefully go through the Juvenile Justice Commission."

Flowers: "Would you agree now, Representative, that the system is lopsided, that we are putting too much monies at the end and not enough monies at the beginning? For instance, not enough moneys have we... we were not actively putting moneys in for education as we're doing now. Because right now, for the first time, education will be somewhat fully funded. So, we do know that education... this is a beginning of prevention. I don't care what other type of programs you may put forward, education is the beginning of prevention. Wouldn't you agree with that, Sir?"

Cross: "Representative, I don't, I don't think anyone in this room is going to disagree with the need for more money and prevention and better, more accountable prevention programs; however, this is a separate segment. We have kids that commit crimes whether we like it or not. Should we have stopped it earlier? I agree with you 120%, Representative, but the sad reality is, we have juveniles from age ten and up, sometimes younger, committing awful crimes in the state and we have to deal with it."

Flowers: "And you're absolutely right and I think now would be a perfect time and, as one of my colleagues just walked by and said, we're spending over \$90 million for incarceration and only four million on prevention. So, we do know we going to have to turn this all the way around and upside down, but let me get back to how we can start with that. Would you suggest that this Bill, with the station adjustments, with the involvements of the schools, with the involvements of the church, do you think we could start with intervention? And if we start with intervention, that

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would allow prevention of these youth going into the system?"

Cross: "That's the whole concept; that's what we want to do. That's what we were allowing or authorizing in this Bill. You're exactly right."

Flowers: "Let me ask you a few more questions. What is the status of one's record, a juvenile's record, being expunged today?"

Cross: "Representative, it... "

Speaker Hannig: "Representative Cross, to finish answering the question."

Cross: "It's a good question, Representative, right now, as a general rule, it's ten years from the age they become adults or hit majority, ten years after age 17, about... usually 27. That's the current law."

Speaker Hannig: "Representative Flowers, your time is expired. Would you like to wrap up your statement? Representative Flowers."

Flowers: "If this Bill were to become law, Sir, what would be the time for expungement?"

Cross: "Assuming after the time the juvenile becomes an adult, he or she doesn't commit any other offenses, we can expunge five years after hitting majority, which is a... was a request of a variety of people. I think it happens to be a good idea. We get kids out of college, we get kids looking for jobs, and if they haven't committed any other offenses, we should expunge and let them move on with their lives. An expungement, as you probably know, Representative, for those that don't know, essentially erases their juvenile record and know... it'll be as if they had... it'll wipe it out."

Flowers: "Thank you. Mr. Speaker and Ladies and Gentlemen. To

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the Bill. I would like to say that I, too, have never seen a perfect piece of legislation, and surely Senate Bill 363 is not a perfect piece of legislation. But we are going into the 21st Century with some antiquated legislation that's dealing with some juveniles that are different than we've ever seen before. I think it's unfortunate that a lot of adults have used children to perpetuate their crimes and kids have been getting away, literally, with murder. What I really like about this piece of legislation is that the victims will have a face. You will now face me face to face. You will face my child. You will face the community, and children would be given a second chance and, again, I've not seen a perfect piece of legislation, but there must be some boundaries here, and we must stop this. And victims do have faces and they do have rights and children should not be pat on the hand and sent away. And this is a racist society, and I do know the disparity of the amount of minorities that's locked up in the system. That, too, is not right. And all of this needs to be addressed, but we must do something and one way to start is right now, by passing this legislation. Thank you."

Speaker Hannig: "Thank you, Representative. Representative Shirley Jones, you've yielded your time earlier in debate, for what purpose do you rise?"

Jones, S.: "Mr. Speaker, I would like a verification if this get the correct amount of votes."

Speaker Hannig: "Thank you, Representative, and you will be recognized for that purpose. Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I rise in full support of this Bill and I want to congratulate the Chairman of the Task Force, Dallas Emingson, the State's Attorney from Kendall

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County, for the work he and the task force did for the last two or three years working on this. Certainly, it's a recognition by them that juveniles are committing a lot more serious crimes and that juveniles travel to different areas. The sharing of information is one of the most important parts of this Bill and the sharing of records. It's one of the reasons we reorganized the Department of Human Services to try and share information, and that theory also goes well in the Juvenile Court Act so people can track juveniles to try and help them. Certainly, there is much about prevention and intervention. It starts on page 161 of the Bill and gives various things that communities can do to intervene, and it has the legislative intent in the statute to redirect delinquent youth and I think that's a very important part of the Bill. I think restorative justice is something that balances the needs of the public. Tries to make the juvenile offender somebody who will be a credit to society in the future and gets community service in them, and this is very important to get the system involved in our community. We've been asking for local control of a lot of things. This does give local control back to community mediation panels and county council, and I don't think this is going to cost as much as we think, because there are many people right now in the counties that are forming task forces to try and deal with juvenile crime and gang crime. This puts it back on the local level where it belongs since different communities have different problems, and I, too, attended the National Conference of State Legislators, and I think that what I learned there and the types of things that we are doing here in Illinois, that this is a model juvenile program and incorporates lots of the things that other

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states are doing and talk about. I would ask for your full support of this Bill."

Speaker Hannig: "Representative Tim Johnson."

Johnson, Tim: "I move the previous question."

Speaker Hannig: "Representative, there are no others seeking recognition, so we can dispense with that Motion and Representative Cross to close."

Cross: "Thank you, Mr. Speaker. Quickly, of course I would appreciate a 'yes' vote, but I want to end by thanking so many people who have worked on this Bill and from all walks of life in the Juvenile Court System. But I also want to especially thank the Leadership, the State's Attorney's Office of Cook County, Dick Devine, in taking a lead on this. Someone always has to take the lead on an issue and his office has taken a very big lead. I think this is a good step; it's not a knee jerk reaction to the juvenile court problem. It's a Bill that combines dealing with kids that are well into the system, but also providing some early intervention, and I think we'll make a difference. Do we need to work more on prevention? You bet we do and I would be glad to work with anyone, not only that spoke today, but others who share the belief that we need to work on additional revenue for prevention, but that's a separate issue from where we are today. I would appreciate a 'yes' vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 363 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 104 voting 'yes' and 9 voting 'no'. Representative Shirley Jones, do you persist in your request for a verification? The Lady withdraws her request

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for a verification. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Schakowsky, for what purpose do you rise?"

Schakowsky: "Thank you, Mr. Speaker. I would just like to announce that there will be a meeting of the Conference of Women Legislators at 8:30 tomorrow morning in Room 122-B."

Speaker Hannig: "Thank you, Representative. Representative Slone, for what purpose do you rise?"

Slone: "Thank you, Mr. Speaker. I would just like to announce that the Freshmen Legislators are all invited to join us at Saputo's for dinner at 6:00 tonight. Thank you, we should be out by 8:00, in time for the big event."

Speaker Hannig: "Agreed Resolutions, Mr. Clerk."

Clerk Rossi: "Agreed Resolutions. House Resolution 203, offered by Representative Monique Davis; House Resolution 217, offered by Representative Granberg; House Resolution 220, offered by Representative Granberg; House Resolution 224, offered by Representative Dart; House Resolution 233, offered by Representative Granberg; House Resolution 244, offered by Representative Granberg; House Resolution 264, offered by Representative Gash; House Resolution 265, offered by Representative Lou Jones; House Resolution 285, offered by Representative Leitch; House Resolution 286, offered by Representative Black; House Resolution 287, offered by Representative Gash; House Resolution 288, offered by Representative Howard; House Resolution 289, offered by Representative Lou Jones; House Resolution 290, offered by Representative Stephens; House Resolution 291, offered by Representative Howard; House Resolution 292, offered by Representative Gash; House Resolution 293, offered by Representative Morrow; and House Resolution 304, offered by Representative Persico."

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Speaker Hannig: "Representative Currie moves for the adoptions of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolutions are adopted. And now allowing perfunctory time for the Clerk, Representative Currie, the Majority Leader, moves that the House stand adjourned until tomorrow, Wednesday, January 28, at the hour of 11:30. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it and the House stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 2568, offered by Representative Novak, a Bill for an Act to amend the Criminal Code. House Bill 2569, offered by Representative Crotty, a Bill for an Act to amend the Criminal Code. House Bill 2570, offered by Representative Hoffman, a Bill for an Act to amend the Criminal Code. House Bill 2571, offered by Representative Wojcik, a Bill for an Act to amend the Illinois Act on Aging. House Bill 2572, offered by Representative Granberg, a Bill for an Act to amend the School Construction Law. House Bill 2573, offered by Representative Reitz, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2574, offered by Representative Bergman, a Bill for an Act to amend the School Code. House Bill 2575, offered by Representative Meyer, a Bill for an Act to amend the School Code. House Bill 2576, offered by Representative Roskam, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2577, offered by Representative O'Brien, a Bill for an Act to amend the Mobile Home Landlord and Tenant Rights Act. House Bill 2578, offered by Representative Hoeft, a Bill for an Act to amend the School Code. House Bill 2579, offered by Representative O'Brien, a Bill for an Act to amend the

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School Code. House Bill 2580, offered by Representative Moffitt, a Bill for an Act concerning property conveyance. House Bill 2581, offered by Representative McGuire, a Bill for an Act to amend the Illinois Act on Aging. House Bill 2582, offered by Representative Monique Davis, a Bill for an Act making appropriations to the Illinois Community College Board. House Bill 2583, offered by Representative Righter, a Bill for an Act to amend the Child Care Act. House Bill 2584, offered by Representative Hassert, a Bill for an Act to amend the Environmental Protection Act. House Bill 2585, offered by Representative Hassert, a Bill for an Act to amend the Environmental Protection Act. House Bill 2586, offered by Representative Hassert, a Bill for an Act to amend the Environmental Protection Act. House Bill 2587, offered by Representative Hassert, a Bill for an Act to amend the Environmental Protection Act. House Bill 2588, offered by Representative Hassert, a Bill for an Act to amend the Dry Cleaner Environmental Response Trust Fund Act. House Bill 2589, offered by Representative Saviano, a Bill for an Act to amend the Barber, Cosmetology, Esthetics, and Nail Technology Act. House Bill 2590, offered by Representative Saviano, a Bill for an Act to amend the Illinois Physical Therapy Act. House Bill 2591, offered by Representative Zickus, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 2593, offered by Representative Novak, a Bill for an Act to amend the Criminal Code of 1961. House Bill 2594, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 2595, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 2596, offered by Representative McAuliffe, a Bill for an Act to amend the

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Illinois Pension Code. House Bill 2597, offered by Representative Saviano, a Bill for an Act to amend the Illinois Pension Code. House Bill 2598, offered by Representative Saviano, a Bill for an Act to amend the Illinois Pension Code. House Bill 2599, offered by Representative Bugielski, a Bill for an Act to amend the Illinois Pension Code. House Bill 2600, offered by Representative Burke, a Bill for an Act to amend the Illinois Pension Code. House Bill 2601, offered by Representative Acevedo, a Bill for an Act to amend the Illinois Pension Code. House Bill 2602, offered by Representative Lopez, a Bill for an Act to amend the Illinois Pension Code. House Bill 2603, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. House Bill 2604, offered by Representative O'Brien, a Bill for an Act to amend the Illinois Pension Code. House Bill 2605, offered by Representative O'Brien, a Bill for an Act to amend the Children and Family Services Act. House Bill 2606, offered by Representative Reitz, a Bill for an Act to amend the Renewable Energy, Energy Efficiency, and Coal Resources Development Law. Introduction and First Reading of these House Bills."

Clerk Bolin: "First Reading and Introduction of Constitutional Amendments. House Joint Resolution Constitutional Amendment #17, offered by Representative Boland."

"RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this Resolution a proposition to add Section 25 of Article I of the Illinois

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Constitution as follows:

ARTICLE I

BILL OF RIGHTS

SECTION 25. UNIVERSAL HEALTH CARE COVERAGE

Health care is an essential safeguard of human life and dignity, and there is an obligation for the State of Illinois to ensure that every person is able to realize this fundamental right. On or before May 31, 2002, the General Assembly by law shall enact a plan for universal health care coverage that permits everyone in Illinois to obtain decent health care on a regular basis.

SCHEDULE

This Constitutional Amendment takes effect upon approval by the electors of this State. First Reading of this Constitutional Amendment."

Clerk Rossi: "The following Motions will be referred to the Rules Committee. A Motion to discharge House Bill 2439 from the House Human Services and Appropriation Committee. A Motion to discharge House Bill 868 from the Rules Committee. And a Motion to concur in Senate Amendments 1 and 2 on House Bill 868 from the Rules Committee. There being no further business, the House stands adjourned. The House will reconvene tomorrow at 11:30 a.m."