

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the floor, will please retire to the gallery. The Chaplain for the day is Bishop Lloyd E. Gwin of the Church of the Living God-Pillar Ground of the Truth in Champaign, Illinois. Bishop Gwin is the guest of Representative Rich Winkel...Rick Winkel. Guests in the gallery may wish to rise for the invocation. Bishop Gwin."

Bishop Lloyd E. Gwin: "Let us pray. Gracious Father in Heaven, we come before Your presence in the spirit of humility and in the spirit of praise. We thank You, dear Lord, for how You have blessed us, individually and collectively. Thank You for these very special men and women who give so unselfishly of themselves to serve the people of this great State. Dear Father, very, very many vital decisions will be made in this room. And as gifted and as knowledgeable as these Legislators are, they really need Your support. I pray that You will give them the wisdom and the insight to make those decisions that will make Illinois an even greater State in which to live. I ask this in the special name of Jesus. Amen."

Speaker Daniels: "Thank you, Bishop Gwin. We will be led in the Pledge of Allegiance by Representative Jay Hoffman."

Hoffman - 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 Daniels: "Roll Call for Attendance. Representative Currie is recognized from the Democratic side of the aisle for any excused absences."

Currie: "Thank you, Speaker. Please let the record show that Representatives Laurino, Morrow and Phelps are excused

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

because of illness. Representative Flowers is back in the district because of a death in the family. And Representatives Frias and Santiago are also excused."

Speaker Daniels: "The record will so reflect. Representative Cross is recognized on the Republican side of the aisle for any excused absences."

Cross: "We're all here today, Mr. Speaker. Thank you."

Speaker Daniels: "Thank you. The record will so reflect. Mr. Clerk, take the roll. There are 111 Members answering the Roll and a quorum is present. The House will now come to order. Ladies and Gentlemen, may I please have your attention. We have a special guest that I'd like to introduce to you today, Dermott O'Callahan. Mr. O'Callahan, could you come up please? Dermott O'Callahan is a man who wears many hats in his beloved hometown of Killarney, Ireland. Dermott is a successful businessman and hotel proprietor. Dermott is a devoted family man and father of six sons. He has been chairman and treasurer of the Killarney tourism and president of the Killarney Soccer Club. He has been a town chancellor for twelve years, and most recently was the Grand Marshal of the St. Patrick's Day parade here in Springfield, Illinois. Dermott O'Callahan is not only distinguished in his efforts to bring prosperity to his hometown, he also has earned praise for his efforts to spread goodwill and to make Springfield the sister city of Killarney, Ireland. We thank Dermott O'Callahan for his civic efforts and welcome him to the Illinois House of Representatives. Dermott O'Callahan."

Dermott O'Callahan: "Mr. Lee Daniels, Members of the House of Representatives, it's indeed a great honor for me to be invited into this fabulous establishment today. Today is going to be my last function, or this speech is going to be

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

my last function before I leave to go back to Ireland. I can assure you many a man left Ireland with tears in their eyes. I leave Springfield with tears in my eyes, going back to Ireland. I can assure you that. I have been so well treated here. I don't think we can give you the same hospitality that has been afforded to me in your beautiful City of Springfield. I have been very impressed with a whole lot of this beautiful city. I've been through a lot of the buildings and it's a very exciting place, and it's going to have a great future in the tourist market throughout the world. You've got a beautiful brand name; as you all know, like I do, having a brand name to market in the word 'Killarney'. You may wonder why I'm wearing this white ribbon. I would like to say to you all when you hear why I am wearing it, that you may do the same. This is for peace in Ireland and for peace all over the world. I would like to compliment your Mayor and your City Council on wearing this white ribbon last evening. And in future, we all sincerely hope that our aim will be peace all over the world. That is a very important thing for every one of us. We can then go forth and market our towns, and we'll have no problem doing it. I would like to thank you all very much for receiving me and for listening to me. And I sincerely hope that I see some of you back in Ireland as I know I will. I have met some people here that are coming to Ireland in the summertime. Now, one thing I will tell you before I leave, is we do not sell sunshine. We sell rain, we sell beautiful green countryside and beautiful lakes. And this town that you're going to be a sister city of has a population of 10,000 people with 25,000 acres of national parks, some of the most beautiful in the world. And that you will enjoy. I wear a crest in my jacket.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

This is our town city crest. This represents the national parks, the top part of it. It has the deer. Then in the middle, it represents our three beautiful lakes, and down here in the bottom, the quill which represents our famous ports. And then the coloring is the seal of the Bishop. And I would like to present to Lee Daniels just one of those badges. You don't have to put it on your coat. Thank you all very much."

Speaker Daniels: "Thank you, Dermott O'Callahan. Committee announcements."

Clerk Rossi: "Committee announcements. Rules Committee will meet immediately in the Speaker's Conference Room. It was posted for 11:50 a.m. Rules Committee will meet in the Speaker's Conference Room immediately."

Speaker Daniels: "Ladies and Gentlemen, for your information, upon the conclusion of session...If I might have your attention? Upon conclusion of session, there will be a Republican Caucus in Room 114 and a Democratic Caucus in Room 118. With the assistance and cooperation of Mr. Madigan, the Democrat Leader, we've agreed that we will have our caucuses after we finish session. It will delay committees and we'll pick up the committee schedule on the conclusion of the two respective caucuses. Thank you. House Bills - Third Reading. House Bill 2592. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2592, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Daniels: "Return the Bill to Second Reading. House Bill 3396. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3396, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this House Bill."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Daniels: "Return that Bill to Second Reading. House Bill - Third Reading. House Bill 1796. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1796, a Bill for an Act concerning insurance transactions. Third Reading of this House Bill."

Speaker Daniels: "Okay, Ladies and Gentlemen, this is Third Readings. Can we break up the various caucuses and remove them to the rear of the chambers? In the front of the chamber. Ladies and Gentlemen, if you can move your press conferences over to the side here. Those not entitled to the floor, doorkeepers, those not entitled to the floor will retire to the gallery please. Okay, Members, we've got a lot of work to get done before we finish today. Representative Clayton."

Clayton: "Thank you. Members of the House, this is House Bill 1796. It's a three-prong piece of legislation. It allows the Department of Insurance to regulate viatical settlements. It also extends the Regulatory Sunset Act to prolong the Department of Insurance's regulatory authority and there is language that complies with recently passed federal legislation regarding Medicare supplements. A viatical settlement enables a person facing a life threatening illness such as AIDS or cancer to sell their life insurance policy for cash at a discount from its face value. The viatical settlement company then becomes the owner and beneficiary of the policy. They continue to make the premium payments directly to the insurance company and then receives the full face amount of the death benefit upon the individual's death. The part of the Bill that extends the department's regulatory authority extends it to January 1, 2007. The language, with regard to the Federal Social Security Act's Amendment of 1996, there have been

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

several Amendments to the federal requirements related to Medicare supplement insurance. Individuals who qualify for Medicare because of disability, in-stage renal disease, or who qualify for Medicare Part B under a health care prepayment plan, will be protected when seeking Medicare supplement insurance by the same standards that protect those over 65. States have until April 26th to be able to make these changes in their regulatory programs. I'd be happy to answer any questions with regard to the Bill."

Speaker Daniels: "Any discussion? Representative Lang."

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

Speaker Daniels: "She indicates she will."

Lang: "Thank you. Representative, if I'm reading this right, there are two or three different fee increases in this Bill. Is that correct?"

Speaker Daniels: "Representative Clayton."

Clayton: "These are new fees. They don't increase the fee. It's the...they cover the cost that the department incurs in regulating the viatical settlement companies."

Speaker Daniels: "Representative Lang. Mr. Doorkeeper."

Lang: "Speaker, we ticked away about 30 seconds of my time. I hope you'll give that back to me. So, these are new fees? Is that right, Representative? There's two or three, maybe even four of them in this Bill. Is that correct?"

Speaker Daniels: "Representative Clayton."

Clayton: "There are two. It's their initial license fee and then renewals."

Speaker Daniels: "Representative Lang."

Lang: "Well, you also create a \$15 reinstatement fee. Do you not?"

Speaker Daniels: "Representative Clayton."

Clayton: "You're correct."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Daniels: "Representative Lang."

Lang: "All right. So there are at least three fee increases or creation of three new fees in the Bill. You are extending the sunset on this for 10 years. Is that for the entire Insurance Code, or just this Section of the Insurance Code?"

Speaker Daniels: "Representative Clayton."

Clayton: "It's the entire 13 Articles of the Insurance Code."

Speaker Daniels: "Representative Lang."

Lang: "Now, why do you think it's a good idea to extend the sunset in the entire Insurance Code for 10 years? Wouldn't a few years, five years, be enough? Why do we want to go 10 years?"

Speaker Daniels: "Representative Clayton."

Clayton: "Because most of the others are that way. The Medical Practice Act, the Illinois Nursing Act, the Pharmacy Practice Act, the Optometric Practice Act, the psychologists, the social workers, and on and on and on and on."

Speaker Daniels: "Representative Lang."

Lang: "I see that the Department of Insurance is going to approve each of these viatical settlement contracts. What criteria will they use? What if the insured person insists on proceeding but the Department of Insurance says, 'well, we're not going to approve this one'?"

Speaker Daniels: "Representative Clayton."

Clayton: "There will be rules established by the department."

Speaker Daniels: "Representative Lang."

Lang: "Does the Bill require the rules the department will set up to have some sort of arbitration proceeding so that if the insured person wants to proceed, but the rules set up by the Department of Insurance would keep them from

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

proceeding, they have some proposal for due process so that they have an appeal process of some sort?"

Speaker Daniels: "Representative Clayton."

Clayton: "Yes, we anticipate that that will be part of the rules."

Speaker Daniels: "Representative Clayton. Representative Lang."

Lang: "Thank you. You anticipate that. But your Bill does not require that the rules set up by the Department of Insurance provide for the insured person to have a hearing process by which they can complain if the Department's rules prohibit them from doing this settlement. Do you?"

Speaker Daniels: "Representative Clayton."

Clayton: "You're correct. There's nothing in the Bill that establishes that."

Speaker Daniels: "Representative Lang."

Lang: "Well, don't you think this requires going back to the drawing board? I know you care about your constituents. This Bill exists, I believe, Representative, because you're concerned about these folks who are in a terminal situation who may want to get some of those benefits out of those life insurance policies. But if the Department of Insurance forbids them from doing it, and we don't at least require them to give these folks an out, a hearing, then we may be creating a situation where they cannot access these funds. Don't you think we should correct this?"

Speaker Daniels: "Representative Clayton."

Clayton: "The main thrust of the Bill is to protect the consumer by regulating the companies that are selling these or buying them."

Speaker Daniels: "Representative Lang."

Lang: "Yeah, but you don't do that because you don't require this procedure. One other area, Representative. You require a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

doctor to provide an affidavit stating that the person who entered into these contracts is of 'sound mind and under no undue influence'. Now, presumably a doctor could tell us whether someone was of sound mind. But how is a doctor, and you know me, I don't usually defend the doctors of the State of Illinois, but how will a doctor be able to tell the insurance company in an affidavit whether their patient is under any undue influence by anybody?"

Speaker Daniels: "Representative Clayton."

Clayton: "Would you repeat that again?"

Speaker Daniels: "...Representative Lang, your time is almost expired, so you want to repeat your question?"

Lang: "Can you just give me long enough to ask the question, Mr. Speaker? Thank you. Representative, the question is this. Your Bill requires doctors to sign off on an affidavit that's given to the insurance company. And the doctor must certify, and those of you that usually are with the doctors on this floor should listen to this. Your Bill requires the doctors to certify that the person, their patient or the insured person, is at the time they have signed this agreement with the insurance company under these viatical settlements, that they're under no undue influence and of sound mind. Now, even if an attending physician is not a psychiatrist, I presume it's possible they could say the person is of sound mind. But, how can they say in an affidavit that the person is under no undue influence by some third party that they might not even know?"

Speaker Daniels: "Representative Clayton."

Clayton: "If there is evidence of undue influence, that is why the regulation would be in effect, so that the Department could take action."

Speaker Daniels: "Representative Hartke."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Hartke: "Thank you, Mr. Speaker. Representative Lang has been doing a fantastic job of questioning, and I would refer my time to him."

Speaker Daniels: "He has three minutes left."

Lang: "Well, Mr. Speaker, Mr. Hartke has given me his whole five minutes, but I can finish in three. Thank you very much. Representative, this is...you're asking a physician to certify that there's no undue influence. It's not a question of whether the physician has evidence, and even if it is, you can't expect the doctors of the State of Illinois to go investigating whether there is undue influence. So the question is, how can you ask a doctor, under oath, to sign a document stating that their patient is under no undue influence from a third party, a relative, some provider they owe money to, or any other issue?"

Speaker Daniels: "Representative Clayton."

Clayton: "The Bill does not call it an affidavit. It's a written statement from the licensed attending physician that the person is of sound mind and under no constraint or undue influence that the doctor would be familiar with."

Speaker Daniels: "Representative Lang."

Lang: "Well, that's not exactly what it says. It doesn't say 'of which the doctor is familiar'. It says that the person is of sound mind and under no undue influence. Now, do you really want to put a burden on the doctors of this state, to state formally in a piece of paper, whether it's under oath or not, that this person is under no undue influence? What happens if a doctor says the patient is under no undue influence, the insurance company approves the contract, and six months later it's determined that the person was under some undue influence? Can the doctor be disciplined?"

Speaker Daniels: "Representative Clayton."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Clayton: "We do not believe so. The doctor does not have to file this written statement if they are not comfortable with that."

Speaker Daniels: "Representative Lang."

Lang: "That's not how I read the Bill, Representative. The Bill says that the attending physician of the insured person must file a statement indicating the person is of sound mind and under no undue influence before the insurance company would be entitled to enter into the agreement. That's what the Bill says."

Speaker Daniels: "Representative Clayton:"

Clayton: "Of course, it's the option of the physician if he wants to sign it or not. Nobody's requiring someone to participate in a viatical settlement. This is to protect the consumer and to be sure that he has been...that all of the disclosures have been made and that it is a legitimate contract."

Speaker Daniels: "Representative Lang."

Lang: "Representative Clayton, if the consumer you're trying protect goes to their physician, and their physician refuses to sign this document, the person cannot get the settlement. That's what your Bill says. So, how does that protect the consumer? You're telling the consumer that they're at the mercy of their doctor. You're telling the doctor that they have to read the mind of the consumer to determine whether they're under some undue influence. How does this mesh?"

Speaker Daniels: "Representative Clayton."

Clayton: "The consumer would still have his life insurance policy."

Speaker Daniels: "Representative Lang."

Lang: "But they wouldn't be able to get this settlement, and

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

that's the purpose of your Bill. Ladies and Gentlemen, to the Bill. What the Representative is trying to do is admirable. There are people who need to access the funds from these policies. I think they should be able to do that. But the way this Bill is written is confused. The way this Bill is written puts a burden on the Department of Insurance to prepare rules and regulations. It does not require the Department of Insurance, when they prepare those rules and regulations, to give the consumer, the insured person, the person that needs to access the funds, the opportunity to have a hearing if the Department of Insurance tells them, no. And then it puts burdens on the physicians to read the mind of their patient, to somehow investigate and determine whether that patient is under some undue influence. It would require a doctor who may not be qualified in psychiatry to determine whether their patient was of sound mind. And then the Bill is very, very weak in the area of what happens if a physician refuses to sign this document. Apparently, if a physician refuses, the consumer who we're trying to protect cannot avail themselves of the funds. I'm in favor of the concept. But this Bill is poorly drafted and I will recommend we send the Representative back to the drawing board, and until then I would recommend 'no' or 'present' votes."

Speaker Daniels: "Representative Clayton to close."

Clayton: "At the present time, viatical settlement companies are unregulated. The consumer is not protected in any way with these settlements. So this Bill is an attempt to protect the consumer. I think it's a good attempt, and I would ask for your favorable vote."

Speaker Daniels: "The Lady has moved the passage of House Bill 1796. All those in favor will signify by voting 'aye';

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 104 'aye', 1 voting 'no', 4 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2515. Representative Winkel."

Clerk Rossi: "House Bill 2515, a Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Daniels: "Representative Winkel. Representative Black in the Chair."

Winkel: "Thank you, Mr. Speaker. House Bill 2515 amends two Public Acts. It amends the Public Utilities Act. It allows the Illinois Commerce Commission to adopt rules to verify customer changes of their telecommunications carrier. It also requires that any rules that they make for verification be compatible with the Federal Communications Rules. It also, 2515 amends the Consumer Fraud Act. It expressly authorizes the Attorney General to enforce the FCC and ICC verification rules. It has the same remedies that are available for other consumer fraud cases, including restitution and civil penalties up to \$50,000. 'Slamming' has become a huge consumer fraud problem in Illinois. In fact, 'slamming' has become the number one consumer complaint with the Attorney General's Office. 'Slamming' occurs when a consumer's telecommunication carrier is changed without the consumer's knowledge or consent. House Bill 2515 would give specific express authority under state law for the Attorney General to sue anybody violating FCC or ICC rules governing verification procedures for phone service changes, either local or long distance. I'd be glad to answer any

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

questions you might have about House Bill 2515."

Speaker Black: "You heard the Gentleman's explanation, and on that are there any questions? Yes, the Lady from Cook, Representative Schakowsky."

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

Speaker Black: "Indicates he will."

Schakowsky: "Oh, first, I'm sorry. Can I take this off of Short Debate? I'm joined by the requisite number of my colleagues to do that."

Speaker Black: "No. I only saw two hands. It'll stay on Short Debate. Proceed."

Schakowsky: "Excuse me, Mr. Speaker. There were more than two hands."

Speaker Black: "Well, they didn't get them up in a timely fashion. Proceed."

Schakowsky: "Well, I'd like to repeat that, make that Motion again, then please, that we take it off of Short Debate."

Speaker Black: "Representative Winkel to close. Representative Schakowsky, do you have any questions?"

Schakowsky: "Yes, Mr. Speaker."

Speaker Black: "Proceed."

Schakowsky: "I'd like to move..."

Speaker Black: "There hasn't been a short debate in this chamber in my recent memory. Proceed."

Schakowsky: "Thank you, Mr. Speaker. I'd like to move that we take this Bill off of Short Debate."

Speaker Black: "I'll take it under advisement. Proceed with your questions."

Schakowsky: "Thank you. I'd like to ask the Sponsor about the issue that this Bill is intended to address. You said that there have been a number of complaints. Over what period of time have we seen these complaints at the Attorney

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

General's Office?"

Speaker Black: "Representative Winkel."

Winkel: "Over the past year the complaints have skyrocketed. In fact, in the 'Sonic' case, which is a lawsuit that the Attorney General's Office was involved in, it concerned over 44,000 complaints on 'slamming'. And it has become the number one complaint in the Attorney General's Office over the past year. And with the passage of the Federal Telecommunications Act, and with increased competition in a telecommunications marketplace, we can expect more."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Could you explain to me why it is you mentioned the Federal Communications Commission and it's adoption of some rules that deal with this problem, as I understood what you said. Why is it that we need to adopt a state law that addresses that?"

Speaker Black: "Representative Winkel."

Winkel: "Two reasons. There have been 'anti-slamming' provisions in the FCC rules for quite some time. The FCC has been somewhat lax in enforcement over the years. And now that it's become a major problem, we want to make it express in the statute, make it perfectly clear that our Attorney General in the State of Illinois has authority to prosecute violations of the federal communications rules for 'anti-slamming' and prosecute them under the Consumer Fraud Act as a deceptive practice. We can expect more cases of 'slamming' in the future because the federal statute allows for increased competition among telecommunication carriers. And you can expect that you'll be receiving, our constituents will be receiving thousands of more calls concerning their attempts to get switches, customers to switch over to their particular company. So, we can expect

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

maybe some of the less reputable companies to attempt to
'slam'."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Could you describe for us, what are the remedies
then under this Bill to protect consumers explicitly from
this practice?"

Speaker Black: "Representative Winkel."

Winkel: "The remedies will be the same as in other consumer fraud
cases. They would include restitution, but most
importantly there would be a civil penalty of up to
\$50,000."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Under the original Bill, I understand that the
Amendment made some changes. Under the original Bill there
were some four options, as I understood it, of describing
how to verify these changes. Are those also in the
Amendment? Are they incorporated in the Bill that we're
voting on now?"

Speaker Black: "Representative Winkel."

Winkel: "Those are not specified in the Bill, as amended. We are
looking to the Illinois Commerce Commission to promulgate
rules on verification procedures. They will be doing that.
They will be required under this Bill to be compatible,
those rules to be compatible with the Federal
Communications Commission's rules on verification as well.
In other words, they have to be compatible. They could be
stricter. And House Bill 2515 authorizes that rule-making
authority here in the State of Illinois."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Thank you. Could you tell us who, if anybody, is
opposed to this Bill? And maybe tell us who...and also
tell us who some of the proponents are?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Winkel."

Winkel: "I'm aware of no organized opposition to this Bill. I have met with representatives from the telecommunications carriers including AT&T, MCI, Sprint, GTE, and Ameritech. Obviously, we have met with the Attorney General's Office and representatives from the Illinois Commerce Commission and the Citizens Utility Board, and so this is a consensus Bill."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I want to express my support for this pro-consumer legislation and thank the Sponsor for his answers and the Speaker for allowing debate."

Speaker Black: "Any further discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I wanted to just ask the Sponsor, my analysis indicated that there were opponents to this Bill. Has that been resolved? Some of the members that...some of the organizations that you have mentioned, MCI, Sprint, AT&T, GTE were listed as opponents, and from your comments, what has changed? Or have they now removed their opposition to your Bill?"

Speaker Black: "Representative Winkel."

Winkel: "The Bill, House Bill 2515, as amended, really what it does is it eliminates the part that they were objecting to which would have increased paperwork for some telecommunications carriers, and they objected to that. We removed that requirement. What this Bill really does now is it simply says the FCC and ICC have rule-making authority for verification procedures, and this Bill authorizes the Attorney General to enforce those procedures. Once we made those changes, MCI, Sprint, AT&T,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Ameritech, GTE were all in agreement with the change to Bill."

Speaker Black: "Representative Mautino."

Mautino: "That's all the questions I have. Thank you for clearing that up for me."

Speaker Black: "With no one seeking recognition, Representative Winkel to close."

Winkel: "House Bill 2515 makes it absolutely clear that the Attorney General can enforce the law, the rules promulgated by the FCC and the ICC. This is an agreement Bill. It's a consensus Bill. It's a pro-consumer Bill. It's gonna help our consumers in two ways. It'll help consumers change phone companies as they wish, and it will also prevent good businesses from harm as a result of unfair and deceptive practices of some unscrupulous competitors. I urge the Members to vote in favor of House Bill 2515. Thank you."

Speaker Black: "The question is, 'Shall House Bill 2515 pass?' All those in favor vote 'aye'; opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 'ayes', 0 voting 'nay', 0 voting 'present'. This Bill, having received a Constitutional Majority is hereby declared passed. Mr. Clerk, committee announcements."

Clerk Rossi: "Committee Reports. Representative Churchill, Chairman from the Committee on Rules to which the following Joint Action Motion was referred, action taken on March 21st, 1996, reported the same back 'do approve for consideration' to the floor, House Joint Resolution 95. Representative Cowlishaw, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills and Resolutions were referred, action taken on March

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

21st, 1996, reported the same back with the following recommendations: 'do pass' House Bill 2651, House Bill 3395, House Bill 3052, House Bill 3426, House Bill 3631, House Bill 3091, House Bill 2693 and 'do approve for consideration' Amendment #7 to House Bill 995. Representative Cross, Chairman from the Committee on Judiciary-Civil, to which the following Bills and Resolutions were referred, action taken on March 21st, 1996, reported the same back with the following recommendations: 'do pass' House Bill 346; 'do pass as amended' House Bill 3670 and House Bill 3441; 'do pass Short Debate' House Bill 3507 and House Bill 3601; 'do pass as amended Short Debate' House Bill 347. Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bills were referred, action taken on March 21st, 1996, reported the same back with the following recommendations: 'do pass as amended' House Bill 2606 and House Bill 3227."

Speaker Black: "Yes, the Gentleman from Cook, Representative Parke. For what purpose do you seek recognition?"

Parke: "Thank you, Mr. Speaker. A point of personal privilege. In the gallery is the Community Education Travel Advisory Board of High School 214, and we just wanted to wave to them and say hello, and welcome them to the chamber."

Speaker Black: "Thank you. Welcome to Springfield. It's the intention of the Chair to now return to the Order of House Bills - Second Reading. Mr. Clerk, please read House Bill 995."

Clerk McLennand: "House Bill #995. The Bill has been read a Second Time previously. Committee Amendment #1 was referred to subcommittee. Committee Amendment #5 was adopted. Floor Amendment #7 has been approved for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

consideration. Floor Amendment #7 has been approved by...for consideration, is offered by Representative Cowlshaw."

Speaker Black: "Mr. Clerk. Mr. Clerk, take the Bill out of the record. It's the intention of the Chair to return to House Bills - Third Reading. Mr. Clerk, would you read House Bill 2533?"

Clerk McLennand: "House Bill #2533, a Bill for an Act concerning long-term care. Third Reading of this House Bill."

Speaker Black: "And on that Bill the Lady from Cook, Representative Krause is recognized."

Krause: "Thank you, Mr. Speaker. At this time I would like to present House Bill 2533. This Bill creates a permanent program under our long-term care insurance partnership. Basically, the provisions of this legislation would provide that upon the purchase by an individual of four year coverage in a nursing home, and that if subsequently, the individual does have need to go into a nursing home and begins to use the four-year coverage, at the end of that period of time, the individual then would be covered under the Medicaid public aid and the individual assets, the principle of the assets would be protected and would not be used. The interest which would be used off of the principle of the assets would, however, have to be used for coverage in the nursing home. This would cover both in a nursing home facility as well as in a community-based care. The basic goal of the provision here is to attempt to free up some funding in our Medicaid program and gradually to reduce the reliance of the Medicaid for long-term care so that other funding could be used. I would be pleased at this time to address any questions."

Speaker Black: "You've heard the explanation of the Bill. And on

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

that, is there any discussion? And the Lady from Cook, Representative Schakowsky."

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

Speaker Black: "She indicates she will."

Schakowsky: "Thank you. Representative, I had the pleasure of serving on the Department on Aging on the partnership task force that worked on this, so I'm pretty familiar with it. But, I do have a couple of questions about it. I know that one of the most controversial parts of it was the issue of a state recovery. And I just wondered what, how was it finally implemented? And what are the issues? I mean, do people have to pay back the amount of assets that they have protected to the Department of Public Aid?"

Speaker Black: "Representative Krause."

Krause: "Currently, the Department does have, within it's procedures, they are supposed to proceed with liens, as such, on an estate. So they are supposed to seek to collect recovery. What this legislation does is to seek a waiver on that, so that there would not be seeking a recovery. And secondly, the current federal legislation that indeed did pass and then was vetoed and now is being discussed again by the Governors in their bipartisanship, does provide that states would not have to seek recovery, if they, you know, based upon their own discretion."

Speaker Black: "Representative Schakowsky."

Schakowsky: "So, I'm a little confused. Under the current program, are we seeking recovery from the estates? And is that what...this Bill will change that?"

Speaker Black: "Representative Krause."

Krause: "That is correct. Yes."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Of course, the purpose of the initial legislation

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

was to encourage people to purchase more long-term care insurance. Has there been, in demonstration, that in fact that has been the case in Illinois? And I'm wondering if you have any numbers of what...raw numbers or percentages of people who now have long-term care insurance?"

Speaker Black: "Representative Krause."

Krause: "That program finally has just been set up and I think, Representative, as of January 1st, the policies were begun to be available under the dollar for dollar and I think they'd just begun and have just started under the existing program, to issue policies. The only other state, as you know, is the State of New York. The State of New York has the permanent program and they have moved forward and are beginning to issue a number of policies under theirs, but the feedback in Illinois here is too new. But, obviously as you know what the goal is, and that is to have people take this program. And I do think it will free up funds in our Medicaid program."

Speaker Black: "Representative Schakowsky."

Schakowsky: "You mentioned dollar for dollar. Is that what this is now, a dollar for dollar benefit to the purchasers of long-term care insurance?"

Speaker Black: "Representative Krause."

Krause: "This legislation would change that and would provide that upon the purchase of a four year minimum program, four year coverage, then their assets would be permanently protected. Even if after the four years in the nursing home they then continued, at that point, their assets would be protected and they could go on Public Aid because the statistics show that the average stay is two and a half years, and as you know we're trying to get around the spend down and the transfer out of assets."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Schakowsky."

Schakowsky: "I do think this an excellent Bill, but I do want to ask you, has the Department estimated that there will be any cost to the State as a result?"

Speaker Black: "Representative Krause."

Krause: "It's a legitimate question. I do not believe that there will be a cost, but they did come back. I mean, they did not show that there was any cost. As you know, the goal has been the opposite, to have a savings over a period of time."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Well, I'm glad to hear you say that because I would imagine that the more we encourage people to buy long-term insurance, and because of the actuarial figures, that in fact, the State could save significant dollars with this program. Seems to me that this is a 'win-win-win' situation and I would certainly encourage an 'aye' vote."

Speaker Black: "Ladies and Gentlemen, if you could please take your conversations outside the chamber? The Gentleman from Cook, Representative Lang, is recognized. Would you please give him your attention? Representative Lang has no questions. Any further discussion? No one seeking recognition, Representative Krause to close."

Krause: "Thank you and I just ask for the support on House Bill 2533."

Speaker Black: "The question is, 'Shall House Bill 2533 pass?' All those in favor vote 'aye'; opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 'ayes', 0 'nays', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

passed. Ladies and Gentlemen of the House, it's the intention of the Chair to return to the Order of Second Reading to take up House Bill 995. We're going out of order because we had to distribute the Amendment. The Committee Reports were a little late. As soon as we take care of this, we'll return to the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill #995 has been read a second time previously. Floor Amendment #7 has been approved for consideration and has been distributed and is offered by Representative Cowlshaw."

Speaker Black: "And on the Amendment the Lady from DuPage, Representative Cowlshaw, is recognized."

Cowlshaw: "Thank you, Mr. Speaker. Floor Amendment #7 to House Bill 995 was discussed at length in the Education Committee this morning, and it came out of the Committee with bipartisan support. Very briefly, what it does is to extend to the Chicago Teachers Pension Fund, the Prudent Person Investment Authority enjoyed by many other of the state pension funds. In a nutshell, that's what it does. I move for it's adoption."

Speaker Black: "You heard the Lady's Motion. Is there any discussion? And on that, the Gentleman from Cook, Representative Dart."

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

Speaker Black: "She indicates she will."

Dart: "Representative, just for the record. Is the Chicago Teachers Union in favor of this?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "A witness slip was submitted this morning as a proponent of this Amendment by the Illinois Federation of Teachers."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Dart."

Dart: "Did the Chicago Teachers Union themselves put in anything one way or the other, though?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "I do not know, Sir, whether there was anyone present in the Committee who was specifically from the Chicago Teachers Union. But that Union is a member of the Illinois Federation of Teachers. I think it highly unlikely that the IFT would approve of something that the CTU did not want."

Speaker Black: "Representative Dart."

Dart: "Representative, thank you for the history lesson."

Speaker Black: "Any further discussion on the Lady's Amendment? Seeing none, Representative Cowlshaw to close."

Cowlshaw: "Thank you, Mr. Speaker. Please adopt this Amendment."

Speaker Black: "You've heard the Lady's Motion. All those in favor of adoption of Amendment #7 signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #7 is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Black: "Third Reading. Turning now to the Order of House Bills - Third Reading, appears House Bill 995. And on that the Lady from DuPage, Representative Cowlshaw. Excuse me. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #995, a Bill for an Act that amends the School Code. Third Reading of this House Bill."

Speaker Black: "And on that the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill which was at least,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

prior to Amendment 7, was suggested by Paul Vallus and the members of the Chicago Board of Education. These are specific requests put forward to us in an attempt for us to be helpful in the valiant efforts that are being put forward in Chicago to improve the schools. Let me briefly explain what House Bill 995 now contains. First, the requests from the Chicago public schools allows the Chicago public school system to establish alternative schools, restores two-year terms for local school council members, requires a balanced budget and allows the Board of Trustees to carry a budget surplus, prohibits the hiring of dismissed employees as principals, and clarifies that juvenile criminal records may not be disclosed. A few moments ago we added one more provision to this Bill and that is the one that permits the Chicago Teachers Pension Fund to have the advantage of the Prudent Person Investment Authority. That is all that the Bill does. I will be glad to answer any questions. There is no opposition to this Bill and it has been requested by the Chicago Board."

Speaker Black: "Ladies and Gentlemen, it's been brought to the attention of the Chair that the Chair moved this Bill to Third Reading in error. There was a Fiscal Note, I believe a Mandates Note requested on the Bill. We'll take the Bill back to Second Reading at this time. On the matter before us, the Gentleman from Cook, Representative Dart. What is your desire?"

Dart: "Thank you, Mr. Speaker. We wish to withdraw the requests."

Speaker Black: "You withdraw both requests?"

Dart: "Yes."

Speaker Black: "Then with leave of the Body the Bill will be reinstated to Third Reading at this time. Leave? Now,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

you've heard the Sponsor's explanation of the Bill. And on that, is there any discussion? And on that, the Gentleman from Cook, Representative Dart."

Dart: "Thank you. Will the Sponsor yield for a few questions?"

Speaker Black: "She indicates she will."

Dart: "Representative, is there anything in this Bill? I understand this is different provisions from the Chicago Board of Ed. Is there any provisions in here dealing with a Fiscal Year change? I know that they had been talking about that as well."

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Representative Dart, this Bill does not have anything to do with the fiscal year question. I know that that is an ongoing controversy. We wanted this Bill to be totally non-controversial. So, if the question of the fiscal year is to be dealt with, it will have to be done on a different Bill than this because it is controversial. And we wanted this one to be exclusively those things that were requested by Chicagoans, for Chicago, that are uncontroversial."

Speaker Black: "Representative Dart."

Dart: "Thank you, Representative. Just one other quick question. Is Amendment 6 on this Bill?"

Speaker Black: "Representative Cowlshaw."

Cowlshaw: "Perhaps the Clerk could tell us that."

Speaker Black: "Mr. Clerk. Mr. Clerk, the status of Amendment #6 has been..."

Clerk McLennand: "Amendment #6 is in Rules."

Speaker Black: "Thank you very much, Mr. Clerk. Representative Dart, further questions? Further discussion on the Bill? The Lady from Cook, Representative Davis, are you seeking recognition? No, she indicates she is not seeking recognition. Further discussion? The Lady from Cook,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Representative Erwin."

Erwin: "Thank you, Speaker. Actually, I originally turned on my speak button expecting to have much stronger support for this because I thought originally that the fiscal year change was in 995. So, I do still rise in support. There are some critical things in here including a change for the terms of local school council members. So, for those of you in Chicago, we're having a difficult time recruiting people to run for our LSC's because of the change last year was a four year term, as opposed to a two, so this will restore that. It does restore, I believe, the Balanced Budget Amendment...the balanced budget requirement, which I know the Board wants. I am very disappointed, however, that the fiscal year change is not in here and I would, you know, hope, Representative Cowlshaw, that we could get back to doing that as quickly as possible. So, I do rise in support."

Speaker Black: "Further discussion? The Lady from Cook, Representative Davis, has requested recognition. Proceed, Representative."

Davis, M: "Thank you very much, Mr. Chairman (sic-Speaker), for this opportunity. I'd like to say that House Bill 995 does answer a lot of questions that were being asked by a particular school district. We feel that the alternative school in Chicago is certainly necessary. And by allowing us to open that school in February of '96 is...we applaud that. We also think the balanced budget portion of this Bill is certainly very important. We feel that restoring the fiscal year will also help us to maintain a certain dollar amount to educate children. We don't believe that people who are fired for cause should be able to go to another school and become a principal. So we do support

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

that. So, all in all with the work that has been done on this legislation, we find it at this time, acceptable, Mr. Chairman, and I urge an 'aye' vote."

Speaker Black: "With no one seeking recognition, Representative Cowlshaw to close."

Cowlshaw: "The deadline for candidates to file for local school council positions for the City of Chicago schools is March 27th. At this moment, they don't know whether they're filing for four year terms or two year terms. We really need to make sure that we pass this Bill today in order to provide better opportunities for candidates for local school councils in Chicago. I urge your support of House Bill 995, as amended."

Speaker Black: "The question is, 'Shall House Bill 995 pass?' All those in favor vote 'aye'; opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. I apologize for that. Representative Davis and Representative Cowlshaw were in agreement and the entire system collapsed. On the Order of Third Reading appears House Bill 3532. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 3532, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Black: "And on that the Gentleman from Champaign, Representative Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 3532 contains some technical changes to the Safe Schools Act. As a reminder, last session, as Amendment #1 to Senate Bill 50, we enacted

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

the Safe Schools Act out of this Body. It passed out of the House and the Senate nearly unanimously, was signed into law last August by the Governor. It is Public Act 383. This Bill, as a result of public hearings that were held throughout the State in the various regional school districts, it contains some changes that were suggested by educators, by school officials, by parents and students to make the Safe Schools Act an even better Act. It includes a component for the...for GED. It also includes a component that makes it clear that the alternative schools are not a separate school entity, rather they are an alternative school program. It also authorizes regions to act jointly to establish alternative schools. And it makes clear that the regional superintendent is responsible for implementing and administering the alternative school program. He can do that out of his own office or contract with local school districts using preexisting alternative programs. It removes the responsibility from the Regional Board of School Trustees for oversight of the alternative schools, and it also offers some flexibility on the cost of transportation. I'd be glad to answer any questions."

Speaker Black: "You've heard the Gentleman's explanation, and on that, are there any questions? The Gentleman from Cook, Representative Dart, is recognized."

Dart: "Will the Sponsor yield?"

Speaker Black: "He indicates he will."

Dart: "Representative, the entire thrust of this Bill is just to make clarifications. Is it purely geared toward alternative schools?"

Speaker Black: "Representative Winkel."

Winkel: "Yes. That's correct, Representative. It is geared toward technical changes in the specific provisions, a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

section for alternative schools and it's only alternative schools."

Speaker Black: "Representative Dart."

Dart: "Why are we making the changes in regards to the transportation requirements for students?"

Speaker Black: "Representative Winkel."

Winkel: "We want to offer the regions flexibility in covering the cost of transportation. If there are other arrangements that can be made other than simply charging the local school district, we want to make sure that we leave that option open."

Speaker Black: "Representative Dart."

Dart: "Will there be any changes in the cost as a result of that?"

Speaker Black: "Representative Winkel."

Winkel: "We have no fiscal impact. That's the note we've got on this. No impact."

Speaker Black: "Representative Dart."

Dart: "Then why are we changing the alternative school program curriculum from the principal to the regional superintendent's authority?"

Speaker Black: "Representative Winkel."

Winkel: "We originally, in that Bill as presented in House Bill 445, it gave the principal a great deal of responsibility and discretion in the implementation of the Safe Schools Act. That was changed during the course of negotiations last session. And really, that was the subject of the previous Bill that we passed last Spring, that we took that responsibility out of the hands of the principal and vested it in the regional superintendent. We're not making that change in this Bill. We're simply clarifying that the regional superintendent, as we already decided previously,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

is in charge of the implementation, administration of alternative schools, but we've also added the option that the regional superintendent can contract out for the administration and implementation of this program."

Speaker Black: "Representative Dart."

Dart: "No further questions."

Speaker Black: "Further discussion? The Gentleman from Kankakee, Representative Novak."

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

Speaker Black: "He indicates he will."

Novak: "Representative Winkel, I notice on our analysis about the ability to establish regional alternative school programs, I guess that's a cooperative effort between... He can't hear me. I notice on our analysis that the Bill allows for the establishment of regional alternative school programs, I guess as a joint cooperative venture between regional school superintendents. Is any money coming from general state aid to finance this? How are these programs are going to be financed? Can you answer that?"

Speaker Black: "Representative Winkel."

Winkel: "The Bill that we passed last session made it clear that the funding would be new and additional state funds. Once it was signed into law last August, I started working with the State Board of Education requesting that they add an additional line item for Senate Bill 50 type alternative schools. They did so and the State Board of Education has recommended \$7,000,000 in funding for these types of alternative ed programs, \$6,000,000 for the demonstration projects, \$1,000,000 is seed money for new programs, preventative programs, actually to help keep kids out of the alternative programs at the same time. The Governor,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

in his budget recommendations, is recommending that same amount is adopted, what the State Board of Education has recommended, insofar as \$7,000,000 for this program."

Speaker Black: "Representative Novak."

Novak: "So this fiscal year, this coming fiscal year, July 1 will be the first year that funds will be available? Is that correct?"

Speaker Black: "Representative Winkel."

Winkel: "That's correct."

Speaker Black: "Representative Novak."

Novak: "You say 6,000,000 out of the 7 will be for demonstration projects. What do you mean by demonstration projects?"

Speaker Black: "Representative Winkel."

Winkel: "That means that there will probably be eight or nine schools, school programs, alternative school programs that would be established in the State. And those programs would be the demonstration projects to demonstrate that the alternative school programs work."

Speaker Black: "Representative Novak."

Novak: "Have those areas been selected? Have those school districts been selected? Or what is the process by which those demonstration projects will be determined?"

Speaker Black: "Representative Winkel."

Winkel: "They have not been decided. In fact, once the funds have been allocated, if it makes our budget, then I would expect that the regions who are interested in establishing alternative school programs would make application on a competitive bid basis to the State Board of Education. And the State Board would actually make that determination where the schools would be located. The regional superintendent would actually make application for the funding."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Novak."

Novak: "So, as you say, so there will be competition for the school districts. Obviously, \$6,000,000 is probably not enough to create all these alternative schools that want to be, you know, in various areas, or that need to be, unfortunately, created in various areas. Will they be building buildings or will they be leasing buildings? What is the logistical aspect of these alternative schools? Can they use existing buildings?"

Speaker Black: "Representative Winkel."

Winkel: "Representative, House Bill 3532 does not directly address that. But I will say in the previous Bill that we passed, we anticipate that this would be done on a lease basis."

Speaker Black: "Representative Novak."

Novak: "One other question. What was the reason you transferred some authority to the regional superintendent of schools from the principals under this Bill? Is that correct? Didn't you transfer some authority? Didn't you give some added duties and responsibilities to the regional superintendent of schools pertaining to this issue?"

Speaker Black: "Representative Winkel."

Winkel: "Actually, what we've done in this Bill, is we've always wanted to promote it on a regional basis. The basic theory being that we wanted to make sure that all schools, rural and urban, within a region, would have equal access to this program. And so it's always been under the auspices of the regional superintendent. What we did with regard to the principal, we took the principal's discretion out of the Bill as originally proposed. That was the previous session. And we looked instead to defining who would be eligible, again the previous Bill. And what we did was, we

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

are relying on established policies and procedures for students who are eligible for expulsion. And the determination has to be made that they're eligible for expulsion. Those are the students we're talking about here, the kids who are eligible to be put out in the street, out of the system. Senate Bill 50. The object there was to keep these kids in the system. House Bill 3532, which I'm presenting today, makes that job easier for the regional superintendent to accomplish that task."

Speaker Black: "Representative Novak."

Novak: "So, one last statement. So, in essence, this program is competitive. Local school districts will compete for the dollars to establish alternative schools. Correct? And there will not be any general state-aid dollars utilized in the operation of these schools. Is that correct, Representative Winkel?"

Speaker Black: "Representative Winkel."

Winkel: "That's exactly right."

Speaker Black: "Representative Novak, your time is expired. Do you have an additional question? With no one seeking recognition...Excuse me. Excuse me. The Gentleman from Peoria, Representative Leitch."

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

Speaker Black: "He indicates he will."

Leitch: "Representative Winkel, I'd like to commend you on this legislation. I do wish to clarify that in cases of existing alternative schools, as they are being put together, the regional superintendent will be a conduit for these funds?"

Speaker Black: "Representative Winkel."

Winkel: "That's right."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Leitch."

Leitch: "Thank you. One of the most significant problems that we have in our school systems is that individuals get expelled from schools for a variety of weapons, drugs, and other violent issues, and then there is no place for those youngsters to go. And I know that in Peoria, for the last year and a half, the Chief Judge of the Circuit Court and the School Board and the City Police and other authorities have been working to design an alternate school to address that problem. That's why this is a very important piece of legislation. It will work very effectively throughout the State, and I would urge support for this measure. And thank you again, Representative Winkel."

Speaker Black: "With no one seeking recognition, the Gentleman from Champaign, Representative Winkel, to close."

Winkel: "Thank you, Mr. Speaker. I'd like to point out that the proponents of this Bill, the Illinois State Board of Education, Illinois School Management Alliance, Illinois Education Association, Illinois Federation of Teachers, Champaign - Ford County Regional Office of Education, Family Ties Network, Peoria Public School District, Peoria District #150, Alternative School Task Force, Education Research and Development, ED-RED, the South Cook Organization for Public Education, SCOPE, and Illinois Association of Regional Superintendents. I would urge a 'yes' vote on House Bill 3532."

Speaker Black: "The question is, 'Shall House Bill 3532 pass?' All those in favor vote 'aye'; opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question, there are 109 voting 'aye', 0 voting 'nay', 0 voting

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, if I could have your attention. For purposes of a special introduction, the Gentleman from Clinton, Representative Granberg, is recognized."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is my privilege to introduce you today to four very good friends of mine from Vandalia High School. The principal, Daryl Gummert, the Athletic Director, Kevin Cochrane, the Head Coach of the wrestling team, Glenn Eckston, and the Assistant Coach, Andy Stritzel. As some of you may know, Vandalia is the old State Capitol of Illinois. If it had not been for Abraham Lincoln, you would be having this session in my district today. So, I want to thank Abraham Lincoln for that. I certainly appreciate his efforts. But, we've been blessed with very numerous schools and numerous state championships, particularly this year. Vandalia wrestling team is the champion of the State with a 23 and 0 record. They had a tremendous season, and I want to congratulate the members of the wrestling team, their coaches, their families, and their friends for an outstanding year, and particularly for their patience today. Ladies and Gentlemen, the champions of the State of Illinois, the Vandalia High School wrestling team in the Speaker's Gallery. And Representative Spangler has offered to wrestle that team. We will be selling tickets immediately after the end of the session."

Speaker Black: "Thank you, Representative Granberg. And it's always a pleasure to welcome state champions to our Capitol. Mr. Clerk, announcements."

Clerk McLennand: "Supplemental Calendar #1 has been distributed."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Ladies and Gentlemen of the House, would you welcome with me a former Representative, now Deputy Auditor General of the State of Illinois, Margie Parcels, is with us today. Margie. Mr. Clerk, please read House Bill 3396. I'm sorry, 3367."

Clerk McLennand: "House Bill #3367, a Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Black: "Mr. Clerk, return the Bill to Second Reading. Mr. Clerk, please read House Bill 1056."

Clerk McLennand: "House Bill #1056, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Black: "Mr. Clerk, please return this Bill to the Order of Second Reading. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Stephens, Chairman from the Committee on Executive, to which the following Bills and Resolutions were referred, action taken on March 21st, 1996, reported the same back with the following recommendations: 'do pass' House Bills #2859, 3604, 3603, 2414, House Bills 2412, 2596, House Bills 22, House Bill 18, House Bill 3641, 1477, 17, correct, 1471, House Bill #526, House Bill #3658, House Bill #1476, 2909, House Bill #2533; 'do pass as amended' House Bills #2413, 3676, and 2963; 'do pass Short Debate' House Bill #3623."

Speaker Black: "Anything further, Mr. Clerk?"

Clerk McLennand: "Attention. Those Members who did not have their computers available yesterday for installation of new software, please leave them on the floor this evening. We have a list of which machines we were missing. Again, if you did not have your computer here yesterday, and you have it with you today, please leave it on the floor so this

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

evening we can install new software. Thank you."

Speaker Black: "Mr. Clerk, on House Calendar, Supplemental #1 appears HJR 95. Please read the Resolution."

Clerk McLennand: "House Joint Resolution #95, offered by Representative Salvi. It urges the government of the United States of America to use it's influence to discourage further military exercises in the Taiwan area that serve to increase international tensions, and create insecurity in the Taiwan region. Rules Committee recommends 'be adopted'."

Speaker Black: "And on the Resolution the Gentleman from Lake, Representative Salvi, is recognized."

Salvi: "Thank you. Thank you, Mr. Speaker. Mr. Speaker, mainland China has been shooting missiles, firing missiles to the North and to the South of the Island of Taiwan. Government officials of both Taiwan and mainland China are committed to the work toward the eventual political reunification of the Republic of China and the People's Republic of China. It is very much in the interest of the United States to encourage respect for human rights, including the development of more democratic governmental institutions and market-based economic systems throughout the world. What China, what mainland China is doing, is a threat not only to the peace of the region, but it's a threat to international stability, it's a threat to human rights. The progressive development of market oriented economic structures in Taiwan and on the mainland have contributed greatly to the well-being of their people. And I ask that this Body send a strong message to the Federal Government, urging our Federal Government to use it's influence to discourage further military exercises in the Taiwan area that serve to increase international tensions,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

and create insecurity in the Taiwan region. I ask also that we send a strong message to the Federal Government, that the Government...that we want peaceful resolution of national and international conflicts and tensions and we want an end to what the mainland Chinese Government is doing in and around Taiwan. I ask that the entire Body support House Joint Resolution 95 to express the will of the Illinois House of Representatives."

Speaker Black: "You've heard the Gentleman's Resolution. And on that the Gentleman from Cook, Representative Parke."

Parke: --"Yes.---Thank you,--Mr.---Speaker, Ladies and Gentlemen of the House. I rise in strong support of HJR 95. I have had the privilege of being in Taiwan, China and seeing the people of that country, and knowing that they are a free market oriented, peaceful people who believes in democracy and believes in the basic constitutional rights that we realize in this country. I will remind everybody that Taiwan in the Middle East, in the Asian area, is a strong friend of the United States. And if we allow any kind of aggression, any kind of intimidation there, that mainland China will then think they can do that anywhere in the world. We have gone through 40, 50 years of this kind of aggression. We cannot allow this against the peace-loving people of Taiwan, of the Republic of China. I would ask that this Body support this unanimously, sending a strong message to our Congressional leaders, to our President, to say we will not tolerate this kind of intimidation. I join in support of this Resolution."

Speaker Black: "With no one seeking recognition, the Gentleman from Lake, Representative Salvi, to close."

Salvi: "Thank you, Mr. Speaker. I think as Members of the Illinois House we have an obligation to make sure that

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

there's stability, not only in Illinois, but all over the world. And I ask for your favorable vote."

Speaker Black: "You've heard the Gentleman's Resolution. And on that question, all those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it. HJR 95 passed. Mr. Clerk, returning to the Order of House Bills - Third Reading. On page 7 appears House Bill 3578. Please read the Bill."

Clerk Rossi: "House Bill 3578, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Black: "You've heard the Bill. And on that the Gentleman from Cook, Representative Doody."

Doody: "Thank you, Mr. Speaker. House Bill 3578 creates the offense of aggravated intimidation. It provides when a street gang member commits the offense of intimidation and furtherance of the activities of an organized gang, or when the intimidation was motivated by the defendant's membership in an organized gang, commits aggravated intimidation, a Class 1 felony. I'll be happy to answer any questions, Mr. Speaker."

Speaker Black: "You've heard the Gentleman's Bill. And on that the Gentleman from Cook, Representative Dart, is recognized."

Dart: "Sponsor yield?"

Speaker Black: "Sponsor indicates he will."

Dart: "How are you distinguishing the street gang members?"

Speaker Black: "Representative Doody."

Doody: "I'm not sure of your question. How am I distinguishing them from what?"

Speaker Black: "Representative Dart."

Dart: "From citizens."

Speaker Black: "Representative Doody."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Doody: "They're using the same definition they're incorporating by reference to definition in the STOP Act. The Streetgang Terrorism Omnibus Prevention Act. I can read that if you'd like me to."

Speaker Black: "Representative Dart."

Dart: "No, that's okay. Now, and how are you going to determine and define whether or not the intimidation was in furtherance of the activities of an organized gang?"

Speaker Black: "Representative Doody."

Doody: "Again, the same definitions that are in the STOP Act are being incorporated there and they would go to each; the definition for the gang, the definition for the course or pattern of criminal activity. It's the same as before. They're not changing that."

Speaker Black: "Representative Dart."

Dart: "Does that define what in furtherance of activities mean?"

Speaker Black: "Representative Doody."

Doody: "It does."

Speaker Black: "Representative Dart."

Dart: "Can you read that to me?"

Speaker Black: "Representative Doody."

Doody: "The course or pattern of criminal activity? Is that what you were...it means two or more gang related criminal offenses committed in whole or in part within the State when at least one such offense was committed after the effective date of the Act where both offenses were committed within five years of each other, and at least one offense involved the solicitation to commit, conspiracy to commit, attempt to commit, or commission of any offense defined as a felony or forcible felony under the Criminal Code."

Speaker Black: "Representative Dart."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Dart: "How will you determine that the intimidation was motivated by the defendant's membership?"

Speaker Black: "Representative Doody."

Doody: "That would be a factual situation for the prosecutor in each case."

Speaker Black: "Representative Dart."

Dart: "What's the present penalty for this offense now?"

Speaker Black: "Representative Doody."

Doody: "The offense of aggravated intimidation is new. It's a Class 1. Currently, the offense of intimidation is a Class 3 felony."

Speaker Black: "Representative Dart."

Dart: "So, then the aggravation here is the fact that it occurred because there was gang involvement?"

Speaker Black: "Representative Doody."

Doody: "If it's gang related, they're enhancing the penalty to Class 1. That's correct."

Speaker Black: "Representative Dart."

Dart: "Isn't it correct that there's already enhancement provisions in the sentencing chapters for things that are done because of gang activity?"

Speaker Black: "Representative Doody."

Doody: "Yes, there are those provisions. But this is going to establish a separate felony."

Speaker Black: "Representative Dart."

Dart: "Will that not be duplicative?"

Speaker Black: "Representative Doody."

Doody: "No. They can prosecute right under this statute here. Instead of enhancing, it's a felony in and of itself."

Speaker Black: "Representative Dart."

Dart: "Representative, it was already a felony."

Speaker Black: "Representative Doody."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Doody: "Going back to intimidation, it's already a Class 3 felony. That's correct. And if you're talking about enhancement, those provisions are in there for penalties. But, this is going to be a new and separate felony, a Class 1 felony for aggravated intimidation."

Speaker Black: "Representative Dart."

Dart: "Do you have any idea of how many people this is going to affect? What's the projections?"

Speaker Black: "Representative Doody."

Doody: "The Department of Corrections did a fiscal study and, basically, they said it would be minimal, but they're not sure depending upon how aggressive the prosecutors are with regard to this. So, it's a guesstimate. We don't know that."

Speaker Black: "Representative Dart."

Dart: "Were there different prosecuting agencies that were putting this legislation forward or for this?"

Speaker Black: "Representative Doody."

Doody: "They were contacted, but I'm not sure if they were the stimulus behind us."

Speaker Black: "Representative Dart."

Dart: "Do you know how many intimidation cases there are right now?"

Speaker Black: "Representative Doody."

Doody: "Last year there were about 702. The prior year there was 754, something like that."

Speaker Black: "Representative Dart."

Dart: "This is my final question. In their statistics, do they show whether or not any of those intimidation cases for 700 or so, were any of those involving gangs?"

Speaker Black: "Representative Doody."

Doody: "We do not have those stats, Representative."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Dart."

Dart: "Nothing further."

Speaker Black: "Further discussion? The Gentleman from Washington, Representative Deering."

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

Speaker Black: "He indicates he will."

Deering: "Representative, as I see here, some of the offenses that would be acted on here as far as intimidation. If I'm a gang member and I just accuse a person of an offense, could I then be convicted of a Class 3 felony, by just accusing someone of doing something?"

Speaker Black: "Representative Doody."

Doody: "Under the definition for intimidation, Representative, there would have to be a communication of a threat and one of the subsections under that is to accuse somebody of a crime. But, again, this also says that there has to be two within a five year period. Merely accusing someone in and of itself would not qualify."

Speaker Black: "Representative Deering."

Deering: "Okay. Is there any specifics concerning the age group here? Will a person...Say, if I'm a gang member and I'm 15 years old and I get convicted of ...or I get accused of intimidation and I'm pulled into court. Will I be tried as an adult, or will I be tried under the Juvenile Act?"

Speaker Black: "Representative Doody."

Doody: "This new law does not affect the current situation with regarding that. It's not going to make any changes."

Speaker Black: "Representative Deering."

Deering: "So, then if I'm 15 years old, I will not be convicted or I could not be convicted of a Class 3 felony then, but if I'm 19 years old or older, I could be convicted of a Class 3 felony. Is that what you're saying?"

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "Representative Doody."

Doody: "No. What I'm saying is that if under current law that person could be tried as an adult, this law will not change that."

Speaker Black: "Representative Deering."

Deering: "Thank you."

Speaker Black: "Further discussion. The Gentleman from Cook, Representative Moore."

Moore, E.: "Will the Speaker (sic-Sponsor) yield."

Speaker Black: "He indicates he will."

Moore, E.: "Representative Doody, what sign is that?"

Speaker Black: "Representative Doody."

Moore, E.: "What sign is this Representative? What gang sign is that?"

Speaker Black: "Representative Doody."

Doody: "I don't know, Representative."

Speaker Black: "Representative Moore."

Moore, E.: "Sir, I'm just trying to find out what signs are these. The gang signs? How would you determine who was in a gang, when they give you these gang signs?"

Speaker Black: "Representative Doody."

Doody: "I trust our local police agencies would be able to identify. I cannot."

Speaker Black: "Representative Moore."

Moore, E.: "Thank you very much. What sign is that, Representative Doody?"

Speaker Black: "Representative Doody."

Doody: "I would withdraw back to about 1968, Richard Milhous Nixon, Representative."

Speaker Black: "Representative Moore."

Moore, E.: "Thank you very much, Representative, I appreciate that."

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Speaker Black: "With no one else seeking recognition, the Gentleman from Cook, Representative Doody, to close."

Doody: "Thank you, Mr. Speaker. This is another tool in the hands of the government for law enforcement. I urge colleagues to vote 'yes'. Thank you."

Speaker Black: "The question is, 'Shall House Bill 3578 pass?'. All those in favor vote 'aye'; all opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 107 voting 'aye', none voting 'nay', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Black: "Mr. Clerk, Introduction of Resolutions."

Clerk McLennand: "House Joint Resolution #94, offered by Representative Churchill. Referred to the Rules Committee. Rules announcement. Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee immediately in the Speaker's Conference Room."

Speaker Black: "Ladies and Gentlemen of the House, we'll stand at ease until the Rules Committee has completed their business. I would ask that you stay in the chamber as there will be a vote taken on a Resolution just as soon as the Rules Committee comes back."

Speaker Black: "Ladies and Gentlemen of the House, we have one order of business and we could conclude that if the Members of the Rules Committee would gather immediately in the Speaker's Conference Room. Members of the Rules Committee, please gather immediately in the Speaker's Conference Room."

Speaker Black: "Yes, the Gentleman from Rock Island, Representative Brunsvold. For what purpose are you seeking

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

recognition?"

Brunsvold: "Inquiry of the Chair."

Speaker Black: "Yes, state your inquiry."

Brunsvold: "I heard a rumor that the Governor is going to address us tomorrow. Do you know any facts on that?"

Speaker Black: "The rumors are the stock and trade around here. I haven't heard anything about that, but let me get back to you. Yes, Representative Brunsvold."

Brunsvold: "Well, the rumor I hear also is that he's going to address the Dawn Clark Netsch tax plan and how it got better."

Speaker Black: "Well, I would have no idea. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman of the Committee on Rules to which the following Joint Action Motions were referred, action taken on March 21st, 1996, reported the same back 'do approve for consideration' to the floor, approved for consideration House Joint Resolution #94."

Speaker Black: "Mr. Clerk, Supplemental Calendar announcement."

Clerk McLennand: "Supplemental Calendar #2 is being distributed."

Speaker Black: "Ladies and Gentlemen of the House, if I could have your attention. For those of you that need to make arrangements for rooms, the Speaker has indicated the House will be in session Monday. That was, I believe, not on your calendar. I think it was tentative and the Speaker has indicated that the House will be in session this coming Monday at 2:00 p.m. So those of you that need to make room arrangements should make those arrangements today. The House will be in session Monday at 2:00 p.m. Mr. Clerk, Committee Report."

Clerk McLennand: "Committee Report from Representative Krause,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

Chairman of the Committee on Health Care and Human Services, to which the following Bills were referred, action taken on March 21st, 1996, reported the same back with the following recommendations: 'do pass' House Bill 3614 and House Bill 24; 'do pass as amended' House Bill 3309, House Bill 235 and House Bill...235; 'do pass as amended Short Debate' House Bill 3613, House Bill 2579. Health Care and Human Services Committee Report: 'do pass as amended Short Debate' is House Bill 2691."

Speaker Black: "Mr. Clerk, on the House Calendar, Supplemental #2, appears HJR94. Please read the Resolution."

Clerk McLennand: "House Joint Resolution #94, offered by Representative Churchill. Be it resolved by the House of Representatives that the 89th General Assembly of the State of Illinois, the Senate concurring herein, that at the request of the Governor, the two Houses shall convene in Joint Session on Friday, March 22, at the hour of 12:00 noon, for the pure purpose of hearing his Excellency, Governor Jim Edgar, present to the General Assembly his message on an Educational Constitutional Amendment."

Speaker Black: "The Gentleman from Lake, Representative Churchill, has moved that House Joint Resolution #94 be adopted. Now on that question all those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it and House Joint Resolution #94 is adopted. Mr. Clerk, committee announcements."

Clerk McLennand: "Attention Members, committee announcements. Following caucus, the 2:00 committees will meet at 3:30 p.m. All committees will be meeting. Those committees scheduled for 2:00 p.m. will meet at 3:30; 4:00 committees will meet at 5:30. Due to the Joint Session, those committees scheduled for Friday at 12:00 noon will be

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

rescheduled later in the day. But, again, all committees will be meeting."

Speaker Black: "The House Democrats and the House Republicans will go to caucus immediately, and on that, Representative Churchill now moves that the House stand adjourned until Friday, March 22, 1996 at the hour of 2:00 p.m. Allowing for Perfunctory time for the Clerk and that pursuant to House Joint Resolution 94, the House will meet in Joint Session with the Senate tomorrow at the hour of noon. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The House stands adjourned."

Clerk McLennand: "The House Perfunctory Session will be in order and the House Perfunctory Session will stand in recess until the hour of 7:30 p.m."

Clerk McLennand: "The hour of 7:30 having arrived, the House Perfunctory Session will be back in order. Committee Reports. Committee Report from Representative Persico, Chairman from the Committee on Environment and Energy to which the following Bills were referred, action taken on March 21, 1996, reported the same back with the following recommendations: 'do pass as amended' House Bill 2725 and House Bill 3161. Committee Report from Representative Ann Hughes, Chairman from the Committee on Counties and Townships to which the following Bills were referred, action taken on March 21, 1996, reported the same back with the following recommendations: 'do pass as amended' House Bill 2529; 'do pass Short Debate' House Bill 2737; 'do pass as amended Short Debate' House Bill 2745, House Bill 2735, and House Bill 3638. Committee Report from Representative Skinner, Chairman from the Committee on Privatization, Deregulation, Economic and Urban Development, to which the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

following Bills were referred, action taken on March 21, 1996, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 3283; 'do pass as amended Short Debate' House Bill 3662. Committee Report from Representative Andrea Moore, Chairman from the Committee on Elections and State Government to which the following Bills were referred, action taken on March 21, 1996, reported the same back with the following recommendations: 'do pass' House Bill 418, 422, 2421; 'do pass Short Debate' House Bill 2576; 'do pass as amended Short Debate' House Bill 3090. Corrected Committee Report, offered by Representative Stephens, Chairman from the Committee on Executive to which the following Bills were referred, action taken on March 21st, reported the same back with the following recommendations: 'do pass' House Bill #3655 and 'do pass as amended' House Bill 2632."

Clerk McLennand: "Message from the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title. House Bill 682 together with Senate Amendment #1 passed the Senate, as amended, March 21st.' Introduction and First Reading of Senate Bills. Senate Bill #1319, offered by Representative Black, a Bill for an Act to amend the Downstate Public Transportation Act. Senate Bill #1342, offered by Representative McAuliffe, a Bill for an Act amending the Use of an Intoxicating Compounds Act. Senate Bill #1463, offered by Representative Balthis, a Bill for an Act concerning local transfer taxes. Senate Bill #1599, offered by Representative Balthis, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Senate Bill #1624, offered by Representative Durkin, a Bill

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

105th Legislative Day

March 21, 1996

for an Act regarding housing authorities. Senate Bill #1673, offered by Representative Wennlund, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Senate Bill #1727, offered by Representative Cross, a Bill for an Act concerning the safety and security of automated teller machines. Senate Bill #1820, offered by Representative Holbrook, a Bill for an Act amending the Liquor Control Act of 1934. Introduction and First Reading of these Senate Bills. These Senate Bills are referred to the Rules Committee."

Clerk McLennand: "House Perfunctory Session will be in order. Committee Reports, offered by Representative Anne Zickus, Chairman of the Committee on Consumer Protection to which the following Bills were referred, action taken on March 21, 1996, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 3169, House Bill 3081; 'do pass as amended Short Debate' House Bill 2655. Committee Report, offered by Representative Wirsing, Chairman for the Committee on Higher Education to which the following Bills were referred, action taken on March 21, 1996, reported the same back with the following recommendations: 'do pass' House Bill 2406 and House Bill 1286; 'do pass as amended Short Debate' House Bill 1287 and House Bill 1285. Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in Joint Session on Friday, March 22 at the hour of 12:00 noon and will reconvene in full session at the hour of 2:00 p.m. Representative Churchill now moves that the House Perfunctory Session stands adjourned."

MARCH 21, 1996

HB-0995	SECOND READING	PAGE	19
HB-0995	SECOND READING	PAGE	24
HB-0995	THIRD READING	PAGE	25
HB-1056	RECALLED	PAGE	38
HB-1796	THIRD READING	PAGE	5
HB-2515	THIRD READING	PAGE	13
HB-2533	THIRD READING	PAGE	20
HB-2592	RECALLED	PAGE	4
HB-3367	RECALLED	PAGE	38
HB-3396	RECALLED	PAGE	4
HB-3532	THIRD READING	PAGE	29
HB-3578	THIRD READING	PAGE	41
SB-1319	FIRST READING	PAGE	51
SB-1342	FIRST READING	PAGE	51
SB-1463	FIRST READING	PAGE	51
SB-1599	FIRST READING	PAGE	51
SB-1624	FIRST READING	PAGE	51
SB-1673	FIRST READING	PAGE	52
SB-1727	FIRST READING	PAGE	52
SB-1820	FIRST READING	PAGE	52
HJR-0094	FILED	PAGE	47
HJR-0094	ADOPTED	PAGE	49
HJR-0095	ADOPTED	PAGE	39
HJR-0095	RESOLUTION OFFERED	PAGE	39

SUBJECT MATTER

HOUSE TO ORDER	PAGE	1
SPEAKER DANIELS IN THE CHAIR	PAGE	1
PRAYER - BISHOP LLOYD E. GWIN	PAGE	1
PLEDGE OF ALLEGIANCE - REPRESENTATIVE HOFFMAN	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
DERMOTT O'CALLAHAN	PAGE	2
REPRESENTATIVE BLACK IN THE CHAIR	PAGE	14
GUESTS -DARYL GUMMERT, KEVIN COCHRANE	PAGE	37
GUESTS - GLENN ECKSTONE, ANDY STRITZEL	PAGE	37
SUPPLEMENTAL CALENDAR #1	PAGE	37
SUPPLEMENTAL CALENDAR #2	PAGE	48
HOUSE ADJOURNED	PAGE	50
HOUSE PERFUNCTORY SESSION	PAGE	50
MESSAGE FROM THE SENATE - JIM HARRY	PAGE	51
HOUSE PERFUNCTORY SESSION ADJOURNED	PAGE	52
COMM.ED.TRAVEL ADVISORY BOARD OF H.S. 214	PAGE	19
DEPUTY AUDITOR GENERAL, MARGIE PARCELLS	PAGE	38