

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

57th Legislative Day

5/29/2017

Speaker Lang: "The House will be in order. We'll... we'll be joined by a Boy Scout color guard this morning in honor of Memorial Day. We shall be led in prayer today by Reverend Dr. Willie Stallworth, who is the pastor of Unity Lutheran Church in East St. Louis. Pastor Stallworth is the guest of Representative Greenwood. Members and guests are asked to refrain from starting their laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Reverend."

Reverend Stallworth: "Let us pray. Eternal Lord, ruler of all, graciously regard those who have been set aside in positions of authority among us. Dear Lord, bless the Members of the House of Representatives for this State of Illinois that, Dear Lord, guarded by Your Holy Spirit they may be in high purpose, that they may, Dear Lord, serve in wise counsel, firm in good resolution and unwavering in duty, that under them we may be governed quietly and peaceably. Dear Lord, keep these Representatives in Your care. Bless, Oh Lord, the Leaders of our land that, Dear Lord, we may be a people at peace among ourselves. And Dear Lord, may they be a blessing, Dear Lord, to this great state. Oh God, may they contribute to wise and good decisions for the general welfare. This we pray in the awesome name of Your dear Son, our Saviour, who lives and reigns with You and the Holy Spirit, one God, now and forever more, Amen."

Speaker Lang: "We shall be led in the Pledge by all veterans of the Illinois House."

House veterans - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it

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stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Lang: "Roll Call for Attendance. Leader Currie."

Currie: "Speaker... Thank you, Speaker. Please let the record show that Representative Drury is excused."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. Please let the record reflect that Representatives Pritchard and Stewart are excused."

Speaker Lang: "Mr. Clerk, please take the roll. We have 115 Members present and we do have a quorum. Happy Memorial Day. Mr. Riley is recognized."

Riley: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Lang: "You may proceed, Sir."

Riley: "On this thoughtful and reverent Memorial Day. I'm really glad to see some young men here that if I was back home, I'd probably be in a parade with them. See all these Scouts. I just want to let you know in a House of three Eagle Scouts and three vigil honor members, it's really good to see you all today. Give these young men a round of applause, please."

Speaker Lang: "Thank you. Representative Winger is recognized."

Winger: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed."

Winger: "Thank you. Many of you may have remembered that in 2015, as a first-year Legislator I was pregnant January through September. So, it's with great pleasure that I introduce to you my husband, Mark, and my daughter, Samantha."

Speaker Lang: "Welcome aboard. Happy you're here with us. Representative Tabares."

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Tabares: "Thank you, Mr. Speaker. I just want to recognize the Boy Scouts from the... in the Speaker's Gallery. Want to give them a big round of applause. I also want to welcome Felix Gonzalez, who's also here today. He's from my neighborhood. Hey, Felix, thanks for coming. Let's give a big round of applause for all the good work that the Boy Scouts are doing."

Speaker Lang: "Welcome. Thank you, Representative. Welcome to the House chamber. Mr. Clerk, House Resolution 334. Representative Dan Burke."

Clerk Bolin: "House Resolution 334."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the valiant work of those associated with the Boy Scouts of America Iroquois Trail district."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker. And happy Memorial Day to all those present. And it is my delight to make arrangements for those young men that you saw a moment ago presenting colors in this chamber. There are approximately 25 young people from my district as well as some others. And I'd like to suggest that we recognize this group of young men who've made the trip to our State Capitol from the heart of Chicago. These individuals are as selfless as they are dedicated. When they are initiated, as a matter of fact, they take an oath to help other people at all times, to keep themselves physically strong, mentally awake, and morally straight. Mr. Speaker and Members of the Body, the Resolution has been put before this chamber today recognizes the Iroquois Trails District which represents 32 scouting troops totaling over 1 thousand scouts

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and 350 adult members and volunteers. The scouting district itself represents a diverse collection of neighborhoods in Chicago including Archer Heights, Back of the Yards, Bridgeport, Brighton Park, Canaryville, Cicero, Ford City, Gage Park, Little Village, Marshall Square, McKinley Park, Midway, Pilsen, South Lawndale, and West Elsdon. Some of these neighborhoods, Ladies and Gentlemen, are the most underserved in the city where few, if any, community-based youth programs are present. Recognition must be given to the Iroquois Trail District leadership for spearheading outreach into these underserved areas. In most cases, they go door to door recruiting membership. Their commitment to help guide our children to make ethical and moral choices not just as scouts, but as individuals, good citizens must be highlighted and recognized today. This outreach has resulted in 300 new scouts joining troops in 2016 alone making it one of the fastest growing youth organizations in Chicago. It also should be noted 13 scouts attained the highest rank achievable that of Eagle Scout. Some of them are here with us today in the gallery. In 2016, the scouts themselves has... have collectively volunteered over 5 thousand hours of service in their communities as well as participated in honor flights to D... to D.C. with local veterans. In his scouting district, they have collected the most food in the U.S. during last year's scouting food drive. I ask that we recognize the valiant work of all these folks associated with the Boy Scouts of America, Iroquois Trails District that they have brought back the rich tradition of scouting and community service to the heart of Chicago and rightly so, must be commended for

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it. I'd like the Body to acknowledge with a greeting and a warm welcome to all these young folks that have joined us today from Chicago."

Speaker Lang: "Welcome. We're so happy you're with us in the chamber on Memorial Day. Mr. Harris."

Harris, D.: "Thank... thank you, Mr. Speaker. And I want to congratulate the Sponsor of this Resolution for bringing it forward honoring the Boy Scouts not just in the Iroquois Trail District, but all the Boy Scouts and the traits that they learn as Boy Scouts really do stay with them throughout their lives. As a matter of fact, and you all in the gallery can correct me if I get this wrong, but a scout is trustworthy, loyal, helpful, friendly, courteous, kind, brave, clean, and reverent. Thank you very much."

Speaker Lang: "That was pretty good, Sir. This Resolution has already been adopted. Chair recognizes Mr. Demmer for an announcement."

Demmer: "Thank you, Mr. Speaker. The Republicans request an immediate caucus."

Speaker Lang: "Bear with the Chair one second, Sir. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 29, 2017: recommends be adopted Floor Amendment #3 to Senate Bill 31 and Floor Amendment #2 to Senate Bill 1774; recommends be adopted Motions to Concur... a Motion to Concur with Senate Amendment #1 to House Bill 305, Senate Amendment #1 to House Bill 311, Senate Amendment #1 to House Bill 350, Senate Amendment #2 to House Bill 534, Senate Amendment #1 to House Bill 622, Senate Amendment #1 to

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House Bill 760, Senate Amendment #1 to House Bill 771, Senate Amendment #1 to House Bill 791, Senate Amendment #1 to House Bill 799, Senate Amendment #1 to House Bill 1542, Senate Amendment #1 to House Bill 1896, Senate Amendment #1 to House Bill 2545, Senate Amendment #1 to House Bill 2550, Senate Amendment #1 to House Bill 2812, Senate Amendment #1 to House Bill 2959, and Senate Amendment #1 to House Bill 3488. Representative Phelps, Chairperson from the Committee on Public Utilities reports the following committee action taken on May 29, 2017: do pass Short Debate for Senate Bill 1451. Representative Burke, Dan, Chairperson from the Committee on Executive reports the following committee action taken on May 29, 2017: do pass as amended Short Debate for House Bill 2877 and House Bill 3871; and recommends be adopted a Motion to Concur with Senate Amendment #2 to House Bill 3222. Representative Riley, Chairperson from the Committee on State Government Administration reports the following committee action taken on May 29, 2017: do pass Standard Debate for House Bill 4025; and recommends be adopted Floor Amendment #3 to Senate Bill 8. Representative Martwick, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on May 29, 2017: recommends be adopted a Motion to Concur with Senate Amendment #1 to House Bill 3261. Introduction of Resolutions. House Resolution 445, offered by Representative Harris, Greg. And House Joint Resolution 64, offered by Representative Cabello."

Speaker Lang: "And now at the request of Mr. Demmer, the Republicans will go to caucus immediately in Room 118. The House will be in recess 'til the hour of 11:30 a.m."

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Speaker Turner: "The House will come to order. Representative Sommer, for what reason do you seek recognition?"

Sommer: "Point of personal privilege, Mr. Speaker."

Speaker Turner: "Please proceed, Sir."

Sommer: "Mr. Speaker, Ladies and Gentlemen, I'd like to make a few brief Memorial Day comments. A few years ago, in this chamber, we honored Marine Major Reid Nannen who was killed in a crash at Top Gun Flight Training School in Nevada. Today, astronaut... astronauts are honoring Major Nannen at a ceremony at this hour at the Hopedale Medical Complex. There's a Statue in honor of Major Nannen and the ceremony at this hour to honor those who have fallen. I'd additionally like to say for the first time publically that in my tenure here I've never mentioned my... my uncle Major Marvin W. Carius, who was killed in action on December 9 of 1950 in Korea. I was a toddler, but I remember the... my mother crying when she got that phone call. I remember the Gold Star in my grandparent's front window. And I remember traveling here to Springfield some months later and my uncle was interred at Camp Butler National Cemetery here in Springfield. My thanks to Major Nannen, my thanks to my uncle, Major Carius, but also my thanks to all in this country who have given the ultimate sacrifice. We owe so much to them. We will never forget them. They are and they always will be America's greatest heroes."

Speaker Turner: "Thank you, Representative. Thank you, Members. On page 10 of the Calendar, we have Senate Bill 8, Representative Riley. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 8, a Bill for an Act concerning finance. This Bill was read a second time on a previous day."

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Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Riley."

Speaker Turner: "Representative Riley."

Riley: "Mr. Speaker, I'd like to rescind Floor Amendment #2."

Speaker Turner: "Gentleman moves to rescind Floor Amendment #2.

All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is rescinded. Mr. Clerk."

Clerk Hollman: "Floor Amendment #3 is offered by Representative Riley."

Speaker Turner: "Representative Riley."

Riley: "I'd like to present Floor Amendment #3. Floor Amendment #3 to Senate Bill 8 just adds some clarity as, you know, many of you know Floor Amendment #1 becomes our procurement Bill. In an effort, really, to... and I think we did a good job working with everyone, not only colleagues but the committee but agencies also and outside individuals. Last Friday... as a matter of fact, last Friday as we were doing our commemorations to the fallen, there was a meeting and the meeting dealt with small issues that some of the agencies had. And some of them were, you know, very small, some of them dealt with interpretation. Some were scrivener's errors, a difference of opinion, but there were some substantive parts too that we had a long discussion about and we're actually adopting now. And as you can see in your analysis, it deals with contract reporting requirements, some things regarding what the CPO does, removing some provisions under the CPO,

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CPO's responsibilities and so on. So, that's what we're adopting in Floor Amendment #3."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 8. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read Senate Bill 8 for a third time."

Clerk Hollman: "Senate Bill 8, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Turner: "Representative Riley."

Riley: "Thank you, Mr. Speaker. Senate Bill 8 is our... and I mean our... procurement Bill. We took Senate Bill 8 prior to House Amendment #1, and we had a long process of vetting out this Bill. We had a number of subject matter hearings over the last four months. We received a lot of participation from Members, Members of our committee, and other Members who wanted to give us their opinion about this Bill. And as I say, we had subject matter hearings all over the state, a number in Chicago and a number down here in Springfield. And we think we came up with a... a very good measure. Again, one of the things that I always said from the beginning was it was something that we can both agree on... everybody can agree on. In many ways it was sort of a management exercise about the best way to allow people in this state to do business with the state. And so, we incorporated a lot of features from our very important subject matter hearings. Many of you had pieces of legislation that dealt with procurement that we

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tried in the Bill. As a matter of fact, many of those aspects of what you wanted to try to do are in the Bill. Breen, Batinick, Butler, Will Davis, a lot of what you brought before us are a part of this Bill. So, along with changes with the responsibilities of CPO, some exemptions in the Procurement Code, dealing with small businesses and minority contracts, some new procurement measures, some things that we did in the Governmental Joint Purchasing Act, we think this is a very good piece of legislation. I thank everyone who participated and will take questions."

Speaker Turner: "Chair recognizes Representative Batinick."

Batinick: "Thank you, Mr. Speaker. I'm going to go straight to the Bill. I think this is absolutely wonderful that we're starting out our Memorial Day with this particular piece of legislation. I hope between now and May 31, there's about a dozen or so more Bills that are worked like this. I want to thank the Sponsor for incorporating many things that both... that many of our Members wanted but both universities and state agencies wanted. This is a great Bill. It's a great way to start Memorial Day. Let's all vote 'aye'. Thank you."

Speaker Turner: "Representative Riley to close."

Riley: "Thank you very much. This is our Bill. We worked together on it. Again, procurement, very important, very involved, very complex, there's going to be a 2.0. And we're going to work together, matter of fact, we've already got meetings set up for this summer to make further improvements. And things like this, good government, good Bills are just a work in process, so... progress. And so, let's all endeavor to... to work

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together, make it better and hope that the Governor signs this Bill as soon as possible. Thank you very much."

Speaker Turner: "The question is, 'Shall House Bill... excuse me... 'Shall Senate Bill 8 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 8, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, on Senate Bills under Third Reading, we have Ho... Senate Bill 675, Representative Evans. Mr. Clerk, please read the Bill. Mr. Clerk, can you please move this Bill back to the Order of Second Reading and read the Bill."

Clerk Hollman: "Senate Bill 675, a Bill for an Act concerning transportation. This Bill was read a second time a previous day. Amendment 2 was adopted in committee. Floor Amendment #3, offered by Representative Evans, has been approved for consideration."

Speaker Turner: "Representative Evans."

Evans: "Thank you, Mr. Speaker and great Members of the Assembly. In response to a lot of questioning and in an effort to attempt to move a good piece of legislation forward, we filed House Floor Amendment 3. House Floor Amendment 3 reduce the daily penalty for individuals looking to circumvent the law from 10 thousand to 1 thousand. It also removed the City of Chicago exemption as many of the opponents mentioned the City of Chicago will just work around the unnecessary duplicative

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services. So, the City of Chicago is back in and the penalty is reduced. I ask for the adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 675. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read Senate Bill 675."

Clerk Hollman: "Senate Bill 675, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Evans."

Evans: "Again, as was mentioned yesterday, 675, including the City of Chicago and reducing the daily penalty for those looking to circumvent the law from 10 thousand back to a thousand. It modifies the definition of essential parts, prohibits and providing the penalties for Illinois residents who seek to fraudulently get licenses. It provides penalties for individuals and companies who authorize... who operate unauthorized driving vehicles. It clarifies recycled parts, scrap processes, repairs, and again, it further has the requirements that the Secretary of State can charge a municipality after an individual entities license is revoked. There are other various issues that were worked out which I detailed yesterday. I request your support for this legislation."

Speaker Turner: "Chair recognizes Representative Andersson."

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

Speaker Turner: "Sponsor indicates that he will yield."

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Andersson: "Thank you. Representative, number 1, is this a... is this a Secretary of State initiative?"

Evans: "Yes, Sir. The Secretary of State's initiative."

Andersson: "Okay. And what's the reason for the change? If you could just explain to me, you know, what we're trying to accomplish here 'cause I'm not entirely clear."

Evans: "Yeah. There's various parts they typically come with these Bills. My understanding from the Secretary of State, they want to clarify essential parts when clarifying the use of parts to construct vehicles because there's a potential for fraud."

Andersson: "What... what is that? What... what is the potential for fraud? What are we talking about here?"

Evans: "Well they wanted to be sure that parts that are used will be considered essential. If you look further, an essential part of a vehicle, my understanding, would be the bumpers, kind of the key parts of the vehicles. Anecdotally, like a sun roof or certain parts that could be optional, wouldn't be clarified as essential parts."

Andersson: "So... so, are we trying to make sure that these parts are like... I don't know what you'd want to say... correctly manufactured? They're not fraudulent in the sense that they're somehow unsafe and they're being masked as, you know, as something they're not? Is that what we're..."

Evans: "Yeah, without question. And that they weren't stolen for sure."

Andersson: "Could you speak up? I'm sorry. I can't hear."

Evans: "Yeah. And that they were not stolen."

Andersson: "Oh. That they're not stolen? Okay."

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Evans: "Yeah, to be sure that the parts are not stolen."

Andersson: "All right, all right. I understand. And then, I understand there's been some changes to the penalties. Can you explain those?"

Evans: "Yeah, again, the \$10 thousand fee was a little high, so it's reduced to a thousand dollars a day for individuals that's in violation, particularly businesses. And of course, the City of Chicago's included, so this is... this is a Bill for the entire State of Illinois."

Andersson: "And what... what's the fine right now?"

Evans: "The fine now... we're creating a fine."

Andersson: "Oh, okay. There is no fine."

Evans: "So, for folks that's in violation. It's 500 now, so it would be a... sorry, it's 500 for the record."

Andersson: "Five..."

Evans: "It's 500 now; it'll be a thousand per day."

Andersson: "Five hundred, so we're going up to a thousand forward?"

Evans: "Yep."

Andersson: "Is there... is it... does this also affect like dealer licensing such that their business license is in jeopardy if they're found violating this?"

Evans: "Yes. It's my understanding, yes."

Andersson: "And how does that work? What's the... what's the process?"

Evans: "My understanding that it will be revoked. The exact process for this throughout the state, I'm not sure. I'm sure the Secretary of State will send an enforcement. I know within

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the City of Chicago you have various departments who will address it, but I'm not..."

Andersson: "So..."

Evans: "But the Secretary of State will handle enforcement."

Andersson: "So, as of... the Secretary of State would determine the violation, so to speak, and give it to the city and the city would then potentially revoke a business license or something like that?"

Evans: "Well, in law, we've already set the violation. It's a thousand dollars per day for folks who violate, but the exact enforcement I'm sure will be done through the Secretary of State or the local municipality."

Andersson: "Right. I thought... I thought the answer to your... to my question was that there was potential for business license revocation. Is that correct?"

Evans: "Yes."

Andersson: "So, that... that's the process that I'm asking about."

Evans: "Without question."

Andersson: "Is... is... as I described. Secretary of State discovers it. They refer it to the city. The city has an administrative process which may or may not result in a revocation. Is that right?"

Evans: "Without question. And that's a normal process for any violation of businesses."

Andersson: "They... they do it for other things, I assume."

Evans: "Not affecting the normal process at all."

Andersson: "Thank you very much for the answers to the questions, Sir."

Evans: "No, thank you."

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Speaker Turner: "Representative Flowers is recognized."

Flowers: "Will the Gentleman yield?"

Speaker Turner: "He indicates that he will."

Flowers: "Representative, is the language still in your Bill that would prohibit a resident from the... of the City of Chicago from helping someone else get an ID or driver's license?"

Evans: "It's still in the legislation, Representative."

Flowers: "Pardon me?"

Evans: "It's still here. It's still in the legislation. It would..."

Flowers: "So, what is... what is the fine for a person to help another person to get a ID... a city ID and a state driver's license?"

Evans: "Again, I don't... a city ID? I want to be clear. I don't know what you mean by city ID. Nothing to do with a city ID, I know where there's a discussion to discuss city..."

Flowers: "Is it a state ID?"

Evans: "Yes. Only thing we're talking about is through Secretary of State issues are state... the state ID."

Flowers: "I'm... is it a state ID and a state driver's license?"

Evans: "Yeah. For an individual looking to... I can follow up with you. I don't know the exact penalty for an individual looking to commit that particular fraud. I'm not sure."

Flowers: "I'm sorry. How long do you have to be in the state to be a resident?"

Evans: "There's not a particular amount of time. I'm sure if you move tomorrow, you can... an individual can become a resident..."

Flowers: "I guess what I'm trying to figure out..."

Evans: "...could be a set... established..."

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Flowers: "Representative, what I'm trying to figure out, if someone come in from another state and they want a state ID or get a state driver's license, and if I were to help them, I will be in violation of this law."

Evans: "Yeah, if you have come fraudulently obtained the driver's license, Representative."

Flowers: "Well..."

Evans: "Not if you help them."

Flowers: "Well, what is... what... explain what are you talking about fraudulently?"

Evans: "If you... if you fraudulently help an individual obtain a driver's license. Representative, if... it's hard for... If you fraudulently assist an individual, you'd be in violation of the law. And I don't think that's a new thing, Representative. So, if you have any other questions or..."

Flowers: "So, basically, Representative, what you're doing is clarifying existing law?"

Evans: "Without question, Representative."

Flowers: "Thank you very much. I appreciate that."

Speaker Turner: "Representative Harris is recognized."

Harris, D.: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker Turner: "The Sponsor will yield."

Harris, D.: "Representative, you answered one of the previous questions about the essential parts to ensure that... that the parts are not... that they are valid and they are the right parts to go... you... you answered one of the previous questions..."

Evans: "Yes."

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Harris, D.: "...about essential parts and why that's there so we can ensure that we don't use stolen parts or anything like that in a... in a vehicle, correct?"

Evans: "Yes. Yes, Sir."

Harris, D.: "And regarding the previous speaker's question about a driver's license, the Secretary of State, if I'm not mistaken, it has been known that there might be two women, as an example, or two men, go to a driver's license facility and go through the process and then when the time come... and use the... the address and when the time comes to take the photo, the individual who really doesn't live at that address takes the photo. Has that been known to happen?"

Evans: "Oh, without question. I think... and the Secretary of State could detail many of these situations. You always want to try to stay on top of fraudulent individuals. So, this legislation is a move in that direction."

Harris, D.: "And... and as an example, if one were to apply for a... a FOID card and the ID that was used was... was a driver's license and that person didn't live in Illinois, conceivably that person could get a FOID card from the State of Illinois even though they didn't live in Illinois because they have a fraudulent driver's license, correct?"

Evans: "Without question. Yes, Sir."

Harris, D.: "So, it seems to me that if somebody helps someone commit fraud by getting a driver's license they are not entitled to that they ought to lose their own driver's license. So, in that respect, I think this is very positive and it's an initiative which is... which is a good one. And lastly, I'll simply say... to the Bill. I'll simply say that

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you addressed the concerns that we brought up on the House Floor the other day by way of the inclusion of the City of Chicago as well as the... the severity of the fine... lowering the severity of the fine from \$10 thousand to \$1 thousand. So, my... my compliments on that action. And I think the Bill's a positive one and hope it receives a Majority vote 'yes'."

Speaker Turner: "Representative Evans to close."

Evans: "I request your support. And thank you for the input of my colleagues. I always try to be open. This is a good piece of legislation to keep our Secretary of State moving forward. I request your support."

Speaker Turner: "The question is shall, 'Senate Bill 675 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 109 voting 'yes', 2 voting 'no', 0 voting 'present', Senate Bill 675, having received the Constitutional Majority, is hereby declared passed. Representative Scherer, for what reason do you seek recognition?"

Scherer: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Turner: "Please proceed."

Scherer: "Welcome to the Capitol today for my daughter, Beth, and her husband, my son-in-law, Maurice Payne, and their two children, Logan and Leah. And if everybody would say, happy Memorial Day and welcome to the Capitol."

Speaker Turner: "Happy Memorial Day and welcome to your Capitol. Representative Burke, for what reason do you seek recognition?"

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Burke, K.: "Mr. Speaker, I'd like the record to reflect that I intended to vote 'yes' on Senate Bill 8."

Speaker Turner: "The record will reflect your request. Representative Long, for what reason do you seek recognition?"

Long: "Thank you, Speaker. A point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Long: "Yesterday, I had a young Page up here, Wyatt Anderson. I have him back here today. And his intention is to double major in political science and prelaw at Drake University. He's graduated this year and of course, he's here with his mother, Heather. And if they'll stand up. This is his mother, Heather, his sister, Cora, and grandparents, Richard and Kathy Sibbs. So, let's give them a nice warm welcome."

Speaker Turner: "Thank you. And welcome to your Capitol. On page 15 on the Calendar, we have Senate Bill 1933, Representative Gabel. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1933, a Bill for an Act concerning elections. This Bill was a second time a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Fortner, has been approved for consideration."

Speaker Turner: "Representative Fortner on Floor Amendment #2."

Fortner: "Thank you, Speaker, Members of the House. Floor Amendment 2 represents a great deal of work by a lot of people: the Sponsor, proponents of automatic voter registration, Secretary of State, the State Board of Election, the Governor's Office, and the agencies that will be impacted by this. And I'm pleased to be able to bring this Amendment forward that will address the issues that have been

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raised over the last year as we've tried to figure out what's the best way to do automatic voter registration. The core pieces that are in this version, in this Amendment basically synchronizes automatic voter registration to the roll out of Real ID and that database with the Secretary of State. So, we don't have to reduplicate the effort of having first one implementation with one database and coming back shortly with another one. This Bill also addresses a number of privacy concerns both in the transmission of data between different agencies as well as making sure that for those agencies that have requirements to manage data in a more private fashion, often due to Federal Law, that they're able to do so. With this, all parties are agreed. I would be happy to answer any questions on the Amendment."

Speaker Turner: "Representative Ives, do you have a... Would you like to speak to the Amendment?"

Ives: "No. That's okay."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 1933. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 1933, Representative Gabel."

Clerk Hollman: "Senate Bill 1933, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Turner: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. I am pleased to present the automatic voter registration legislation that is with the

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final Amendment from Representative Fortner, finally an agreed upon Bill. We have worked very hard on this Bill since last year and through these Amendments, all the stakeholders are supportive or neutral. The automatic voter registration will modernize our voter registration in Illinois to make the process more efficient, more accurate, and more secure. Getting more eligible vote... Illinois voters on the rolls will strengthen our democracy. Illinois... this legislation does two things. First, it builds upon an existing program to ensure state agencies electronically transmit voter registration applications to the State Board of Elections rather than on paper. And secondly, where state agencies collect all the documentation needed to confirm eligibility it changes voter registration from an opt-in to an opt-out. Appropriate procedures have been put in place to ensure that only eligible voters are registered. I want to thank Representative Fortner for his collaboration on this final Amendment. And I ask for an 'aye' vote."

Speaker Turner: "Representative Skillicorn is recognized."

Skillicorn: "To the Bill. I just want to say that it sounds like the... there's an agreement here with stakeholders. It sounds like the information and Real ID, the connection with the Secretary of State and the State Board of Elections is a positive. This may not be a perfect Bill. This may not perfectly weed out fraud and corporation, but it's a good step in the right direction. It's currently better than the current process. So, I urge an 'aye' vote. Thank you."

Speaker Turner: "Representative Gabel to close."

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Gabel: "Again, I just want to thank everyone for their corporation. And I am just so pleased at this... at... with this Bill. And I urge an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1933 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1933, having received the Constitutional Majority, is hereby declared passed. On the... on page 10 of the Calendar, we have Senate Bill 31. Representative Welch. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 31, a Bill for an Act concerning government. This Bill was read a second time a previous day. No Committee Amendments. Floor Amendments #2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Welch."

Speaker Turner: "Representative Welch."

Welch: "Thank you, Mr. Speaker. We have House Floor Amendment #3 that I'd like to adopt and debate the Bill on Third Reading."

Speaker Turner: "This is Floor Amendment #2, Representative. Would you like to adopt Floor Amendment #2?"

Welch: "Pull... pull House Floor Amendment #2."

Speaker Turner: "Mr. Clerk, please withdraw Floor Amendment #2."

Clerk Hollman: "Floor Amendment #3 is offered by Representative Welch and has been approved for consideration."

Speaker Turner: "Representative Welch."

Welch: "I'd like to adopt House Floor Amendment #3 and move it to Third Reading and argue the Bill on Third Reading."

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Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 31. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Clerk, please... Third Reading. Mr. Clerk, please read Senate Bill 31."

Clerk Hollman: "Senate Bill 31, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Welch."

Welch: "Thank you, Mr. Speaker. Senate Bill 31 creates the Illinois TRUST Act. It prohibits law enforcement agencies and officials from enforcing federal civil immigration laws. With House Amendment #3, that was just adopted, all opposition to this Bill has been removed. And I have been told that if this Bill were to hit Governor Rauner's desk, he would sign it. He would sign it, because we have worked hard to pass a Bill that would make Illinois a leader on this issue. We worked with law enforcement and we came to agreement that protects immigrant families from unlawful detention while recognizing the important work that law enforcement does to keep our communities safe. This Bill does two very important things. Number one, a law enforcement agency and official cannot detain a person solely because of an immigration detainer or non-judicial immigration warrant unless the law enforcement agency or officer is presented with a valid enforceable warrant. And second, a law enforcement agency or officer cannot stop, arrest, or search a person solely on the basis of citizenship or immigration status unlaw... unless the law

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enforcement agency or officer is presented with a valid enforceable warrant. I want to underscore something here. The Bill does not prohibit law enforcement from communicating with federal agencies. This Bill explicitly permits such communications. We strongly encourage law enforcement, if necessary, to protect our state and our country. This is the Illinois TRUST Act which sends a signal to the 2 million immigrants who are in our state today and those who want to come tomorrow that we are a welcoming state. This Bill codifies Illinois State Police policy. And the Governor's Office has indicated he would sign this great piece of policy. I would ask for your support on Senate Bill 31. And let's be the leader in the nation on this important policy."

Speaker Turner: "Chair recognizes Representative Andersson."

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

Speaker Turner: "Sponsor will yield for questions."

Andersson: "Thank you. So, Chris, this Bill really got trimmed down. You went from 40 pages or something like that to... I can read the whole thing on my phone."

Welch: "Well, that is a... that's what happens when you work together and negotiate and you know."

Andersson: "So, a couple of questions on it. So..."

Welch: "Yes, Sir."

Andersson: "...I'm going to go a little bit out of order. You've got a, b, c, and d. I mean, there's basically four Sections to the Bill. I'm going to go a little bit out of order which is number... number b. I'll go with number 'b'. B indicates that law enforcement agencies shall not stop, arrest, or search, detain or continue to detain a person solely on the

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basis of an individual's immigration status. My... my question is this, the ability to do any of those things is based upon probable cause. Citizenship you... I mean, you can't tell a person's citizenship. So, it could never be the basis of probable cause. So, they're being stopped for something else. They'd have to be by definition. So, how does that interact? I mean, they're being stopped for something else not for that citizenship status. How does this implicate that?"

Welch: "So, I actually think that's a great question, great example."

Andersson: "I like to ask great questions, Chris."

Welch: "So, if... if a person is stopped for a speeding ticket by an officer and they don't have probable cause or judicial warrant, they cannot for the sole reason that there's a non-judicial warrant out there or the... what do they call it... the immigration detainer, they can't use that as the sole basis for continuing to hold that person."

Andersson: "And could you explain what a non-judicial warrant is or detainer?"

Welch: "A non-judicial warrant is an arrest warrant that is issued by an administrative official in ICE. It's not issued by..."

Andersson: "So, it's an ICE hold if you will or something like that?"

Welch: "It... it's an ICE warrant without probable cause. It wasn't issued by a judge."

Andersson: "Okay."

Welch: "Which could lead to an ICE hold."

Andersson: "Okay. Let me go then to 'a', 'a' says that law enforcement shall not detain or continue to detain any

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individual solely on the basis of an immigration detainer. In other words, the type of thing you just described. But now, we're in the... the station, so to speak, correct?"

Welch: "Correct."

Andersson: "Okay. So, you earlier mentioned the fact that this Bill in no way limits communication with the federal officials, right?"

Welch: "Correct."

Andersson: "So, now, our local law enforcement is aware, presumably, in this scenario, they're aware that this person has a hold. They contact ICE. ICE comes over and gets them. It doesn't seem like that language is going to stop what you want it to stop because typically once ICE is aware of it, unless they don't have the manpower, they're coming over."

Welch: "In that example, Representative, they would..."

Andersson: "Could... I'm sorry. Mr. Speaker."

Speaker Turner: "Shhh."

Andersson: "Thank you."

Speaker Turner: "Members, thank you. We have a very important debate going on. Can we please take the conversations to the rear of the chamber? Representative Andersson."

Andersson: "I was waiting for the answer."

Welch: "So using your example, the only way they can continue to hold that person lawfully would be if there is a valid court-issued warrant."

Andersson: "Well, they could be holding them for an independent charge. They could have picked them up for DUI, you name it, any of those violations. You don't... you're not suggesting

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simply 'cause of their immigration status they get released?
They're held on the underlying charge, correct?"

Welch: "That's correct. That's why I'm empha..."

Andersson: "Okay. So, they're held..."

Welch: "That's why I'm emphasizing the word 'solely' on the basis
of."

Andersson: "Right, right. So, they're held on the underlying
charge, but now, we know that they can communicate with ICE.
ICE has the hold. They find out about it. Assuming again that
they have the manpower, they're going to come over. In other
words, the detention based solely on citizenship isn't going
to be done by the police department. It's going to happen
through ICE. They're just going to come over and get the
person. I just question whether or not the language you've
drafted will actually have the desired affect that you seek.
Let me ask..."

Welch: "I... I understand your question."

Andersson: "Sure, sure."

Welch: "It's my understanding from Illinois State Police that
this is already their policy in practice and that it's
working. And so, all we're doing is codifying that policy
into law and law enforcement's okay with it. So, I believe,
you know, we have to trust their judgement and believe that
this is going to work the way it's intended."

Andersson: "I appreciate that. And then, of course, you've got
the provision regarding the federal warrant. Now, that's the
law right now. I mean, you have to... you have to obey a warrant.
That's not really changing anything. Is that correct? Is that
correct?"

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Welch: "That's correct."

Andersson: "Okay."

Welch: "This is about making State Law clear on the issue. That's it."

Andersson: "And then, the last item is this. You've got a... you've got a immunity provision for local law enforcement. In other words, if they do release someone, they're not libel for the actions of that person after release. Is that correct?"

Welch: "That's correct. That was..."

Andersson: "It... it has an odd exception though. It says with the exception of willful or wanton misconduct. I can't figure out how that would possibly work. If they're releasing them based on their citizenship status and this law, what... what would be a willful exception? I don't get that. How does that work?"

Welch: "It's just standard language, Representative."

Andersson: "It's standard language? Oh, I got to use that sometime. Can I use that one sometime in one of my arguments?"

Welch: "You... you can... you can borrow it anytime."

Andersson: "That'd be awesome. All right. Thank you for the answers to the questions. I understand... I'll speak to the Bill... to the point. I understand what... what the Sponsor's trying to do. I honestly think a lot of it won't work or if it already works, that might be the case. I'm a little concerned that what we're doing here is we're painting with a broad brush. We're trying to deal with what is effectively a federal issue that our Federal Legislators and the Executive Branch in the Federal Government, the issues that they are to deal with. And instead of leaving it to them, we're trying to deal with it here at this level. I respect what the Sponsor's

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trying to do. I think maybe more comprehensive immigration reform is appropriate, but I think that that appropriate venue isn't the Illinois State House. I think it's probably the Federal Government. So, thank you for the answers to the questions, Sir."

Speaker Turner: "Representative Skillicorn is recognized."

Skillicorn: "Will the Gentleman yield?"

Speaker Turner: "Gentleman will yield for questioning."

Skillicorn: "Just a couple of questions, Representative."

Welch: "Yes."

Skillicorn: "You mentioned law enforcement. You're talking about this already policy, the State Police. Are there any changes that this particular Act would do to how law enforcement or police agencies interact with the Federal Government or the Federal Government interacts with these agencies?"

Welch: "What this Bill specifically does is it prohibits local law enforcement from enforcing federal civil immigration laws, Representative. It does not prohibit local law enforcement from communicating with federal officials."

Skillicorn: "Okay. So, it prohibits enforcement not communication. I... just asking to the intent of this. I mean, do you agree or disagree with the current Federal Immigration Law?"

Welch: "Let me say this in response to that, Representative. You know, the *USA Today* had an article a couple of weeks ago that indicated that under President Trump arrests of immigrants are up 38 percent. The biggest jump was of undocumented immigrants without a criminal arrest record of any kind. I don't know your position on that, but I think that is wrong.

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This is a country that was built on immigrants and arresting people for no... deporting people for no reason who have no criminal records is wrong. President Trump campaigned on getting rid of people who are doing criminal activity, doing bad things here in this country, but what they're actually doing are deporting people without any criminal arrests whatsoever. And so, my opinion is that that's what Illinois should take the lead on and in the State Legislature we cannot do... we can address and that's what I'm attempting to address. And I would hope you would join me in supporting making Illinois a welcoming state."

Skillicorn: "Well, I want to thank the Representative for answering the questions but to the Bill. I think a lot of this argument that we're talking about is what we can and we cannot opt-out of, of Federal Law and that is a concern of mine. I think that even on this floor and I remember there's a survey last week saying that taxes are too high. And I wonder if Illinois could be more empathetic to tax refugees not just someone... immigration refugees? And I wonder what other Federal Laws we possibly could opt-out of? Can we opt out of the Sixteenth Amendment? I seriously wonder. Could Illinois adopt something like this and then become a tax haven? Then we could welcome tax refugees from all over the world. I... I the deal. We hear about the comments like these refugees are undocumented. Well, we consider the same thing when the IRS audits Illinois residents. There... there's in theory we could say that the IRS cannot arrest Illinois residents. We could say that the IRS cannot seize assets of Illinois residents. Think of the economic possibilities if we

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created a tax haven here in Illinois. We could welcome these refugees... these tax refugees with open arms, protect their assets, protect their businesses, protect them from the Federal Government coming down on them. Now, if you agree that we should pick and choose the laws that we obey and set aside law and order then I would probably urge an 'aye' vote. But if... if you think that my argument is silly and ridiculous, I'm going to recommend that you vote 'nay' on this. Thank you."

Speaker Turner: "Chair recognizes Representative Willis."

Willis: "Thank you, Mr. Speaker. I'll just talk to the Bill. I'd like to float a sense of scope on this problem that we're addressing today with this Bill. And I'm going to share a few key facts. There are estimated a half a million undocumented immigrants in Illinois, 87 percent are living in what we call a mixed-status household. That means that there is at least one family member that is either a U.S. citizen or has some kind of legal immigration status. This is something that is truly affecting my district and that is why I'm speaking on this. There is a study that was done in 2012 by the University of Illinois at Chicago that found that 70 percent of undocumented Latino immigrants said that they were less likely to contact the local police if they were victims of a crime and 44 percent of all Latinos were less likely to contact any type of law enforcement. This study was done before our current federal administration, before we had this crazy crackdown with ICE trying to deport non... undocumented immigrants. What this means, it means that there are hundreds of thousands of families in our state that are... and not just

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the individuals, these are families that I'm talking about, they are afraid to call the police or even interact with the police when they're a victim or a witness to a crime because they are worried for themselves. They're worried about their loved ones. They are worried that they are going to be deported. We have to stop this insanity. This is a huge public safety problem for our state. Passing this Bill is the right thing to do. It'll help make our communities safer. It'll help make our families safer. And it'll help keep our families together. I urge you to vote 'aye' on Senate Bill 31. Thank you."

Speaker Turner: "Chair recognizes Representative Wallace."

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

Speaker Turner: "The Sponsor indicates that he will yield."

Wallace: "I'd like to start with one point that I think needs to be clarified for this Body, for anyone listening, and especially for those who are participating in the national debate and rhetoric around this particular issue. Is an immigration 'offense' a criminal offense or a civil violation?"

Welch: "Is that a question to me?"

Wallace: "Yes."

Welch: "Well, it's a civil offense. And what this Bill would mandate per Illinois Law is that we do not enforce Federal Civil Immigration Laws."

Wallace: "Thank you for that particular clarification, especially, in light of some of the discussion that we're hearing here on the floor and what I've been hearing back at home in my own district as for one moment we were debating

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whether or not to have an ICE detention center in our Winnebago County jail. This is not a criminal offense. So, I'm going to go to the Bill. There's this notion at the national level about law and order. And yes, we should have law and order and we should have law and accountability. However, that typically refers to criminal offenses. Simply existing without a piece of paper is not a crime. And it is, unfortunately, very reminiscent of some of the things that we heard during the 17th, 18th, and 19th centuries in which we wanted individuals of African descent to make sure that they showed their papers when they went too far away from the plantation. So, as we talk about this particular debate and the fact that so many families are, as Representative Willis just stated, are from mixed part... households on immigration. We have to remember that there are children who are involved in this as well. And those children, many of whom had no decision-making ability as to when they would be here in America and how they would function in this society. I think it's also important to note that we have painted this particular discussion around a particular imagery. An imagery that is of brown people and not an imagery of the fact that we have quite a bit of... well, we have a very large Eastern European undocumented population in the State of Illinois mostly within certain areas of the City of Chicago, but we've allowed this discussion to scapegoat a particular racial and ethnic group which is absolutely unacceptable. In my district we have a school that is for English language learners and the majority of that student population is Latino and those children are afraid. There was a visit from our very own

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Governor to that school a couple of months ago just after the inauguration of our President and a first grader anxiously asked the question, is Trump going to build a wall? Unfortunately, no adult in the room or the person who he posed the question to did not respond to that young child. The principal ushered the Governor away and I stated as they ushered me away, this is a question that was extremely important to that child. It's important because this type of narrative that we're experiencing throughout the national debate creates anxiety within children. It also creates a feeling within young adults who used to admire police and law enforcement. They're afraid of police and law enforcement. They're afraid that their parents are going to be taken away from them. They're afraid to report the crimes that they may see. This does help a public safety issue. It also doesn't help us economically. So, as we continue this debate, I think the point that Representative Welch and I made at the beginning of my questioning has to be remembered that this is a civil violation and it's not a criminal violation. There is nothing illegal or in... or criminal about simply existing. So, I'm going to encourage every single person in the chamber to consider what type of message we want to send to such a large group of our citizenry. Whether they are Eastern European, whether they are from Latin America, whether they are from the continent of Asia or the continent of Africa, we should not be inducing such fear in those who have come to live in our state and are trying to participate within our economy and participate within the well-being of our state. Again, it is not a criminal offense and if you can let that resonate,

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I think the answer to when... when this goes to vote, I think the answer will be easy for you to push the green button and press 'yes' because it is a civil offense. Thank you, Representative Welch, for bringing this Bill. I encourage an overwhelming 'aye' vote."

Speaker Turner: "Chair recognizes Representative Hernandez."

Hernandez: "Thank you, Speaker. I believe in an inclusive and forward thinking Illinois and the anti-immigrant... immigrant agenda of President Trump requires our immediate attention. This legislation will not only protect immigrant families, but it will cultivate trust between the community and local police. We must work together and fight against those who seek to divide us which is why I am proud to have teamed up with Representative Welch to reassure immigrant communities that Illinois does not tolerate hate. I want to share with you why this issue becomes so important to me. I hear often of how families are being, in one way or another, impacted but what... by our current climate. I want to tell you about Mrs. Geneva Ramirez Laguna is a 67-year-old grandmother from my district. She is a constituent of mine. Ms. Laguna was placed in deportation proceedings after a traffic stop for crossing a lane without using her blinker. She had an old deportation order from when she was apprehended crossing the border more than 10 years ago. She was turned over to immigration authorities by local police and detained for over a week. Thanks to community support, she was released. Since then, she has received numerous grants of defer action in the past. Ms. Laguna has not been required to check in with ICE since 2015; however, she has now been scheduled for an abrupt

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appointment with the Chicago field office tomorrow, Tuesday, May 30. If the TRUST Act had been in place, Ms. Geneva would be safely living with her children and grandchildren, but now, she is facing deportation without an opportunity for fair hearing. In difficult times we cannot stay silent, we must speak up and take action. And it is my sincere hope that you will support this monumental legislation. Thank you, Representative Welch, for your work."

Speaker Turner: "Chair recognizes Representative Mah."

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

Speaker Turner: "The Sponsor will yield."

Mah: "Thank you. I'd like to thank Representative Welch for supporting this... for bringing forth this Bill and I'm proud to be one of the chief cosponsors. This is an important piece of legislation that will make a big impact for the people in my district. I believe that today, on Memorial Day, we are remembering people who have fought and died for our freedoms and our rights. And the Fourth Amendment is an important one of those rights that we all have, protections against unreasonable searches and seizures. I believe that the TRUST Act, as put forth by Representative Welch, is consistent with the Fourth Amendment. And the last time I checked, the application of our civil liberties was not dependent on one's immigration status or citizenship. There are too many stories from constituents in my district about families that live in fear of being torn apart. And in fact, there have been families that have been torn apart because of the immigration policies that are en... enforced now. I think that with the passage of the TRUST Act some of those fears will be allayed

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and it will make a huge difference for the immigrant families that are my friends and neighbors. I urge all of you to support the TRUST Act. I urge an 'aye' vote. Thank you."

Speaker Turner: "Leader Lang is recognized."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. As I read this Bill, it's simply allowing law enforcement to provide its own discretion as to what to do without being hindered by federal interference that doesn't involve a court order. So, under this Bill if they have a court order or they have a warrant, law enforcement in Illinois is required to do what it's supposed to do, but without an order, without a warrant, then law enforcement has discretion to do what it feels it needs to do. And this does not violate Federal Law. This is why the Attorney General and the State's Attorneys support the Bill. An ICE detainer request is simply a request, not an order, not a warrant, submitted to state or local enforcement authorities asking them to hold an individual. But it's asking them to hold an individual beyond the time that that individual would otherwise be eligible for release under our laws in the State of Illinois. And so, law enforcement doesn't violate any law, Federal or State, when they decline to fulfill an ICE request. They are simply following State Law, following their own rules and regulations. Federal Government has repeatedly acknowledged that detainer requests are, in fact, just requests and compliance is voluntary. This means that when our state law enforcement uses its own discretion, whether to participate in immigration enforcement, it does not violate Federal Law. In fact, the federal courts have consistently ruled that local jails can be sued under the

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Fourth Amendment if they hold immigrants on detainers after those immigrants could otherwise be released if there is no probable cause to hold them. So, it would actually be a violation of the law under those federal court orders to detain anyone beyond their normal time in jail that they would otherwise be released without probable cause. Ladies and Gentlemen, I believe that some of the things we're hearing on the floor really have nothing to do with the Bill. I believe that some of you are somehow freaked by the word 'immigration' up on the board. I believe some of you are simply afraid to do the right thing for individuals that are in our state and some of you who are speaking against the Bill are actually people who spend a lot of time on this floor talking about the importance of our law enforcement in the State of Illinois and they should have discretion to do what they need to do to protect the citizenry. You're always talking about how law enforcement should have the ability to do what law enforcement does best except when the word 'immigration' is up on the board. And when the word 'immigration' is up on the board, your hair lights on fire. And when the word 'immigration' is up on the board, you've got lots of reasons to take away discretion from our local law enforcement. Well, Ladies and Gentlemen, you can do that if you wish, but it seems to violate federal court decisions. It seems to violate a sense of decency. And it seems to violate our oath under our jobs under the Constitution to allow our law enforcement to do what it does best. So, a good recommendation would be for some of you to stop reading the board and read the Bill and read the federal court rules and read the federal court

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decisions and then you'll know the right thing to do. I applaud Mr. Welch for his hard work along with the other Sponsors. This was a hard Bill to get concluded, to get law enforcement and the State's Attorneys and the Attorney General all in one place on this Bill. The last Amendment that was added did exactly that. And the Gentleman is to be applauded for doing that and to bring some heart and soul to the immigration process right here in the State of Illinois. This Bill needs an 'aye' vote. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Breen."

Breen: "Yield my time to Representative Andersson."

Speaker Turner: "Chair recognizes Representative Andersson."

Andersson: "Thank you, Mr. Speaker. To the Bill. In relative to the previous speaker, really. I wonder if the Gentleman from Skokie wrote that little speech before he came on to the House Floor. Because quite honestly, what you heard from our side of the aisle were two speakers, myself and the Rep.. and Representative Skillicorn. Representative Skillicorn's argument had something to do with tax relief. I won't get into that. But I asked questions, serious questions, about the effectiveness. Nobody's hair on this side of the aisle is on fire because the word 'immigration' is up there. The questions that were asked were civil. Your side has asked us repeatedly to be civil. Accusing an entire side of the aisle of something that we've not done today is uncivil and inappropriate. My comments were simply this. I understand what he's trying to do. I don't think it's going to be effective. I understand what he's trying to do. I think it should be addressed at the federal level. Does that sound

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like my hair is on fire, what little there is of it? It certainly does not. That is offensive. That is offensive to my side of the aisle. This has been a civil discussion, Sir, until you spoke."

Speaker Turner: "Representative Welch to close."

Welch: "Thank you, Mr. Speaker. I want to thank my colleagues on both sides of the aisle today. I want to thank all of those who helped us get here today, a lot of hard work, a lot of meetings. We had to address law enforcement's concerns and we got it done. And because we got it done, we have a chance to make history here today. Senate Bill 31 creates the Illinois TRUST Act. It sends a message to the 2 million immigrants who are already here today and those that want to come tomorrow from anywhere across this country that they are welcome in the great State of Illinois. Come to Illinois. You are welcome to live here, pay taxes here, help us lift up the Illinois economy. And when I was thinking about my comments here today, I wanted to have something that would reach out to both sides of the aisle. And I want to go to Presidents from both political parties. Presidents have addressed this issue for so long. President John F. Kennedy, who would have celebrated his 100th birthday today, a veteran of World War II and a man who gave his life in service to this country said this about immigrants. He said, 'Immigrants everywhere have enriched and strengthened the fabric of American life.' President Ronald Reagan received a letter from an immigrant just before he left office that he made public. And in that letter an immigrant wrote, you can go live in France, but you cannot become a Frenchman. You can go to live in Germany, but you

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cannot become a German. You can go live in Italy, but you cannot become an Italian. But the writer of this note said that you can be anyone from any corner of the world and you can come live in the United States and become an American. Let's pass the Illinois TRUST Act today. Let's welcome immigrants to Illinois. And let's welcome them to the great country we call America. Let's pass Senate Bill 31 today. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 31 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 62 voting 'yes', 49 voting 'no', 0 voting 'present', Senate Bill 31, having received the Constitutional Majority, is hereby declared passed. On page 13 of the Calendar, we have Senate Bill 1267, Representative Evans. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1267, a Bill for an Act concerning transportation. The Bill was read for a second time on a pre... on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Representative Evans."

Speaker Turner: "Representative Evans."

Evans: "Thank you, Mr. Speaker. Senate Bill 1267, one of the shortest Bills I've ever worked with, I'd like to... I'm adopting the Amendment. I'm... I will not... I want to table the Amendment. We're going back to the original Bill, sorry."

Speaker Turner: "Mr. Clerk, please.. please withdraw Floor Amendment #1 to Senate Bill 1267."

Clerk Bolin: "No further Amendments. No Motions are filed."

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Speaker Turner: "Third Reading. Senate Bill 1267, Representative Evans. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1267, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Evans."

Evans: "Thank you. 1267 is one of the shortest Bills that I've ever worked with. It does one simple thing. It creates the Railroad Supply Diversity Act for our largest railroads, our Class 1 railroads. What the Act does is it requires the railroads to produce a report. They already do a larger federal report, but we're looking to do something tailored to Illinois. They're willing to do that. And the report will be submitted to the... the Illinois Commerce Commission. Also, we worked it out with the railroads. They were... initially had some concerns, but they're going to host a workshop because the railroads are already pushing for minority contracts, minority inclusion. They're going to take it a step further. They removed the opposition and said they're going to do the workshop, so we can push for more diversity within contracting. I request your support, go over any questions."

Speaker Turner: "Chair recognizes Representative McDermed."

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

Speaker Turner: "The Sponsor will yield."

McDermed: "Thank you, Representative. There was a lot of discussion during the formation of this Bill, was there not, about whether or not the railroads would be on board with this Bill?"

Evans: "Yes. A lot of painstaking hours that we spent on this piece of legislation, yes."

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McDermed: "And isn't it true that after all that discussion the Sponsor... the Senate Sponsor and you and the railroads were, in fact, able to come to an agreement on how we're going to proceed?"

Evans: "Yes. I think... I think that should be the best way. I've... I've shown that through the earlier legislation. Conversation on both sides is necessary to move these things forward particularly within this House."

McDermed: "So, even though the railroads are largely regulated by Federal Law, they have agreed that there are some accommodations they're willing to make under Illinois Law in order to meet the requests of the Sponsor of the Bill?"

Evans: "Without question. What it comes down to and on both sides of the aisle people need to be aware the railroad's already doing great things with regard to minority contractors. I think this is an opportunity to focus on Illinois, and hopefully, they can do more. And I think their issue was we want to do more. We can pass this Bill. We can do a workshop. We can create an atmosphere where a leader and potentially minority contractors will engage on the business level within the railroads. And again, that's why they removed opposition and removed... hopefully, move them forward with this legislation."

McDermed: "And as the transportation center of the country, where all the Class 1 railroads meet, it's completely appropriate for them to respond to Illinois in this way, isn't it?"

Evans: "Without question. And they've done it and again, I'd like to pat the representatives of the railroads are classed on railroads. They want to do the right thing. Their support of

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this legislation... the non-opposition of this legislation is just an example of that."

McDermed: "To the Bill. There has been a lot of discussion among the Sponsors and among the railroads. And as a Member of the Transportation Committee, I would urge you to vote 'aye' on this Bill. Thank you."

Speaker Turner: "The Chair recognizes Representative Ives."

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

Speaker Turner: "The Sponsor indicates that he will yield."

Ives: "You just withdrew or decided not to approve Floor Amendment #1. Is that correct?"

Evans: "Yes."

Ives: "I'm just confused I guess because our analysis says that with Floor Amendment #1 then the Illinois Railroad Association would be supporters along with the IL VFW and Progressive Public Affairs. So, now that Floor Amendment #1 is not attached to the Bill, do you know the status of the Illinois Railroad Association on your Bill?"

Evans: "Yeah. My understanding is that they are in support of or no position. I think the issue was the protracted conversation became exhausting to the railroad because they're... they have a genuine need and a genuine want to support minority diversity 'cause they're already doing it. They removed the opposition and are looking to work to move forward on the workshop 'cause that was... the vein of the contention was the workshop, but they're willing to work with the workshop and just kind of move things forward and not be obstructionists."

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Ives: "I... Okay. Just to clarify though. It seemed like Floor Amendment 1 had something to do with how the... the report would be made?"

Evans: "For sure."

Ives: "And that it sounds like that was the dispute and now..."

Evans: "Yes. Floor Amendment 1 removed the workshop and removed the structure in which the report had to be presented to the ICC. But from working with the railroad, they said, look, we're just going to do the report in which the way the legislation is... is mentioned. And we're going to do the workshop because we do many of these workshops already. So, again, they do a great job, but they want to do even better job and I applaud them."

Ives: "Okay. Thank you."

Speaker Turner: "Representative Evans to close."

Evans: "Thank you. Again, I request your support."

Speaker Turner: "The question is, 'Shall Senate Bill 1267 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 107 voting 'yes', 5 voting 'no', 0 voting 'present', Senate Bill 1267, having received the Constitutional Majority, is hereby declared passed. Representative Bennett, for what reason do you seek recognition?"

Bennett: "Thank you, Mr. Chairman. For a point of personal privilege, please."

Speaker Turner: "Please proceed, Representative."

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Bennett: "Thank you. I have a Page for today I'd like to introduce. His name is Jakai Martin. Jakai, if you could stand up, please. And he's with us and also, his mom, Shari Johnson and Michael Johnson are in the gallery behind me to my right. If you guys could stand. And if you could help me give... take just a moment and give them a warm welcome to Springfield, please. Thank you."

Speaker Turner: "Thank you and welcome to your Capitol. Mr. Clerk, Rules Report."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 29, 2017: approved for consideration, referred to Second Reading is House Bill 1261. And the following Motions to Concur have been approved for consideration: Senate Amendment #1 to House Bill 299, Senate Amendment #2 to House Bill 370, Senate Amendment #1 to House Bill 2721, Senate Amendment #1 to House Bill 3745 and Senate Amendment #2 to House Bill 3791."

Speaker Turner: "On page 7 of the Calendar, we have Senate Bill 1567, Representative Davis. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1567, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Turner: "Representative Davis."

Davis: "Thank you very much, Mr. Speaker. Senate Bill 1567 amends the Economic Development for a Growing Economy or EDGE Tax Credit Act. It provides that each EDGE credit recipient must submit to the Department of Commerce and Economic Opportunity or DCEO an annual report containing certain information containing to procurement goals and spending for female-

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owned, minority-owned, veteran-owned, and small business enterprises. Be more than happy to answer any questions."

Speaker Turner: "Representative Andersson is recognized."

Andersson: "Thank you, Mr. Speaker. It appears what you're doing is you're adding a series of statistics that EDGE needs to keep and report upon. Is that correct?"

Davis: "Or data, yes."

Andersson: "Data that needs to be gathered. I note that IML is neutral, but DCEO opposes and I think that's recent. And I'm wondering did something change in the Bill or... 'cause our analysis... it popped up all of a sudden. DCEO is opposing. And I'm wondering if you know why?"

Davis: "All right. I have not heard from DCEO. Nobody reached out to me from DCEO. The Bill passed out of the Senate, I believe unanimously 56 'yes', no one opposed. So, if they are now showing up as opposed, I have absolutely no idea or reason why."

Andersson: "Yeah. The only analysis I have shows that they oppose because the agency would rather seek to include this sort of information and data. I... I honestly, I'm not sure what their opposition is. I apologize for asking the questions you can't possibly answer. Thank you for the answers to the questions."

Speaker Turner: "Representative Davis to close."

Davis: "Thank you very much, Mr. Speaker. I ask for a 'yes' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1567 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record."

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On a count of 99 voting 'yes', 12 voting 'no', 0 voting 'present', Senate Bill 1567, having received the Constitutional Majority, is hereby declared passed. Representative Long, for what reason do you seek recognition?"

Long: "Thank you, Speaker. Let it reflect that I intended to vote 'no' on SB31. Thank you."

Speaker Turner: "The Journal will reflect your request. On page 12 of the Calendar, we have Senate Bill 910, Representative Willis. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 910, a Bill for an Act concerning local government. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read Senate Bill 910."

Clerk Bolin: "Senate Bill 910, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Willis."

Willis: "Thank you very much, Mr. Speaker. Bear with me for a second to get that up on my screen. This will go.. this is a Bill to take into effect when redistricting comes in for the county. And we want to make sure that we take into play making sure that we protect our minorities in the area that we make sure that we are sensitive to that when the new boundary lines are drawn. I urge an 'aye' vote."

Speaker Turner: "The Chair recognizes Representative Andersson."

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

Speaker Turner: "Sponsor indicates that she will yield."

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Andersson: "A question for you. It's my understanding this is really already existing law. I mean, the Voting Rights Act of 1964 or '65 at the federal level certainly requires taking into account these demographics."

Willis: "It is for everything except for counties, Sir. And that's what we're doing. We're just taking into account the county border lines that come through."

Andersson: "How... Yeah. How were counties omitted from this? I mean, were they a specific carveout or..."

Willis: "No."

Andersson: "...did they just not get to that level?"

Willis: "Currently, the Act that does this applies only to the boundaries put forth by the General Assembly. And we're actually just expanding that to include counties when they are looking at their new boundary lines also."

Andersson: "So, we certainly taken into account in drawing our boundaries, for example, but at present, your representation is we don't do that at the county level?"

Willis: "Correct."

Andersson: "Okay. So..."

Willis: "And so that what we're doing is expanding those guidelines that we use for when we draw the new boundaries every 10 years because of the..."

Andersson: "Census."

Willis: "...census. For the General Assembly, we also take into the same effect when we look at the county precinct lines and such like that."

Andersson: "So, procedurally how will this work? Will the counties be responsible for doing this? Will the state?"

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Willis: "Yes. Just like they are now. It would just tell them that they need take into account the minority members of their districts."

Andersson: "And... I mean, the... the map drawing at the state level I think we all would acknowledge is somewhat of an art. Is that what we're going to replicate at the county level?"

Willis: "I don't think we are. I think the county already does this. We're just asking them to be sensitive to minorities in their district so that hopefully we can have more minority participation in local government."

Andersson: "And... but... and certainly I support the concept. I... I agree with you on that. That's important. Is there any fiscal impact? In other words..."

Willis: "None that I'm aware of."

Andersson: "There must be some research that, I mean, to be able to..."

Willis: "There's no..."

Andersson: "...put these systems together."

Willis: "...there's absolutely no further fiscal impact than there is right now when the boundary lines are redrawn. So, there'd be no additional fiscal impact."

Andersson: "Thank you for the answers to the questions."

Speaker Turner: "Chair recognizes Representative Fortner."

Fortner: "Thank you, Speaker. To the Bill. I guess I've got some concerns with this. I know that the Sponsor mentioned that we have similar language which is... which would be applicable to the legislative districts in Illinois and that Bill was passed in 2010, prior to the remap that we undertook. However, in the narrative that was constructed for the legislative

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districts, the Illinois Voting Rights Act, which would govern legislative districts, was not actually invoked. So, we really didn't have a chance to test it. And I think that test would be important because an area of concern has to do with the way that language addresses things like crossover influence districts. That language came out and was largely driven by a 2009 Supreme Court case *Bartlett v. Strickland* which was a North Carolina case and in it the Supreme Court said the Legislature may choose to but are not bound to create crossover districts. A crossover district is one where a minority can link up with parts of the white majority in the area and have sufficient voting strength to elect the candidates of choice. I want to quote from a piece of a decision and this is where my concern is because what's in here goes a lot further than just encouraging counties to be aware of minorities. If that were all the build in then I think that's a good idea. They should be aware and make sure that minorities are given full participation in the electoral process. So, here's what it says, that the... 'this holding does not consider the permissibility of crossover districts as a matter of legislative choice or discretion. Section 2 allows states to choose their own method of complying with the Voting Rights Act, which may include drawing crossover districts.' There's a citation that follows. 'Moreover, the holding should not be interpreted to entrench majority/minority districts by statutory command for that, too, would pose constitutional concerns.' And that's where my concern is that this language which we did not get a chance to test, because it wasn't really invoked in the legislative

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map back in 2011, could be construed as entrenching the formation of crossover and influence districts as a matter of the Legislature's intent as a direct of the county. All we're... we were doing was encouraging them to be aware of minorities, make sure they have full participation. We should do that, but I think this language goes a step too far. I pointed that out as a concern in 2010 with the state's language. I think this language, mirroring what the state does, has the same problem. I urge a 'no' vote."

Speaker Turner: "Representative Breen is recognized."

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

Speaker Turner: "The Sponsor will yield."

Breen: "Thank you. And Representative, if you'll help me, so I'm familiar with the county apportionment, you know, process. When you say that they'll provide racial minorities and language minorities with equal opportunity to participate in the political process and elect candidates of their choice, how exactly are they to do that? So, are you saying that when they are redistricting, they will look at where the... you know, so to say they'll look for where black folks live, where Hispanic folks live and they will try to make sure that... to put more of them into a particular district to make sure they can elect someone or what's that going to look like?"

Willis: "It'll be following the same guidelines that we use when we draw our legislative districts using the information they have from the census."

Breen: "But I'm asking specifically. How will you do this? So, that you want to... specifically district based on where the

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racial minorities live, so as to put more of them together to elect more folks or what is the specific..."

Willis: "It..."

Breen: "...how is this specifically going to be done?"

Willis: "It'll be done the same way our legislative districts are done by the people that are in power of the map making."

Breen: "Our legislative districts are the worst in the country. Our legislative districts are a train wreck."

Willis: "Well, it's up to the power of the map maker for those crossover districts, coalition districts, and influence districts. It is that..."

Breen: "Okay. But..."

Willis: "And it is based upon the census to make it happen that way."

Breen: "You also, as I understand it, you're... you want to make sure that those who are less than a voting age majority of a district that they will have the ability. So, folks who are under 18 will have the ability to substantially influence the outcome of an election. I'm wondering how that happens."

Willis: "Well, that follows the same way we do under the current Federal Law that puts in that since censuses are done every 10 years, it takes into effect those that are coming forward that will be voting within that 10 years. That's Federal Law. That's not recreating the wheel or anything new. We're just mirroring Federal Law on there."

Breen: "But again, and you still have not answered me. Referring back to our 2010 maps is probably not a good thing since they were rated one of the top 5 or 10 most gerrymandered maps in the history of the country, as I understand it, so maybe

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that's not the best way of going. It's certainly not something we want our counties to replicate. I... but still, how exactly, I mean, as best I can tell your Bill wants us to look at where specifically throughout districts based on where racial minorities live and where they will vote."

Willis: "That's not what this Bill's doing. This Bill is following and extending Federal Law and the already existing Illinois Voting Rights Act of 2011 to the other districts that got left out of that. So, it's extending the same law that we already have to be used for the crossover districts, the coalition districts, and the influence district."

Breen: "To the Bill. And just recently, the Illinois... I'm sorry... the U.S. Supreme Court struck down several districts in the State of North Carolina, Congressional districts specifically because they moved folks around based on race. It was race-based districting. And the... the deciding fifth vote for that decision was Clarence Thomas, was an African-American Justice, our second, as I understand it. He's the first Republican. And what he... in my recollection of reading his dissent, he said, look, it's wrong to be segregating people and making decisions in government based on the race of those citizens who are involved in the decision particularly when you're looking at voting. And again, to try to say that somehow the counties should take on the method of this General Assembly from 2010, putting together some of the worst maps in the history of the nation, it would... it would, I mean, it defies logic. And my colleague, Representative Wheeler doesn't have up his budget clock yet, but the budget clock is ticking. This has nothing to do with the budget. Keith is

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actually reading the Bill. We're at 2 days, 10 hours, 23 minutes, and 52 seconds. So, with that, please vote 'no' and let's go back to doing a budget."

Speaker Turner: "Representative Sauer is recognized."

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

Speaker Turner: "The Sponsor indicates that she will yield."

Sauer: "Thank you. Representative, if I'm understanding and hearing this correctly, counties currently do not need to comply with the Federal Voting Rights Act?"

Willis: "This is to clarify that and to codify it. We want to make sure that they do, so we're putting it in Illinois State Statute..."

Sauer: "Okay."

Willis: "...that they need to."

Sauer: "Okay. So in 2002, my understanding, I was not on the Lake County Board at that time; however in 2002, a map was drawn and it had a court challenge attached to it for this very reason based on the Federal Act. So, my questioning.. my line of question to you would be, we already in the county levels of government, I believe, have to comply with the Federal Voting Rights Act thus that the result of that case wouldn't have needed to come about."

Willis: "Well, basically they should, but we know obviously since you have a county that had a challenge, it's not happening."

Sauer: "Okay."

Willis: "So, we want to codify this to make sure that all counties are doing it so that we're not popping back and forth to Federal Courts on it."

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Sauer: "I would urge a 'no' vote on this because in 2012 when the next map was made, the county came... and again, I was not on the board at that time either, but the county brought all stakeholders, all communities, all people that would be really interested in making sure that we had majority/minority districts represented together to draw that map, and we did, and there are majority/minority districts. So, I would just vote 'no' because I think this is creating an unnecessary layer where we're already forced to comply with the Federal Voting Rights Act."

Willis: "Well, and... and I..."

Sauer: "So, it is my understanding and maybe I'm mistaken, but based on the court challenge that happened in '02 in Lake County, I believe that's the case."

Willis: "Well, and I would go back to you with all due respect. Obviously, your county is doing exactly what we want all counties to do and that is why we're doing this to codify what we know is in statute... in Federal Law, to make sure it's clarified for all counties in state statute."

Sauer: "And do... To the Bill. You don't believe that a county should be responsible for creating and making sure that they're following their own rules based on their maps, as we did in ours, to make sure that if you have a federal challenge that you go about doing it the right way in future years."

Willis: "Again, Sir, I think you're lucky that you have a county that works really well."

Sauer: "I love Lake County."

Willis: "That's good. Thank you, Sir."

Sauer: "Thank you."

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Speaker Turner: "Representative Wallace is recognized."

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

Speaker Turner: "Sponsor indicates that..."

Wallace: "A couple..."

Speaker Turner: "...she will yield."

Wallace: "...a couple of times today we've heard the Voting Rights Act... the Federal Voting Rights Act mentioned as if some very devastating things didn't occur in 2013, basically gutting the protection within the Voting Rights Act for racial minority groups. So, would your Bill then be helping Illinois to protect those groups in a way that the 2013 Supreme Court ruling no longer does?"

Willis: "Yes. That's exactly what it will do. It will protect our minorities."

Wallace: "So, to the Bill. This Bill is one in which we desperately need in the State of Illinois. Racial minorities no longer have the protections that they had following the 1965 Voting Rights Act being passed. Yes, there was a recent Supreme Court ruling related to North Carolina and if that ruling is applied in the manner that I hope, there were a few jewels buried into that particular ruling that will, again, allow minority populations to have the types of protections that they deserve as citizens of this country. If you will... if you do understand the history of the Voting Rights Act and the history of the Thirteenth, Fourteenth, and Fifteenth Amendments, we still do not have constitutionally... a constitutionally protected right to vote as minorities. It has taken several Acts, several Amendments, several case law rulings for that to be the case. And so, in the State of Illinois, which is as diverse as

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President Obama stood in this chamber and stated, as diverse as the rest of our country. It is more reflective of the makeup of the United States than any other state. And with that being the case, Illinois should be leading the way to make sure that, I believe, the mistake that was made in 2013 by the Supreme Court to gut the protections of the Voting Rights Act. I think that Illinois should lead the way in making sure that we protect the citizens here in that regard. And I commend the Sponsor of this Bill for bringing it forward and I encourage an 'aye' vote."

Speaker Turner: "Representative Reick is recognized."

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

Speaker Turner: "The Sponsor indicates that she will yield."

Reick: "There is currently a case pending before the United States Supreme Court, *Gill v. Whitford*. It is a Wisconsin federal case that struck down partisan gerrymandering in Wisconsin. Part of the motivation for that gerrymandering did have to do with racial lines and things like that. My question would be, don't you think it would be better if this Bill were put back on... taken off the floor until the Supreme Court has had a chance to render its opinion in *Gill*?"

Willis: "With all due respect, I don't think the State of Illinois should use the State of Wisconsin as our guideline on how we do our things here."

Reick: "This was a federal... this was a federal case, not a state case."

Willis: "I still feel that this is the time for us to move this forward."

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Reick: "And if *Gill* is decided in favor of the petitioners on this... on this issue, are you willing to take this off of the record or out of our law?"

Willis: "That... I don't think that would be effecting our State Law, what comes through our that. It's state's rights. We have the Illinois Voting Rights Act and this is what this... the Bill is doing. It is codifying that bringing it from not only the state level down to the county board level."

Reick: "The Wisconsin law that was struck down dealt with all partisan gerrymandering. I would, again, urge that you withdraw this Bill until *Gill* is decided."

Willis: "This..."

Reick: "Thank you."

Willis: "...this is not a Bill on gerrymandering. It is on expanding where we have the Illinois Voting Rights Act to the legislative districts going to the county level.'

Speaker Turner: "Representative Demmer is recognized."

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

Speaker Turner: "The Sponsor indicates that she will yield."

Demmer: "Hi, Representative. I know we've had a very thorough debate on this. I just have one question for you. And I think it's... it's interesting in that county board districts often have something distinct from Legislative districts or Congressional districts in that the counties that I represent they're multi-member districts. So, for example, in Lee County where... where I live, there are just four districts and we elect six members from each district. It may be for a district like that impossible to draw a quar... you know, quarter of a county to be a minority influence district.

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Because the fact that these are multi-member districts and it's existing in many counties right now, would it be your intent that this Bill would not only require that counties into account the minority and language-minority representation in the county but also adapt their districts so that they could draw influence districts? In other words, if a county had to go to a single-member district and change their current policy in order to accommodate this, would... would that be your intent?"

Willis: "No, that is not my intent. My intent is, as those boundaries are drawn into effect that they take into consideration their minority makeup when they do it. It does not mean that we make a district or a section that is all strictly one minority. It just simply says we take into account the members of the district."

Demmer: "And I... and I appreciate that. I guess I point this out because I think there is a distinct difference between Legislative or Congressional districts in which one member is elected versus county board districts that oft... which often have multimembers. And you can see how counties could use the decision of the number of the districts to influence this law either direction. So, I think that's something we should all be cautious of. Thank you."

Speaker Turner: "Representative Willis to close."

Willis: "Well, after this very robust debate, I think that all I'm trying to do is make sure that we take laws that we already have in... in effect. The Illinois Voting Rights Act that came into effect in 2011 makes this what we do for our legislative districts. And all I'm simply saying is we need

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to take into account the minority and our racial makeup of our members of our county districts when those maps are redrawn. I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 910 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 66 voting 'yes', 47 voting 'no', 0 voting 'present', Senate Bill 910, having received the Constitutional Majority, is hereby declared passed. House Bill 1316, Leader Lang. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1316, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Representative Lang."

Speaker Turner: "Leader Lang."

Lang: "Thank you, Mr. Speaker. The Amendment becomes the Bill. And I would ask that we just move it on to Third Reading for debate."

Speaker Turner: "Leader moves that we adopt Floor Amendment #1 to House Bill 1316. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read House Bill 1316."

Clerk Bolin: "House Bill 1316, a Bill for an Act concerning education. Third Reading of this Sen... of this House Bill."

Speaker Turner: "Leader Lang."

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. We have talked many times on this House Floor and in committee and in our campaigns regarding our state universities and what's been happening to them and particularly about the brain drain. And when we refer to the brain drain, we're talking about our best and brightest students leaving Illinois to go to other states. When they do that, they often don't return. They create jobs in other states. They improve the economic development of other states. And it hurts our economy into the future. We've also seen that enrollment in our state universities has shrunk as a result of kids leaving our state. The other part of this brain drain deals with our best and brightest professors who we're losing at a record clip here from our state universities and our inability to get great professors and researchers from other states to join us here in the State of Illinois. House Bill 1316 deals with these issues and others. It creates a college affordability plan that I call 'B or better'. And I worked on this very closely with Representative Christian Mitchell, Representative Guzzardi. And what this Bill says that the outside, the first part of this Bill, says that if you can keep a 'B' average coming out of coll... high school and keep it throughout college and put some skin in the game and make an effort and get good grades and your family income is under \$125 thousand a year, we will help you go to college. This provides for grants of up to \$4 thousand per year which are last dollar grants, after you've gotten your Pell grant, after you've gotten your MAP grants, which, yes, aren't fully funded. This Bill is subject to appropriation. And it does not begin 'til the academic

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year of 2018. So, in other words, not in the current fiscal year in which we are talking in our budget deliberations. So, this would provide financial assistance to needy students, even though some of them at 125 thousand are in the middle class, provide incentives to academic excellence and does... requires them to work at it very hard. The second part of this deals with work study. And so, there are many students at our universities, some who might avail themselves to this program, some who may not, who just need a little more help to go to college. This creates a pot of money subject to appropriation to provide 5 to 15 hours extra of work study for students. Next, it creates a fund of money for universities to draw from to keep professors that are threatening to leave them. In the State of Texas, they have a \$40 million fund to keep their best and brightest professors and to attract bright professors from other states here to the State of Illinois, researchers, et cetera, who can improve our universities. And finally, we're all aware of people who have already graduated college, perhaps some of our children, who have a huge debt piled up, college debt, loans that they've had for 5 years, 10 years, 20 years that they can't seem to pay off. This Bill would provide an opportunity, again subject to appropriation, for the state to help these students by buying back some of those loans and having the students pay the state back at zero interest rather than the five to eight percent interest they are paying now on these private loans. Again, all of this is subject to appropriation. None of this kicks in for the fiscal year we've been debating. And I think it's an excellent Bill to help our students to improve

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our universities. Virtually, every one of the state universities has signed on to this. One more thing: to make sure that students stay in the State of Illinois after graduation, we've required them to stay at least two years in our state and to pay back the money if they leave the State of Illinois during those two years. It's a really good Bill. Your constituents, your kids, the parents of those students in your districts will appreciate the opportunity to have this Bill on the books of the State of Illinois. And I ask your help."

Speaker Turner: "Representative Andersson is recognized."

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

Speaker Turner: "Sponsor will yield."

Andersson: "Representative, first off, thank you for making clear that all provisions of the Bill are subject to appropriation 'cause it does appear that even just the college affordability portion the estimate is about \$300 million. So, I think it's important in our budgeting to know that and I appreciate you doing that. A couple of questions. On the college affordability grant program, is there any minimum hour requirement for the student to maintain? A lot of times scholarships and whatnot require you to be full-time students. Is that the case here?"

Lang: "This would require all students in the program to be on a course that would enable them to graduate one of our state universities within six years or three years in a community college."

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Andersson: "So, as long as they're... okay. So, as long as they're on a course to graduate in that period of time, the number of hours they take is not relevant, I suppose?"

Lang: "That's correct, Sir."

Andersson: "Okay. Who... How do you determine that? I mean, I suppose at some point, let's say you take six hours for a few semesters. It may become mathematical impossible to complete. What happens then?"

Lang: "So, there's two parts to this. First, ISAC will create criteria by rule. Additionally, that rule would include in working with the universities, a trajectory for the student so that we know they're going to be finished with a community college course of study in three years or a public university four-year school within six years."

Andersson: "What's the consequences if they do not succeed and graduate?"

Lang: "So, part of the reason for this Bill, as you know, Representative, is to keep our best and brightest here. If they don't graduate within six years, the program's over for them. So, we want to keep them here. We're not going to... not going to throw them in jail, but by the same token when they do graduate and the vast, vast majority will, then they're going to have to stay in the State of Illinois two years or pay the money back."

Andersson: "Yeah, yeah. I was not asking about the... the two-year window. I was saying let's say they take the money, they go for a few years and they fail to graduate. They drop out for whatever reason. Is there a consequence? Do they have to pay the money back?"

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Lang: "The Bill does not have a consequence, but ISAC is certainly empowered to do that by rule if they choose."

Andersson: "Don't you think that it should be in the Bill? Don't you think that should be in the Bill rather than left silent on that issue?"

Lang: "So, we're trying to provide in this case ISAC maximum latitude. ISAC wasn't too interested in signing on to this Bill, but we... we enticed them into not being opposed to it by providing them flexibility as to how to use these dollars and how to set up the criteria."

Andersson: "My... my analysis indicates that ISAC and the IBAG are both opposed?"

Lang: "Well, I... I didn't necessarily say they favored the Bill. They just... they just... but they also didn't spend a lot of time arguing the point either. We worked with them. We made many changes that they asked to be made. And yes, they still don't want to do the program."

Andersson: "Okay. So, they're still opposed. With regard to the private student loan buyout program, this is where someone has already taken out a student loan privately, this is an opportunity for them to swap that for a... a state loan? Am I understanding that correctly?"

Lang: "That's correct. And let's understand also that there could be a billion dollars or more in this debt. This Bill does not contemplate taking all of that out."

Andersson: "Sure."

Lang: "In essence, it's a pilot program based on the amount that we decide to appropriate."

Andersson: "Once again, subject to appropriation?"

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Lang: "That's correct, Sir."

Andersson: "And that is at a zero percent interest rate. Is that correct?"

Lang: "That's correct."

Andersson: "Thank you, Sir, for the answers to the questions."

Lang: "Thank you."

Speaker Turner: "Members, this Bill's on the Order of Short Debate. We'll be moving to a two-minute timer. Representative Pritchard is recognized for two minutes."

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

Speaker Turner: "Sponsor indicates that he will yield."

Pritchard: "Representative, thank you for this wonderful Bill. I think I'm in the Land of OZ. Everything is free. You're going to take my loan at zero interest. You're going to pay extra for faculty. I know this is subject to appropriation, but how much money do you think this is going to take?"

Lang: "We estimate that the entire Bill is between 3 and 400 million dollars, if we choose to appropriate that amount."

Pritchard: "So, it's all subject to what, how much money we have?"

Lang: "Well, Representative, we don't know what our fiscal condition will be a year from now. It's still up to us to prioritize what we pay for and what we don't pay for. And so, that's a debate we will have at an appropriate time when this Bill becomes law."

Pritchard: "So, I would like to see your budget Bill that's going to be able to pay for this in a year. When you look at our fiscal conditions, I doubt that we're ever going to fill... fulfill the image that we're creating and the hope that we're creating for students. Students need all of the things you're

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talking about in this Bill, but I don't see how we can ever afford them. And if you look at the loans that the ISAC is supposed to buy and manage, we've already gone through that and we're now phasing out of ISAC managing the federal loan program. So, you expect them to staff up to manage this program?"

Lang: "Yes."

Pritchard: "Well, Ladies and Gentlemen of the House, it's a Bill that promises a lot, sounds wonderful and it says that it's going to take effect next year. I don't know what century it might be, but it's certainly not going to be next year. I would urge your fiscal responsibility and say we can't afford this now."

Speaker Turner: "Representative Ammons is recognized for two minutes."

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

Speaker Turner: "Sponsor will yield."

Ammons: "Thank you. Representative, I'm trying to clarify just quickly the true intent. I've got... I think intent has been lost in what has been asked of you at this point and I'm trying to clarify the intent of this legislation. If you can help just clarify the answer."

Lang: "The intent of the legislation?"

Ammons: "What is the intent of your legislation?"

Lang: "Thank you for the question. We have this brain drain where we're losing our students. Where we're losing... where parents of Illinois who are considering how to help... advise their children where to go to the university. They've lost confidence in our state university system. Some of it is

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because we haven't budgeted for it. We've allowed our state universities to go downhill, but in the meantime, what do we do? Do we continue to allow this huge number of high school students to leave the state and never return? It costs us millions of dollars a year to our state economy and it costs our universities millions of dollars a year that we allow these students to flee the state. And of course, many never return. And so, the jobs that they would create and the businesses they open or the entrepreneurship that they do or the scientific discoveries they create are going to be elsewhere, not here in the State of Illinois. The reason most of the state universities have signed to this is because they want to keep those students here. When... when Governor's State and Chicago State have such decreasing enrollments that they hardly had any freshmen this year, you know we have to act to keep students here in the State of Illinois to improve our universities."

Ammons: "Thank you, Representative. Just one other question. I see you made the Bill subject to appropriations. If appropriations are available, is this a general fund appropriation or is this out of a special fund?"

Lang: "Representative, it'd be likely to be GRF. But when we get to this next year when this Bill becomes law and we think about our appropriations, if there are other funds we can be looking at, I'm not against doing that. So, this is an important piece of legislation for the universities, for the faculty, but also the students and families of Illinois. And we have to find the money to do this."

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Ammons: "Thank you. To the Bill. I truly appreciate the work that the Representative's done on this Bill. Something that's really important for us to consider is we have to actually find a way in this country to make higher education accessible to all of our students. This is a small step toward that accessibility issue. I would like to see us go even further to address the tuition increases that have happened over a number of years. We want to address the lack of consistent funding from the state. Since 1972, we have defunded higher ed in a way that should be appalling to everyone in this chamber. And so, on today's step forward, not a complete walk toward equal access to higher ed but a step in that direction. I'd urge an 'aye' vote."

Speaker Turner: "Representative Hammond is recognized for two minutes."

Hammond: "Thank you, Mr. Speaker. And I would... To the Bill, but I would also say that I hope you are as respectful and patient with the Members on our side of the aisle as you just were with the Member on your side of the aisle."

Speaker Turner: "I always try to be, Representative."

Hammond: "To the Bill. I had a long discussion with the Sponsor of this in committee. And I won't belabor a lot of that discussion again. But I will say that, indeed, the Illinois Student Assistance Commission is opposed to this Bill as is the Illinois Board of Higher Education, the two entities that help guide us on issues of higher education in the State of Illinois. The Illinois Student Assistance Commission has many, many concerns with this Bill, because number 1, they have been cut to the bone. They do not have the personnel

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that, if they even knew how many of the details of this Bill were going to come to fruition, how they would deal with that. They certainly don't have the money for that. The Illinois Board of Higher Education has concerns about the Bill in its entirety. So, while it is very laudable that the State of Illinois would have these wonderful programs for higher education, the fact of the matter is we have been cutting higher education in budgets for the last 15 years. If you want to help higher education then you get a balanced budget that funds higher education, not these kind of OZ programs that are going to cost nearly \$400 million if it were even to become law. And finally, ISAC and many others oppose this legislation because we have at least 26 grant programs in the State of Illinois to help students in higher education that we are not funding currently. We need to fund those programs and not bring a new one. And I would re..."

Speaker Currie: "This is Short Debate. Your two minutes are up. Would you bring your remarks to a close? Representative Currie in the Chair."

Hammond: "I certainly will and thank you, Leader Currie. I would request a verification on this vote, please."

Speaker Currie: "Your request is noted. Representative Wehrli."

Wehrli: "Madam Chair, Will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Wehrli: "Leader Lang, I've heard it said a couple of times, but just... can you reconfirm for me that this is subject to appropriations?"

Lang: "It is subject to appropriation."

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Wehrli: "And in our last budget that we actually passed out of this chamber, what was our total spend on higher education? Spitball it, I don't need an exact number. Just give me a range if you need to."

Lang: "The last time we had a full budget it was about \$1.9 billion."

Wehrli: "One point nine billion dollars that went through the appropriations process. And here we are talking about spending \$400 million subject to appropriations. I've been on Higher Ed-Appropriations for three years now. You know how many dollars and cents we've actually talked about appropriating in all those three years? It adds up to zero. So, you're here today to commit to us that you're willing to use the revenue estimate process and the appropriations process to get to an FY18 balanced budget because that would be new to us second year... or second term Members over here. We've never seen the appropriations process actually work. So, you're committing today to spend this \$400 thousand through the appropriations process. Am I understanding that correctly?"

Lang: "No."

Wehrli: "I'm not? So, what... how am I misunderstanding this?"

Lang: "I'm committing today that when this Bill passes we're going to work together through the appropriations process to take care of college students in the State of Illinois. And I find it interesting that someone on the Higher Ed-Approp Committee would be telling me why we shouldn't fund higher education rather than helping us figure out how we can."

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Wehrli: "We should fund it, but we should do it in the process that's worked for years before 2014. We should... we should actually adopt a revenue estimate and use the appropriations process to allocate those dollars. To the Bill. Let's get a process around here that works. Let's go back to the time when it actually did and let's do our jobs in all of our appropriations hearings and actually start to appropriate towards a balanced budget."

Speaker Currie: "Representative Davidsmeyer."

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

Speaker Currie: "Indicates he will."

Davidsmeyer: "Representative, obviously this is subject to appropriations as we've discussed over and over. What is our current revenue for the State of Illinois for the coming fiscal year?"

Lang: "Well, Sir, this doesn't involve the coming fiscal year."

Davidsmeyer: "Okay. Well, just put this into perspective. We have a little over \$31 billion coming in next year. The last proposed budget was a 40 billion dollar budget and we have about \$14 billion of unpaid bills. So, that would mean next year we would have to come up with an additional \$23 billion from our revenue of 31 billion to an additional \$23 billion. This program will not happen. Can you tell me what levels we've been funding in MAP Grants at for the last decade, excluding the last couple years if you'd like?"

Lang: "The last time we had a full budget about 50 percent of the students that applied for a MAP Grant received one."

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Davidsmeyer: "So, we have not fully funded MAP. How about the veterans' grants? We promised to help our veterans. How have we funded those in the last decade?"

Lang: "Not as well as we should."

Davidsmeyer: "Correct. So, we're going to propose a new program that could take away from our veterans, take away from current kids that are getting MAP Grants just so we can say that we're helping people. We're spreading ourselves too thin. We need to focus on things that we can do well. Right now, I'm not sure if you can name one thing that the State of Illinois is doing well."

Lang: "Was that a question?"

Davidsmeyer: "Yeah, yeah. Can... can you name one thing the State of Illinois is doing well?"

Lang: "This is... this is not a quiz, Sir. So, you go ahead with the question relevant to the Bill."

Speaker Currie: "Timer's on. And could you bring your remarks to a close."

Davidsmeyer: "I will. Thank you. I... I just... I just want to make the point that we need to focus on things that we can do well before we make additional promises. I urge a 'no' vote."

Speaker Currie: "Representative Hays."

Hays: "To the Bill. I think when we bring programs of this nature to the floor of the House when there's no money, maybe the next gift to the other side of the aisle should be a crystal calculator engraved 'longest-serving Speaker' and we'll get a hell of a deal on them 'cause they'll all be broke and they don't work. In my next life, I'm coming back as a Democrat because if the math doesn't matter, this job is easy."

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Speaker Currie: "Representative Christian Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. I'm... I'm going to go straight to the Bill. What's interesting to me about the debate that we're having right now is normally I would expect this kind of program to generate broad bipartisan support. This is the kind of program that Republicans say that they like. This isn't an entitlement program. This is the opposite. This is saying that if you have a 'B' average or better, we are going to help you afford college. Now, what's interesting is the folks on the other side of the aisle represent many of the college towns that have been most affected by this impasse: Macomb, Charleston, Bloomington, Illinois, Springfield, Urbana-Champaign. And despite that, we can't get folks to stand up for higher education which has taken a 62 and a half percent cut and by the way, that's the same cut that the Governor all of you have implicitly endorsed would have gotten us to anyway 'cause 30 plus 25 plus 15 gets us over 60. So, I would request an 'aye' vote on this program because it just makes sense. As we know, the colleges are the mills in Carbondale, Macomb, Charleston. They are sending kids from Chicago Public Schools to a place like SIU, through in six years. Those kids are coming back to my community as role models, as taxpayers, as citizens who are doing the right thing. Without going to college, I'm not standing here today, and by the way, neither are many of you. This is not a program that's going to bust the budget... it's subject to appropriation... but it is sending a message that we care about our universities that we recognize the \$50 billion that they contribute to Illinois's economy every single year and that

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we want to make sure that college is not just accessible to Governor Rauner's kids, but it's accessible to every child in the State of Illinois especially those who are willing to work hard. This is a program that strongly deserves an 'aye' vote. It should be a bipartisan 'aye' vote. And I would urge that 'aye' vote from every Member of this chamber. Thank you."

Speaker Currie: "Representative Ives."

Ives: "Thank you, Ms. Speaker. To the Bill. The problem with this Bill overall is not the goal. The goal is we do want to send kids to school in Illinois. We want that to happen. The problem here is there's zero accountability, zero. So, if you are the recipient of one of these grants or even in the current case, if you're a recipient of one of our MAP Grants, there's no clawback if you don't finish. There's none at all and it's the same thing here. You can literally go through four years of school, not get a degree and there's zero clawback for any of this money that the taxpayer sent to get you through to an education to a job to being a good taxpayer living in the State of Illinois. No clawback provision, no accountability. People will continue to misuse and abuse the system going on and on and on. As far as graduation rates, they're very slim in some parts of our... in some of our universities in the State of Illinois, very slim. If anything, we haven't even talked the cost of driver's education. We did SB8 today which is great for procurement reform, but it doesn't go far enough. So, all you're going to do is feed this system with new tax dollars with no accountability and not even arresting the problems of the cost drivers to higher education in the State of Illinois. And it's the cost... it's

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the cost that is driving our students out of the state. That's what we... that's the problems we need to focus on now 'cause there's no 300 to 400 million dollars for this program. And the last thing the taxpayers want to do is fund a broken system that doesn't require these students to actually complete and if they don't, to pay it back."

Speaker Currie: "Representative Batinick."

Batinick: "I move the previous question."

Speaker Currie: "The Gentleman... I think there's just a few more speakers left, if you would be kind enough to allow. Representative Flowers."

Flowers: "Excuse me. To the Bill. One of the previous speakers spoke and stated that he was glad that Representative Lang had this free program. The program is not free, Ladies and Gentlemen. It is paid for by the taxpayers of the State of Illinois. But let me tell you another program that's not free that no one ever questions, how will it be paid for? According to the Berrick Institute, we spend \$1.2 billion for the Department of Corrections prison budget. And also... the state also spends 566.1 million in prison-related costs outside the department's budget. That's not free, Ladies and Gentlemen, and we're not getting good returns on our dollars. And the 45 thousand inmates that are incarcerated cost each of us \$38,268 per inmate. So, when you compare the cost of incarceration versus education, at least with education we do get returns on the dollars. With incarceration, which no one ever think about, talk about how overcrowded it is and how many more prisons we ha... prisoners we have in... in the prisons that's

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overpopulated. So, once again, prison is a bad investment; education is a good investment. I urge an 'aye' vote."

Speaker Currie: "Representative Guzzardi."

Guzzardi: "Thank you, Madam Chair. To the Bill. Just to... first to address a couple of the comments from the other side. The Representative from Jacksonville mentioned that this would take away from money that we use for MAP or other grant programs. On the contrary, this is intended specifically to supplement those funds. So, the way this Bill works... and I've worked very closely with Representative Lang and Representative Mitchell. The way this Bill works is that, first, students are required to apply for federal grant money and for MAP dollars and for all the other aid that's available to them. And then subsequent to that, if they still have remaining debt... I appreciate the kind hand gestures from the Gentleman, but I hope you might listen to me instead... try this one, try out this one for size... that after they've applied for all the other grants that are available to them, if they have remaining debt, this Bill targets specifically the question of outstanding debt. And we know that college affordability is a huge problem in this state even at our public universities. We talk about funding MAP. I want us to focus on our public universities. The universities are supposed to be accessible to everybody. That's why this Bill is limited to those institutions. And you're going to be hearing from me later this week on a Bill about student debt issues, the Student Loan Bill of Rights. I look forward to discussing it. And in talking to many of my colleagues, what I've heard is, well, the Student Loan Bill of Rights sounds

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nice, but you're not doing anything to address the real problem which is student debt or why are students borrowing so much. Well, here we go. We've got an opportunity on the board for us to address the so-called real problem of student debt. So, I hope that either Members vote for this Bill to address that problem and then bring up that concern later in the week or simply acknowledge that we're not actually trying to take meaningful steps to help our college students. My goal, Ladies and Gentlemen, the goal of the group of us who have worked on this Bill and I think the goal of this entire caucus should be to make sure that students have the opportunity to attend our public institu..."

Speaker Currie: "Please bring your remarks to a close."

Guzzardi: "Surely. To attend our public institutions of higher learning, to graduate, to succeed in our society without being saddled with enormous student debt as so many of our students are. I hope that you can support this Bill everyone in this chamber to help us accomplish that goal. Thank you."

Speaker Currie: "Representative Willis."

Willis: "Thank you, Madam. Will the Sponsor yield, please?"

Speaker Currie: "He will."

Willis: "Can you tell me how much in higher education has the Governor cut in the last two and a half years?"

Lang: "Was the question, how much has he cut?"

Willis: "Yeah, as far as the higher..."

Lang: "Over 60 percent."

Willis: "Over 60 percent. We also have in there how much has the cost of our public universities gone up in the last decade, the average cost?"

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Lang: "Well, let's just say a lot."

Willis: "A lot. I think that it actually says in the analysis it's gone up over... almost \$5 thousand in that amount of time."

Lang: "Sounds right."

Willis: "To the Bill. Recently, one of my daughters decided that she wanted to go back to school. She decided to do that during the time... during the eight months when we were not getting our paychecks, so it was all going to be on her dime. She was able to afford one semester, but she could not afford more than that. I would have loved to be able to help her out, but I couldn't because I wasn't getting paid during that time. She already had a student debt loan from previous years of school and she was at the point in her life where she did not want to add on to that. Unfortunately, she chose... or actually was not even... it wasn't a choice. She had no choice but to drop out of school after the end of that semester. So, contrary to what one of my colleagues on the other end of the line states about accountability, I think this Bill takes into accountability. Under this, my daughter probably would have been able to continue because during that semester that she went back to school, she got a straight A grade point average. She would have definitely qualified for this. Our household income would have been under the \$125 thousand. I think this is a Bill that will help and encourage our students to continue their education. We continue to cut our higher education. We only put in for early childhood, but if we forget our students after grade 12, how are we possibly getting them ready for career readiness? This is a Bill that will help..."

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Speaker Currie: "Bring your remarks to a close."

Willis: "This is a Bill that will help do that. It will help give us a strong workforce. And it will keep our students in the State of Illinois. I urge an 'aye' vote."

Speaker Currie: "Representative Manley."

Manley: "Will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Manley: "You know, I rarely get up on the floor and I'm... I'm a listener and not a... I never abuse this microphone, so I appreciate your indulgence. There's some parts of this Bill that I need some clarification on. So, I appreciate my colleagues indulging as somebody who doesn't always do this. Leader Lang, why did you bring this Bill?"

Lang: "We have thousands of Illinois high school students from all of our districts leaving the State of Illinois because they can't afford to go to college here. And when they leave the State of Illinois, 30 percent of them don't come back and it costs the State of Illinois hundreds of millions of dollars because they don't comeback. So, for the sake of those students and for the sake of our economy, we need to keep them here."

Manley: "Is this program going to make us spend any... any money that we don't have?"

Lang: "This Bill has no dollar expenditure in it."

Manley: "Thank you."

Speaker Currie: "Representative Andersson."

Andersson: "Thank you, Madam Speaker. I make a Motion, pursuant to House Rule 57, appealing your ruling with regard to the Motion for the previous..."

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Speaker Currie: "Representative."

Andersson: "Yes."

Speaker Currie: "You're the last speaker. Do you still want to move the previous question? You may."

Andersson: "No, no. I don't. I'm..."

Speaker Currie: "You may."

Andersson: "No, Ma'am. I'm not moving the previous question. What I am... Would you mind? What I am trying to establish is the process of this place. And so, I am appealing the ruling, pursuant to Rule 57, you improperly disregarded the Motion for the previous question. When a Motion under Rule 59 is made for the previous question, all debate is suspended at that point. You ignored it in its entirety. And that is incorrect. You wrote the Rules. I would ask you to please follow them. I ask for a recorded vote on my appeal."

Speaker Currie: "The parliamentarian tells me that it is up to the Chair to decide to recognize the Motion. But if you'd like to move the previous question now, the Chair would certainly recognize the Motion."

Andersson: "My recorded vote... I... Thank you. I want my recorded vote on the appeal, pursuant to Rule 57."

Speaker Currie: "The parliamentarian tells me that it's time to ask Representative Lang to close and go to a vote on House Bill 1316. Representative Lang."

Lang: "Thank you, Madam Speaker, and Ladies and Gentlemen. We all talk about how to improve our state universities. One way to do that is by passing a reasonable budget and not be cutting it... our state universities by 62 percent over a period of just a few years. Another way to do that is to keep our

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students here in Illinois and to provide dollars so that our universities can retain professors. You all have talked to university Presidents and those representing universities who have told you they're losing professors. They're losing their... their faculty infrastructure. And this Bill will help us keep them there. Additionally, you all get reports from students on a regular basis or graduates on a regular basis about how their real problem in life is paying back their student loans that they've had 10 years and 20 years and 30 years. This Bill will help them do that as well. Yes, it's subject to appropriation and when we get to that, we can decide not to appropriate anything for this program. But I think once in a while on this House Floor we ought to talk about how to do something right and not simply provide a list of why we can't do something. This is something we can do. We can approve the universities. We can keep our students here. We can keep our faculty here. We can make Illinois' public universities and community colleges the best in America, but that requires the students and it requires the faculty and it requires us deciding that those universities are more important than whatever political posturing we want to put out on this House Floor. So, Ladies and Gentlemen, it's an important Bill. I thank Mr. Guzzardi and Mr. Mitchell for helping draft this. I helped sta... I thank staff. And this requires your 'aye' vote."

Speaker Currie: "Representative Lang moves the passage of House Bill 1316. And on this vote there's been a request for verification. All in favor of the Motion vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Clerk, please take the record. On this... on this Motion, there are 65 voting 'aye', 50 voting 'no'. And this Motion, having received the required Constitutional... Oop, verification. Clerk, would you please read the affirmatives."

Clerk Hollman: "A poll of those voting in the affirmative. Representative Ammons; Representative Andrade; Representative Arroyo; Representative Beiser; Representative Burke, D.; Representative Cassidy; Representative Chapa LaVia; Representative Conroy; Representative Conyears-Ervin; Representative Costello; Representative Crespo; Representative Currie; Representative D'Amico; Representative Davis; Representative DeLuca; Representative Evans; Representative Feigenholtz; Representative Fine; Representative Flowers; Representative Ford; Representative Gabel; Representative Gordon-Booth; Representative Greenwood; Representative Guzzardi; Representative Halpin; Representative Harper; Representative Harris, G.; Representative Hernandez; Representative Hoffman; Representative Hurley; Representative Jones; Representative Kifowit; Representative Lang; Representative Lilly; Representative Mah; Representative Manley; Representative Martwick; Representative Mayfield; Representative McAsey; Representative Mitchell, C.; Representative Moeller; Representative Moylan; Representative Mussman; Representative Nekritz; Representative Phelps; Representative Riley; Representative Rita; Representative Scherer; Representative Sente; Representative Sims; Representative Slaughter; Representative Soto;

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Representative Stratton; Representative Stuart;
Representative Tabares; Representative Thapedi;
Representative Turner; Representative Wallace;
Representative Walsh; Representative Welch; Representative
Williams; Representative Willis; Representative Yingling;
Representative Zalewski, and Mr. Speaker."

Speaker Currie: "Are there questions of the affirmatives?"

Hammond: "Representative Beiser."

Speaker Currie: "He's in his seat."

Hammond: "Thank you. Representative Turner."

Speaker Currie: "Right there at the back of the chamber."

Hammond: "Thank you. Representative Hernandez."

Speaker Currie: "Center aisle."

Hammond: "Thank you."

Speaker Currie: "Is that all? On a vote of 65 voting 'yes', 50
voting 'no', House Bill 1316, having enough to require a
Constitutional Majority, is hereby declared passed. And then,
for a Rules Committee Report, the Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn
Currie, Chairperson from the Committee on Rules reports the
following committee action taken on May 29, 2017: recommends
be adopted, referred to the floor is Floor Amendments 2 and
3 to House Bill 160."

Speaker Currie: "On page 8 of the Calendar, Representative Sims
on Senate Bill 1688. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1688, a Bill for an Act concerning
State Government. Third Reading of this Senate Bill."

Speaker Currie: "Representative Sims."

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Sims: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 1688 is a piece of legislation that does something that we talk about often in this chamber and often as we talk about criminal justice reform. This is a Bill that requires departments subject to the Act to consider certain mitigating factors when an applicant has prior convictions. But for me to talk about... in addition to talking about what the Bill does, let me talk about what the Bill does not do. The Bill does not remove the discretion from agencies to deny a license based on their applicant's prior conviction record. The Bill does not require licensing agencies to grant a license in spite of an applicant's conviction. The Bill does not prevent licensing agencies from considering applicant's conviction history. The Bill does also not provide a cause of action for appeal. The Bill simply encourages licensing agencies to consider an applicant's evidence of rehabilitation when making a licensure decision with respect to the applicant's conviction record. I know of no opposition. And I ask for a favorable Roll Call."

Speaker Currie: "Representative Andersson."

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

Speaker Currie: "He indicates he will."

Andersson: "Thank you. So, are you... you said there are no... there's no opposition to the Bill?"

Sims: "None that I'm aware of, Sir."

Andersson: "And I apologize, but I couldn't quite hear your full description. If you could give me the thumbnail one more time?"

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Sims: "The Bill, again, the agencies that are subject to the Act, the Departments of Revenue, Insurance, Office of State Marshal, the Illinois Environmental Protection Agency, the Illinois Financial and Professional Regulation Department, Department of Agriculture, allows them to look at an individual's record when they're making a licensing decision, but does not required... maintains their discretion in doing so."

Andersson: "So, they can... they can take into account that amongst many factors, but it's somewhat like a band of ox sort of thing where..."

Sims: "Absolutely."

Andersson: "...where you..."

Sims: "Yes, Sir."

Andersson: "...you can't simply deny them on that basis alone. Is that correct?"

Sims: "Correct."

Andersson: "Thank you."

Sims: "So, if you look at... look at the entire direct... the person's record in totality and make a decision. The discretion is maintained within the department."

Andersson: "And the agencies that are subject to this either are neutral or supportive?"

Sims: "That's correct. That's my understanding."

Andersson: "Are any of them supported by the way?"

Sims: "The Department of Financial and Professional Regulations have worked diligently with us on drafting this piece of legislation."

Andersson: "Great. Thank you very much."

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Sims: "Thank you, Representative."

Speaker Currie: "Further... anything further, Representative? Are you finished? Representative Skillicorn."

Skillicorn: "To the Bill. I think this is a great improvement to how we do things. This has been worked out by the Sponsor and a few other people to work with the Department of Professional Regulation. And I just want to thank him for putting this together. I do like ideas that encourage economic opportunity. I like policies that incur entrepreneurship. I will always advocate for economic liberty when I see them. So, when you give me Bills like this that help people help themselves, create an environment of real empowerment, I will support them every single time. So, let me just give you a quick example. If an individual made a mistake a long time ago and has already paid their price, has already done something good for themselves, I can't see why not that we welcome them back in society with open arms, let them earn a good living. People that get their lives together matter and that individual has a family, that individual has children, and they can actually do something there for their children. They can do something for their family. When you give opportunities like that, that individual will save a household. When... when the household embraces entrepreneurship, that household saves a whole city block. When that city block comes around and embraces this kind of opportunity, you can save neighborhoods. And that's what we do with... that's how we save communities. So, this is a good example. Illinois needs reforms like this. Families need reforms like this. Our communities need reforms like this.

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So, I... I think this should be a good bipartisan vote. And I encourage an 'aye' vote."

Speaker Currie: "Representative Ives."

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

Speaker Currie: "Indicates he will."

Ives: "I just want to review one portion of the Bill. At least according to our analysis, it also says that they cannot ask for certain records. They can't ask about certain criminal history and can't consider certain criminal history records. Could you just cover that portion of the Bill as to what they cannot ask about?"

Sims: "Can... can you define who is they?"

Ives: "Prevents a licensing agency from acquiring an applicant's report, certain criminal history or shall not consider certain criminal history records in connection with an application for licensure or registration. What are the items that they cannot ask about?"

Sims: "So, the department may not require applicants to report anything relative to juvenile adjudications, law enforcement, court and conviction records of the individual who were 17 years old... 17 years of age at the time of the offense, records of arrest not followed by a charge of conviction... convictions that are overturned by a higher court or convictions that have been sealed or expunged. So, that's... those are the limitations."

Ives: "And for the convictions or arrests that are sealed or expunged, would that include anything that was done as an adult?"

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Sims: "If it's... if it's sealed or expunged, that... that would be correct."

Ives: "That would be correct. Okay. And otherwise, everything else is pretty much you were not actually convicted or a higher court overturned it or you're a juvenile?"

Sims: "That's correct."

Ives: "Okay. Thank you."

Speaker Currie: "Representative Sims, to close, if you'd like to close, Sir."

Sims: "Thank you, Madam Speaker. Again, this is a piece of legislation that allows individuals to turn their lives around. We've inadvertently locked out a whole segment of the population from the... from the workforce. This gives them the ability to go back into the workforce, turn their lives around, making better them... themselves and the conditions of themselves and their families. And I ask for an 'aye' vote."

Speaker Currie: "Representative Sims moves for passage of Senate Bill 1688. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this measure, there are 73 voting 'aye', 39 voting 'no'. And this measure, having received the required Constitutional Majority, is hereby declared passed. And now on page 8 of the Calendar, we have Senate Bill 1722, Leader Durkin. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1722, a Bill for an Act concerning safe neighborhoods. Third Reading of this Senate Bill."

Speaker Currie: "Representative Durkin."

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Durkin: "Thank you, Madam Chair. Senate Bill 1722 has been a work in progress for a few years now. Admittedly, I got into negotiations late, but this is a work that was started by Representative Zalewski and also Representative Sims a few years ago at the request of the mayor of the City of Chicago and two superintendents.. of the Chicago Police Department who work on gun violence. So, I want to thank both those Gentlemen for starting the process and getting us here today. Now, as of last night in the City of Chicago up.. year to date: 225 people were shot and killed in the city. And as of last night, shot and wounded in Chicago, year to date: 1 thousand.. 1106. That makes 1331 people shot so far this year. And in Chicago, it's estimated that a person... person is shot in Chicago every two hours and 40 minutes. Now, the gun violence plaguing the neighborhoods of Chicago have reached epidemic proportions. We do know that the great majority of the killings and shootings emanates from street gangs plying their trade through violence and intimidation. Neighborhoods in Chicago once safe are no longer safe, errant bullets from gangbangers take the lives of innocent children and law-abiding citizens. This is unacceptable in any society, anywhere on this planet. Senate Bill 1722 is a strong statement from Springfield to help the mayor of Chicago and Superintendent of Police Eddie Johnson regain their streets. This legislation was negotiated with the Senate, the City of Chicago and also the stakeholders in this chamber. Most importantly what it does it creates a new sentencing structure for second-time gun offenders. A presumptive sentence that increases the range of sentencing from 7 to 14 years for someone who is charged with unlawful

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use of a weapon by a felon, and aggravated unlawful use of a weapon with a sentencing range of 6 to 7 years. As I just said, this legislation creates a presumptive sentencing structure; however, a judge who wishes to seek a downward departure, meaning that he's going to sentence them under the old sentencing scheme, the judge must make findings on the record studying factors delineated in this legislation. For example, age, mental capacity, and maturity of that individual who is before the bench. For purposes of balance, I was approached by a Democratic... one of the Leaders in the Democrat Party a week and a half ago about adding in what was a priority for him and also many of his colleagues and that was to have a weapon offender diversion program for youthful offenders. And I was happy to oblige him. For purposes of balance, understanding that young men and women make mistakes. And we are going to give them the benefit of the doubt on that first offense. So, under that provision, that first-time youthful offender who's under the age of 21, would be required to plead guilty. That sentence would be deferred and if they successfully complete the program, the charges would be dismissed. I think that's a good step. I think it's fair. But let's be... be very clear that this narrowly tailored legislation... this narrowly tailored Section regarding presumptive sentencing targets offenders that pose a higher risk of violence to the public. This Bill only applies to adult defenders, not juveniles. And it only applies to individuals with prior felony convictions. It does not apply to those who own or carry guns legally. This legislation is

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strong on crime, but I also believe it is smart as well. I will be more than happy to entertain questions."

Speaker Currie: "Are you ready, Representative? All right. And so... ready for discussion, Representative Christian Mitchell."

Mitchell, C.: "Thank you, Madam Speaker. Will the Sponsor yield? First of all, with the leave of the Chair, I'd like to take this Bill off of Short Debate and put it on Standard Debate."

Speaker Currie: "Are there six other people... Yes, there are certainly are seven people to... to respond to that request. The Bill is now on Standard..."

Mitchell, C.: "All right. Thank you... thank you, Madam Chair. Leader Durkin, a couple of questions for purpose of legislative intent. It's my understanding that the... this iteration of the Bill has a five-year sunset. So, is the intention of after five years both the data collection provisions as well as the sentencing would sunset for reevaluation?"

Durkin: "It's my intent that the five-year sunset, which would be on the presumptive sentencing but also on the diversion program, those were the two Sections that I believe would be sunsetted. The data collection from the State Police would not be sunsetted. We believe that that is something that should be a continuing work in progress."

Mitchell, C.: "So, just to make sure I'm clear. So, the sentencing provisions, the diversion program, which are sort of connected would sunset. The data collection would continue going forward?"

Durkin: "That's correct."

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Mitchell, C.: "Okay. I appreciate that, Leader. Again, for... just for clarity of the Body, the diversion program says that if you are a Class 4 or less, you have to plead guilty and then you enter this program that's 18 to 24 months. Is that correct?"

Durkin: "That is correct."

Mitchell, C.: "Okay. So, I'm going to go... I'm going to go to the Bill. I know this is a very deeply contentious issue. I know this is a Bill... I can't... I'm having a little trouble hearing myself. Can we just have it a littler quieter in the chamber, if you don't mind? So, look, this is a deeply personal Bill for a lot of Members. It's been a very fraught issue especially for the Black Caucus but I know for others. It's personal to me. I hear gunshots every single night. Now, I want to note that I intend to support this legislation because, again, it is personal to me. I had someone... second night I moved into my apartment recently get shot in my courtyard. If you don't believe me, you can ask Representative Cassidy because she was over having dinner with me. Someone got their brain splattered where my car tires would have been a couple hours later had I... or a couple hours... a couple hours before. So, had I still been there, might have been in danger myself. But I hope that my friends on the other side of the aisle and as well as here who are voting for this, and I'm assuming it's going to pass, will hear me. There are two separate questions here, Ladies and Gentlemen. Question one is, should a repeat gun offender be in jail? And the answer to that question, I think, is yes, which is why I'm voting for the Bill. But the second question is, will this truly

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address gun violence in Chicago as both the Sponsor and the mayor and the police superintendent have said? And I insert that the answer to that question is, I'm not sure. When we were in committee, the police superintendent of the City of Chicago said that if we pass this Bill either under a year or certainly within three years gun violence in the City of Chicago will drop by 50 percent. Let me repeat that for the Ladies and Gentlemen of this Body. It was asserted that if we pass this Bill, gun violence in Chicago will drop by half. I hope that happens, Ladies and Gentlemen. I hope I'm wrong about my assumption that it will not. But when that does not happen, I pray that Members on both sides of the aisle will listen to the things that people in my community and the City of Chicago and elsewhere are saying will actually address gun violence. There are times when you might hear, for example, Representative Flowers constantly talk about jobs or schools and because she does it so often you might be tempted to drown it out a bit, but she's saying those things for a reason. And I know there are those on the other side of the aisle when we talk about summer jobs or other things, you say that creates dependency. That the real answer isn't really more spending but it's family values and it's hard work. And I'm praying that when this doesn't work, we will take time to talk about our collective culpability. Understand this, none of how we got here is by accident. And I want to put this all on the record because we will be back here either because this Bill passes or because... or doesn't pass or because it passes and violence is still high. And I hope that you will understand that our neighborhoods do not look the way they look by

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accident. Many Representatives on both sides of the aisle have asked about sort of how far back we have to go to talk about culpability for how neighborhoods in Chicago look. Understand that when African-American GIs, as we celebrate Memorial Day, those who were fortunate enough to come back, like my grandfather, came back from World War II or the Korean War, they came back to a country in which they were less free than they were while fighting to keep this country free. Understand that they were packed into housing projects that deliberately were intended to keep them in poverty and that stacked poverty has created the violence we see in the City of Chicago right now. Understand that when you say that spending whether at the state or federal level is not the answer, that the authorization that created our state highways and the Federal Housing Authority that red-lined people of color in the neighborhoods was a wealth transfer of hundreds of thousands of dollars that primarily benefited neighborhoods that do not look like the City of Chicago. That for the very people who are vot... potentially going to be saying that we don't need more summer job programs or we spend too much on government programs that you all are the beneficiaries of the reason that the suburbs look the way they do. And I know because I grew up in them. So, what I'm saying is that every... in every great interval of American history people of color have been locked out of what would have created wealth. Whether it was the New Deal which particularly excluded people of color. Whether it was the prison boom under the Reagan years that made sure that the great dot com movement of the '90s would not include places

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like the communities I represent. This did not happen by accident. So, when this fails, I am asking all of you to help us. Understand that we rise or fall together. Understand that the strain we see in the social..."

Speaker Currie: "Please bring your remarks to a close."

Mitchell, C.: "I'm almost done. Understand that the strain we see in the social safety net isn't just in the City of Chicago. Poverty grew in the suburbs higher than... faster than the City of Chicago for the first time in 10 years. The problems that we have in Chicago right now are coming for all of us and for all of you whether you live here or don't. So, vote 'yes' or vote 'no'. I am voting 'yes' because these people ought to be in prison, but do not deceive yourself that this will truly stop violence in Chicago. Thank you, Madam Speaker."

Speaker Currie: "Representative Ford."

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

Speaker Currie: "Sponsor will yield."

Ford: "Leader Durkin, I have to first start out by saying thank you for your contributions to some of the criminal justice reforms. And I think it's great that you participate in that and vote for sealing of certain records, but I have to ask you a question about this Bill, a few questions. Do you know you are a Sponsor of the Violence Prevention Task Force to eliminate that? It's a Bill that I sponsored, passed, and became law, and it's your Bill that you have in record to eliminate that Violence Prevention Task Force to deal with certain issues that we're talking about today."

Durkin: "I'm not familiar with that."

Ford: "Okay. It's your Bill. What city do you represent?"

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Durkin: "Well, I'm the... represent a few cities. One of them, my hometown is Western Springs, LaGrange, which is what you represent as well. I have a portion of Countryside, Indian Head Park, Burr Ridge, Willowbrook, Darien, Lemont, Homer Glen."

Ford: "Thank you, Leader. So, you represent none of Chicago. And in your opinion, this Bill would probably impact what city the most?"

Durkin: "It would impact second-time gun offenders throughout the State of Illinois."

Ford: "And has your research indicated where those people are basically located?"

Durkin: "I think a great propensity of them will come from the City of Chicago where most of the violent crimes are occurring."

Ford: "Okay."

Durkin: "And that's why this has been for the past three years has been a plea coming from there, Mayor Emanuel, and also Superintendent Johnson and his predecessor, to pass legislation which will increase penalties, change the sentencing structure for second-time gun offenders."

Ford: "So, you want to help the City of Chicago?"

Durkin: "I do, yes."

Ford: "Okay. So, when a person gets to court. Could you tell me how that happened? How did they get to the court in the first place? They probably get what, arrested or something?"

Durkin: "Well, you know, that's a good question. It's for committing a crime. And then if the police determine that there is sufficient cause then they will be placed under

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arrest. And if it's a felony, they will be processed and they were brought in for a bond hearing at one of the courts and a bond will be set. And a preliminary hearing will be set some time later to determine whether or not there's probable cause to go to trial. And then if there is then the case will get into the system, be assigned to a courtroom where there will be one of a few things: there will be a trial or there will be a plea. A trial can result in either a not guilty, a guilty, or it could be a hung jury if it's a jury."

Ford: "And you're familiar with the problems that the City of Chicago has with the Chicago Police Department, aren't you?"

Durkin: "I'm well aware of the issues that have been raised over the past few years, yes."

Ford: "And you trust the system that we have in place right now with the lives of people? And you really believe that with the United States Department of Justice, Civil Rights Division, the United States Attorney's Office of the Northern District, when they issue January the 13, 2017, a consent decree stating that there are problems in the Chicago Police Department?"

Durkin: "Well, it's a consent decree that has not been finalized. Yes, there's problems in the Chicago Police Department. There's problems in the New York Police Department. There's problems in every police department because we don't live in a perfect society. And there are going to be individuals who do not exercise best practices, people who violate the law when they have the uniform on. But I can say that I know a great deal of Chicago police officers, some of them I consider very good, close personal friends, and they operate under the

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highest standards and are not part of that. And I will say that a great majority of the Chicago police officers are ones who go to work on a daily basis with the best of intentions of keeping their district safe and ensuring that the liberties of individuals on the street will be respected."

Ford: "And you know that the City of Chicago has hundreds of millions of dollars of police misconduct lawsuits, right?"

Durkin: "Well, that goes back to approximately 30, 40 years ago."

Ford: "No, it's still going on. Leader, I respect you and you're doing what you believe is right. To the Bill. I have to tell you this is the wrong time, right now, in the State of Illinois for us to pass any Bill like this when there's a consent decree going on right now. The consent decree has the CPD engages in a pattern or practice of unconstitutional use of force. It goes on to say, the CPD uses deadly force in violation of the Fourth Amendment and the department's policies."

Speaker Currie: "Please bring your remarks to a close."

Ford: "Thank you, Madam Chair. There's a lot to talk about, but I'll just end by saying that at this time in the State of Illinois with the Chicago Police Department under a consent decree, I don't think that we could trust at this time that the system that the Chicago Police Department is run under is ready to have this responsibility. I urge a 'no' vote for this Bill. Thank you."

Speaker Currie: "Representative David Harris."

Harris, D.: "Thank you, Madam Chair. A question of the Sponsor, please?"

Speaker Currie: "Indicates he will take questions."

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Harris, D.: "Representative, my analysis shows that the Cook County Public Defender, the ACLU of Illinois, the John Howard Association, Illinois Association of Housing Authority, Chicago Urban League, Juvenile Justice Initiative, and Cabrini Green Legal Aid are opposed to the Bill. Is that still the case, do you know?"

Durkin: "I believe it is."

Harris, D.: "And it's also my understanding that Mayor Emanuel is supportive of the Bill?"

Durkin: "That is correct."

Harris, D.: "And Superintendent Johnson is supportive of the Bill?"

Durkin: "That is correct, as is the Illinois State's Attorneys Association."

Harris, D.: "Thank you. If I may, to the Bill, Ladies and Gentlemen. You know what, I have no sympathy for anyone who shoots a 3- or 4-year-old child. I have no sympathy for a gangbanger who picks up a gun and to earn his gang stripes, engages in a drive-by shooting. I have no sympathy. Now, I'm not unmindful of what was said by the previous speaker... one of the previous speakers about the economic disparities in many communities in Chicago. I acknowledge that. I acknowledge that. But the Superintendent of the City of... Superintendent of Police of the City of Chicago has said on any number of occasions, as a matter of fact over this weekend, there's about 12 or 1500 individuals, which we know who they are, and if we... if we can crack down on them, we can solve the problem. The Superintendent... Police Superintendent of the City of Chicago came down here and said if we pass

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this Bill, you will see violence... gun violence decrease in the City of Chicago by 50 percent within a year. Now, my colleague... my distinguished colleague on the other side of the aisle disagrees with that and says it's not going to work and we're going to come back. But let me tell you something, if the Superintendent of the City of Chicago says it's going to decrease gun violence by 50 percent, you know what, I'm a suburban... I'm a suburban guy. I don't live in the city. I don't understand the problems that... as well as he does, but he's there. He's a veteran of the... of the Chicago Police Department. He says it's going to decrease violence by 50 percent. I'm going to be with him. I am going to be with him 'cause I have no sympathy for those folks that go out there and they pick up a gun. And I understand the societal problems that are there, but when you pick up a gun and you pull that trigger, you lose my sympathy completely, societal problems or no societal problems. Sure, we want to address them, but you pick up a gun and you start killing 3- and 4-year-old kids or teenagers or random... random shootings throughout the city, you have no sympathy from me. If the Superintendent... the Police Superintendent of the City of Chicago says this is a good Bill, I want to give him this and more. I hope you'll all vote 'yes'."

Speaker Currie: "Representative Nekritz."

Nekritz: "Thank you, Mr... Madam Speaker. Sorry. Will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

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Nekritz: "Representative, are you familiar at all with the National Academy of Sciences Report that was done back in 2014 on mass incarceration in the United States?"

Durkin: "No, I'm not."

Nekritz: "Well, it was a gold standard report that was done that looked at the practices that Legislatures had enacted to increase the... that resulted in increasing prison population. And one of the results of this study indicated that one of the contri... mass... one of the many contributing factors to that was mandatory minimums. And the research was done to look at mandatory minimums and determine that they don't work and in fact, all they do is put people in prison for longer, which again is not an effective method of achieving our... the reforms of our criminal justice system. So, I would ask why are we moving in a direction that the gold standard research... research would indicate is an improper path forward for making our criminal justice system actually achieve justice?"

Durkin: "Well, this is not necessarily a mandatory minimum. We have presumptive sentencing in which there will be higher range in which a judge can sentence an individual but can depart based on recomm... on certain factors that are in this legislation. I appreciate the comments about... what you stated about that report. I'm not familiar with it, but I do want to provide information, because one of the issues that was raised in committee it was that there was no data to determine whether or not this would be effective. One, I think it's important for us to look at the five-year sunset. We can make an evaluation of whether or not this has made the type of... it's reduced the violence in these crime-ridden areas in

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Chicago and also throughout the state. But here's... I'm going to get back to data. Now, this was provided me by the Chicago Police Department. A matter of fact, it was a young man that worked on your staff Brandon Nemec provided this information who works within the City of Chicago and over the..."

Nekritz: "Representative, I'm willing to indulge a little bit, but I've only got a little bit of time."

Durkin: "Oh, I'm sorry, sorry."

Nekritz: "And I have a few other lines of questioning. So, with regard to the five-year sunset, does it make policy sense that we would say you commit a crime in January, you are subject to a certain kind of sentence, but if you commit that crime five years from now, we're not so sure anymore?"

Durkin: "We do that on a regular basis here in this Body that's happened over the years."

Nekritz: "I've never seen that with criminal sentencing."

Durkin: "I have. But anyway, I... I do believe it makes sense and this was the balance that req... that I think was necessary to get this Bill passed, which I believe in. And this was a recommendation from Representative Art Turner on behalf of his caucus and I said I'd be willing to make that. I personally would have rather had this than gone on in perpetuity, but for purposes of working and trying to find a common ground, I agreed with the five-year sunset provision on this."

Nekritz: "With regard to the first-time weapon offender diversion program, who makes the decision as to whether or not the defender gets to go into that program?"

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Durkin: "It's... it's upon the recommendation... it's got to be signed off by the state's attorney."

Nekritz: "So, it's the prosecutor that would be doing that?"

Durkin: "That's correct."

Nekritz: "Didn't we just get rid of that with regard to veterans, just the other day?"

Durkin: "I'm not familiar with that."

Nekritz: "I... I believe Representative Chapa LaVia had just such a Bill in order to take... in order to make sure that it wasn't just the prosecutor that could make the recommendation with regard to veterans court. What kind of data reporting will there be with regard to this first-time weapon offender diversion program?"

Durkin: "We've created a... within this is a task force with the Illinois State Police which is... the Illinois State Police is granted the ability to erect a statewide... create a statewide multi-jurisdictional violent crime intelligent task force to combat gang gun violence and gun trafficking."

Nekritz: "Well, but my understanding..."

Durkin: "So, I'm not... I'm not sure if there's anything that says we need to go back. We can have that and as the Illinois Department of Corrections to flag these cases. I can have the state's attorney issue... we'll be looking at this and provide that information."

Nekritz: "Yeah."

Durkin: "But I think that we'll see within the Department of Corrections and coming out of the courthouses in Chicago what type of effect this is having and there are people actually

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being convicted under these crimes and sentenced to the higher rank."

Nekritz: "Ladies and Gentlemen, to the Bill. It is my understanding that there is no reporting requirement under this diversion program which is a major flaw. We have... trying to have been moving in that direction in this General Assembly for the last three or four years of making sure we have the data needed to be able to evaluate our programs and this Bill completely excludes that. It's a vital program that is controlled by the state's attorneys completely. And with regard to the philos... philosophical underpinnings of this Bill, we know... the data tells us that... that mandatory minimums, which you can call this what it is, but you can't put lipstick on a pig. It is... it is a mandatory minimum that... that this is the wrong direction for our criminal justice system to be going if we are going to achieve the goals that... that the Governor's Commission claims they want to achieve up..."

Speaker Currie: "Would you please bring your remarks to a close?"

Nekritz: "I will, Madam Speaker. Of reducing the prison population and making our justice system actually work. I urge a 'no' vote."

Speaker Currie: "Representative McAuliffe."

McAuliffe: "Thank you. To the Bill. Last summer I met with Superintendent Johnson. He came to a local school and... that some of the aldermen had... had him come to meet community members. As I came... I just came as a community member. The one thing he emphasize is the Legislature needs to pass a Bill such as the Bill that Leader Durkin has. Being born and

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raised in the City of Chicago, when I leave the city limits, it's embarrassing, it's frustrating, and it's disappointing to hear that we're known as the 'murder capitol' of the United States. We need to show that Chicago is better. We are better. The mayor of the City of Chicago is for this Bill. The Superintendent, Eddie Johnson, pleaded saying that we need this Bill. We need this Bill for the residents of the City of Chicago and all of Illinois. I think this is a great start. I'm not sure if we'll be able to make that goal of 50 percent, but if we get pretty close to it, I'd be happy with that. Thank you and please vote 'aye'."

Speaker Currie: "Representative Ammons."

Ammons: "Thank you, Madam Speaker. Would the Speaker yield?"

Speaker Currie: "Sponsor indicates he will."

Ammons: "Thank you. I want to clarify a few things in the Bill. Does this Bill provide the... any opportunity for state's attorneys to do double even triple jeopardy on sentencing?"

Durkin: "I've never heard it in that sense, but I'm not quite sure what double jeopardy means being..."

Ammons: "Yes. It means..."

Durkin: "...being tried a second time, but it's not regarding sentencing. It means that you cannot be tried a second time and often happens during the course of a trial, but whether or not..."

Ammons: "So, I'm suggesting a person that is sentenced for a gun crime, for instance, could also be charged with five different other acts within this same Bill that you're proposing right now."

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Durkin: "That's currently the law. The law that has been in place for a number of years. If somebody is... does a drive-by shooting, they're charged with first degree murder and also they'd be charged with a weapons violation at the same. That is practice that has existed for a number of years and that's not going to change."

Ammons: "So, they can be charged with double or even triple jeopardy. I appreciate that."

Durkin: "My legislation does not... this is not a new concept. It's not a new practice or procedure, but my legislation doesn't speak to that. It is just a charging decision that is made by each and every state's attorney in Cook County or a defense attorney. He has an opportunity to dismiss charges if they believe that they're not proper."

Ammons: "I appreciate that. Your legislation also reduces the distance... the parameter of a crime, if it's committed near a school or a church or something like that. Is that true?"

Durkin: "That's correct."

Ammons: "And in the black community where there are churches on every corner, even if that church is closed, could this be an enhancement as well?"

Durkin: "No. The... we reduced it down from a thousand feet to a 500 feet and in these situations, we've... it only needs when individuals who are present in schools... let's give that as an example... where children, if they're in during school hours or children are present on the grounds that would be enhancement and similar with the..."

Ammons: "So, that's not..."

Durkin: "...places of worship."

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Ammons: "...that's not written in clear language in this legislation that says the actual school or church has to be open with people present in it."

Durkin: "I believe the legislation states that it has to be during school hours where children and people are present. That's the way I believe it's written and that's why my analysis and I reviewed the Bill that's how I... my understanding is."

Ammons: "That's your... that's your understanding of that. I want to know if that's clear for folks. The other question I had about this is there's a \$300 thousand fine imposed. Is that up to potentially or is that a strict \$300 thousand fine that can be imposed?"

Durkin: "I'm not familiar with the fine. This is probably consistent within the range of fines and penalties that are currently in the Code. I... but I... that specific \$300 thousand fine. I'm unfamiliar with that."

Ammons: "And then my final question is in relationship to this legislation not containing any provision about illegal gun trafficking. Is there... your intention to allow illegal gun trafficking to maintain itself under the current Bill that you're proposing?"

Durkin: "Yes, but we passed that Bill last year and I sponsored that Bill. And it was signed into law by the Governor last... last fall."

Ammons: "So, gun dealers in Illinois have to be licensed in Illinois under the previous Bill you passed?"

Durkin: "No. This is individuals who traffic guns illegally within the State of Illinois, unlicensed individuals, people who leave the state with the intention of purchasing a weapon

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under... and knowing full well that they are going to resell that gun in Illinois, going to a state where the penalties or the restrictions are much lighter than they are in Chicago."

Ammons: "Thank you."

Durkin: "But no."

Ammons: "And there currently procedures in this Bill to enforce that legislation that you've already passed in the relationship to guns found in possession of people being charged under this legislation?"

Durkin: "Yes. With the Illinois State Police statewide multi-jurisdictional Violent Crime Intelligence Task Force."

Ammons: "This task force that you're referring to in this Bill that has no reporting requirements that's the one you're... that's what you're referring to?"

Durkin: "There was never any... in the... the way the legislation came over to the House, there was no reporting requirement..."

Ammons: "Thank you."

Durkin: "...but we're giving the Illinois State Police the opportunity to create a multi-jurisdictional intelligence gathering task to combat gun violence and gun trafficking."

Ammons: "Thank you very much. To the Bill, Madam Speaker."

Speaker Currie: "To the Bill."

Ammons: "Important part of this is I've heard on the floor that people and all of us don't have sympathy for people who shoot innocent people and children in our community. People in the black community have experienced this level of violence for a very long time with little to no relief when it comes to provisions that will address the systemic problems of violence in our community."

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Speaker Currie: "Would you please bring your remarks to a close."

Ammons: "Thank you. But today, the sympathy question is whether people should be charged with double and triple jeopardy. Whether people outside a provision that's been named in numerous reports will see a reduction ultimately in gun violence in our communities. I argue that we will not. Based on the legislation of gun policy and drug policy, we have not seen less of either one of these issues because we have not gotten to the root causes of these problems. And because of that, I urge a 'no' vote on this legislation."

Speaker Currie: "Representative Mayfield."

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

Speaker Currie: "He will yield."

Mayfield: "Representative, can you tell me and how many times in the past has... between 2000 and 2012, how many times have we increased gun penalties in this chamber?"

Durkin: "I couldn't tell you."

Mayfield: "Six times."

Durkin: "Okay."

Mayfield: "Six times we have increased penalties for gun violations and it has had no impact on the crime in Chicago, none. So, we know that this is clearly not the answer. Superintendent Johnson, he promised evidence in committee to support his 50 percent reduction claim. Neither myself nor any Member of the committee has received that information. So it is just that. It is a claim. It is a fantasy. It is not a reality. We do not have any data to sup... to support this claim of a 50 percent reduction."

Durkin: "I have data."

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Mayfield: "To support a 50 percent reduction in crime?"

Durkin: "I'm not going to speak for Superintendent Johnson..."

Mayfield: "Well, that's what he said."

Durkin: "...but from the Chicago Police Department, they have stated and this is from the former staffer who worked over there, that over the last five years almost 40 percent of the people that the police department has arrested in Chicago for murder had at least one prior arrest for a gun crime and I made that clear. When I worked in the Cook County State's Attorneys Office, I would conduct these bond hearings on murder cases and I would be able to see the profile of individuals with prior UUWs who was always showing up..."

Mayfield: "Okay. Thank you, thank you. I only have five minutes."

Durkin: "I want to finish my thoughts."

Mayfield: "Thank you."

Durkin: "...but the fact is this sort of people who are... who are wiping these neighborhoods, shooting people with reckless abandon..."

Mayfield: "That does not answer my question, Representative."

Durkin: "...that are killing young children and families who want to have some type of life."

Mayfield: "It does not answer my question. And you're wasting my time. You're wasting my time."

Durkin: "No, I'm not wasting your time. My... my..."

Mayfield: "I have five minutes."

Durkin: "I'm not wasting your time; I'm telling you the truth."

Mayfield: "I have five minutes, Representative. Thank you. So, moving on, there is no data to support the 50 percent claim. Again, Superintendent Johnson stated during committee that he

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needed this Bill to target 1400 individuals; 1400 is not going to give us that 50 percent either. It will increase costs. Now, no one on your side of the aisle is willing to vote for a tax increase. I don't know where the money is going to come from to house all of these individuals in the board of... in the Department of Corrections 'cause we're talking millions of dollars to support these individuals that we're looking to put into prison. And I agree with the former Representative who stated that any individual that shoots a child or anyone deserves to go to prison. I definitely agree with that; however, I don't think this Bill is the right answer. You removed housing projects from this Bill as a protected area. So, what this means is that drug dealers can now go into these housing projects, knock on the doors and sell their product. There is no 500 foot penalty... designation, the thousand foot designation is gone. There is none. They can literally go and knock on doors. They can sell their drugs right in front of a family member's home. And there are no protections in this Bill."

Durkin: "And they'll still be arrested in the housing. It's like with the other... protected areas which a thousand to 500."

Speaker Currie: "Representative, I'm not sure that was a question."

Mayfield: "It was not a question. It was a statement."

Durkin: "Well, it's a good response..."

Mayfield: "It was a statement."

Durkin: "...to something which is not factually being..."

Mayfield: "It is being portrayed factually."

Durkin: "...portrayed by the..."

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Speaker Currie: "You will have an opportunity to close."

Durkin: "I'm sure I will."

Mayfield: "It is being portrayed factually."

Durkin: "I'm looking forward to it too."

Mayfield: "You know, that's only if they catch them. But you took out the protections to pro... so that those children in the Housing Authority could have a drug-free area, an area where they could play drug-free. You removed that from them. You took away their protections. Also, since the majority of the crimes happen in the City of Chicago... and I understand you do not represent the City of Chicago... I'm glad that you feel the need to do something for the City of Chicago. However, this should have been the City of Chicago only Bill. Why does it have to affect everyone in the entire state? The majority of the crimes, as you stated, 90-some percent of the crimes that are happening in the state..."

Durkin: "Is that rhetorical or is there a question to me?"

Mayfield: "...are happening in Chicago. I'm making comments here."

Durkin: "Well, yeah, you did. You asked me whether or not if I..."

Mayfield: "No. No, I didn't ask you a question. I did not. I made a statement. So, 90 percent of the crimes are happening in the City of Chicago. We... This Bill should have been a City of Chicago only Bill and not subjected on the rest of the state. We individuals on your side of the aisle, yourself included, have spoken against Bills that affect Chicago, that are basically, you know, put off on the rest of us. I think this is one of those type of Bills. It is a problem. There is also an issue with the felony that is attributed to individuals who have nonviolent weapons possession. And this Bill... Yeah,

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yeah, you can get down. There isn't such thing as a nonviolent weapons possession. And this Bill definitely speaks to possession. It says it's felony. Am I... now, this is a question. Is that not correct?"

Durkin: "Guns aren't... guns aren't violent."

Mayfield: "Is that not correct?"

Durkin: "I guess we'll take the proposition that guns are not violent in your... in your world, right?"

Mayfield: "Okay. So, gun possession... Are you saying that all gun possessions are violent?"

Durkin: "Well, they are against the law and in these situations..."

Mayfield: "I didn't say whether or not they're against the law."

Durkin: "I know. Are you asking me a question?"

Mayfield: "My question, are they violent? Are they violent?"

Durkin: "Oh, I think that they are. I think and the fact is a first-time offender..."

Mayfield: "So, everyone that is..."

Durkin: "Excuse me. I'm... I'm answering your question, Ma'am. We have a diversion program in this Bill which states that that first-time offender who is we believe has made a unlawful de..."

Mayfield: "I'm going to need somebody to relinquish some time to me, please. Yes, continue."

Durkin: "In any event, I consider someone who carries a weapon without a FOID card is a person who is a violent person, who is... who is... is not carrying..."

Mayfield: "I am so glad you went there. I've got a response for that."

Durkin: "I'm sure you do. Knock yourself out, come on."

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Mayfield: "Yes. My time is about to run out. That's okay. I'll wait until somebody relinquishes and come back..."

Speaker Currie: "All right. We'll go next to Representative Guzzardi. Somebody may offer time to you down the line, but Representative Guzzardi is next."

Guzzardi: "Thank you, Madam Speaker. A couple of questions of the Sponsor. We had a discussion of this Bill in committee. As I said then, I'll say it again, I appreciate your commitment to working on this issue and your sincere commitment to trying to address the problem that we all acknowledge in this chamber that the violence in the City of Chicago is simply beyond the pale. I guess my question is, the... as we've heard before, the Superintendent came before our committee and testified this would bring about a great reduction in violence in the City of Chicago. My question is, how? What about... what about the action of this Bill will reduce violence? How's it going to work in your estimation?"

Durkin: "I think that what he was getting at... and I'm not going to try to guess at how he came to that figure... but is that my experience and also what I've talked about with the Chicago Police Department that the individuals based on their criminal history that a number of them who've done a very minimal amount of time within the Department of Corrections because first-time offenders who are not probationable serve approximately six months within the Department of Corrections, second-time offenders maybe a little more than a year. But the point that I believe he's making is that there's a consistent profile within individuals who are charged and... investigated, charged for violent crimes whether

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it's the murder, attempt murder, armed robberies that have that criminal background that they see which is on a regular basis. And that is what I believe he's stating that these individuals that they will... if they're targeting... the 1400 individuals that they're targeting, they will have an opportunity to take people who do pose a threat to society. And that's what I believe he's saying."

Guzzardi: "Sure. So, the Superintendent said in committee... I'm going to paraphrase here... but he said generally that the way this Bill was going to prevent crime is that the word was going to get out to the bad guys that the sentences were higher, right? And once the word... correct me if I'm reflective... representing his testimony wrong... this was my... sense of his gist. That the word's going to get out to the bad guys on the street that they're really going after these crimes and that's going to cause them to stop committing these offenses? They're not going to carry the weapons anymore."

Durkin: "My exper... Okay."

Guzzardi: "Is that more or less what he said?"

Durkin: "He did make that statement. My experience when I worked at the State's Attorneys Office and also my conversations with individuals within the gang crime unit they conduct over hears, they have on certain types of, you know, conversations which are authorized by law, and it has come up in the past. There has been discussions with individuals about different changes in gun laws. So, this is not something which they are not... that they are... come aware of."

Guzzardi: "Sure."

Durkin: "And it's discussed internally within the gang structure."

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Guzzardi: "I understand that. To the Bill. Thank you for your answers, Representative."

Durkin: "Sure."

Guzzardi: "And thank you very much for your effort on this again. I'll say that..."

Speaker Currie: "To the Bill."

Guzzardi: "To the Bill. It is my view that we are approaching this problem from the fundamentally flawed premise and it's one that we have 40 years of proof in this country is flawed. The premise that if we increase the sentences on people it's going to deter them from committing crimes. This was the impetus behind so much of criminal justice policy for the last 40 years in this country and we have seen the proof that it is simply not true. Length of sentences, durations, severity of punishment is proven to be ineffective as a deterrent to criminal behavior. Lengthening people's sentences simply does not stop them from committing crimes. I will say we all share a sincere belief that this crisis needs to be addressed, but I have to say I don't think it's a coincidence that the spike in violence in the City of Chicago occurred at the exact time that we stopped having a budget. The moment when we stopped funding after school jobs and mental health and CeaseFire and interventions in these communities is the exact moment that the violence started escalating in our streets. I don't think that's a coincidence, Ladies and Gentlemen. And the very programs that are so vital to protecting the lives of the young people in these communities, who we all seem to care so deeply about, those very programs have been zeroed out in every single proposed

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budget from the Governor of this state. The programs that the people of these communities need to stop the... to really genuinely address the root cause of violence, those very programs are being zeroed out. I know... we all know we have to do something. And the Superintendent came down here and said, the reason why I'm advocating for this Bill is we need to do something. But doing something that doesn't help solve the problem so we can tell ourselves and tell our constituents that we did something, that doesn't work. That's not good enough for me anyhow. I want to do something that works. I think we know what works. We know investing in communities is the solution not locking more people up. We have decades of proof of that. I appreciate the intent of this legislation. I think the basic premise of this legislation is flawed and I'll be voting 'no'. And I urge a 'no' vote from my colleagues. Thank you."

Speaker Currie: "Representative Stratton for five minutes."

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

Speaker Currie: "Indicates he will."

Stratton: "Thank you. Thank you, Leader Durkin. I just had a couple of questions and I know that during the committee I had a number of questions regarding the data and the premise that I did not... I was not aware and I did not hear any data within that committee hearing that supported that... this type of enhanced sentencing would actually reduce violence. So, I have a couple of clar... or gun violence. I have a couple of clarifying questions. First, I wanted to go back to the sunset provision and clarify that the legislative intent behind the five-year sunset provision was for the sake of data collection

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to create that nexus as to whether or not presumptive sentencing would, in fact, reduce gun violations."

Durkin: "That is the goal of the five-year sunset. That's correct.

Is to determine whether or not this has achieved the results that the... the mayor and Superintendent are seeking."

Stratton: "Okay. Thank you. And then, at that five-year point if that nexus cannot be shown then the intention or the... what we're saying here today is that then this Bill would then sunset out and would..."

Durkin: "We'd of have..."

Stratton: "...no longer... the presumptive sentencing piece?"

Durkin: "That would be correct."

Stratton: "Okay. Thank you. I know that there were some Governors Commission reforms, I guess, on criminal justice and sentencing that were removed from the Bill... the Senate version of the Bill before it passed over to the House. Do you know what those are or can you share what those are... were?"

Durkin: "I'm... I'm afraid I'm not familiar with what was originally on the Bill that was negotiated out."

Stratton: "Okay. And..."

Durkin: "Negotiated out in the Senate. So, I..."

Stratton: "Okay. But there were some... you are aware that there were some reforms that were proposed by the Governor's Commission on sentencing and criminal justice reform that were put into the Bill but then subsequently removed before being moved forward as a Bill?"

Durkin: "I'm... I'm familiar with that, yes."

Stratton: "Okay. According to, I believe, U of C crime lab data, 91 percent of shooters in 2016 were not arrested. So, you

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presented some data regarding the Chicago Police Department on shooter background, but can you talk a little bit about that data within the context of how many people are not actually being arrested for gun violence?"

Durkin: "I think that goes to the fact that we need more police officers, I think, in Chicago. More... more police officers, more assistance from the Federal Government, from the ATF, FBI, and also from the county. And I... and I talked, on many occasions with the director of the State Police about that. And they are working in a joint task force... in conjunction. They... they don't broadcast it, but the fact is they do that work and they're collaborating. I wish there were more police and I know that the mayor's committed towards adding another 900 cadets... 900 police officers within a very short amount of time. And I think that the goal is to put those individuals in these areas that are hot spots for this violence."

Stratton: "So..."

Durkin: "I wish there was more. I wish we could do a better job of following up on any of these gunshots, having them investigated, having those individuals brought in for questioning and charged if it's appropriate."

Stratton: "So, I know you mentioned that the Federal Government and the approach of the Federal Government, but you are also aware that the Federal Government has now... certainly under the direction of Attorney General Sessions... has made a new emphasis on a return to 'law and order'?"

Durkin: "I've heard that, yes."

Stratton: "Okay. So, to the Bill. I just want to..."

Speaker Currie: "To the Bill."

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Stratton: "To the Bill. This return to law and order is something that is of great concern to communities like the ones that I represent in Chicago. I can say that in talking to people in the 5th District and around the City of Chicago that no one, myself included, none of us want to see any more lives lost to gun violence. This is an issue that when I first spoke words on this House Floor back in January the first words that I spoke on this floor were the names of three young children that we lost in the City of Chicago, one in my district, due to gun violence. So, when I think about solutions to gun violence, what I am looking for are solutions that actually will reduce the violence, not something that we do based upon a kneejerk reaction. Remember, two years ago in Chicago, the Chicago Police Department said we had the lowest gun violence rate in... in 20 years. And now, two years later we are talking about enhancing penalties? That is not the way to make good policy. If we have across this country an idea that we need to start looking at reforms, that we haven't been in a state of mass incarceration and we have to be at a place when we start using evidence-based and data-driven practices..."

Speaker Currie: "Please bring your remarks to a close."

Stratton: "Thank you. Evidence-based and data-driven practices to determine what is the best way to not over incarcerate communities, which disproportionately are communities of color, then it really behooves us to not just jump and say let's do something without any data to support that it would help. I urge a 'no' vote."

Speaker Currie: "Representative Flowers for five minutes."

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Flowers: "Thank you, Madam Speaker. To the Bill."

Speaker Currie: "To the Bill."

Flowers: "You know, I really think it's very unfortunate that we're having this discussion because the problem isn't really the guns. The problem is the segregated city of the City of Chicago. And because it's segregated it's also isolated. There are no jobs. There's been 50 or more schools that's been closed. There is no networking. There was a civil ri... there was a riot in the '60s and on the south and west side of the City of Chicago from 1960 to 2017 nothing has changed. No health care, no clinics. We used to have hospitals; the hospitals are gone. We used to have colleges; the colleges are gone. We used to have 63rd and Halsted where businesses were; that's gone. So, the funny thing about all of this and it's really not funny, but it just goes to show you how racist all of this is. In the communities where there are jobs, where there are schools, where there good housing, where they have access to mental health, access to education, and generational wealth, there is no killings, none. So, if you is really serious about wanting to stop the tragedy that's going on in the City of Chicago on the south and west side instead of coming up with something that you know that does not work because it didn't work in the '90s, we just lock innocent people up and the taxpayers is paying for it. See, if the police officers and the prosecutors and those who lock up the innocent people, if they were paying for it, we wouldn't have this discussion. But you just going to pass on to the taxpayers and studies have proven that the longer you lock these young people up, the worse they are when come back

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to the community. And what I find is really amazing and the reason why it's so easy for you to stand over there, Representative, being the person that you are, because you don't have to worry about any of these people that's going to be locked up coming back to your neighborhood. They will not be your neighbors; you will not work with them; you will not eat with them; you will not socialize with them. They will never come in contact with you or your family. But oh, for us, we can't put enough locks on our doors, bells, and whistles, alarms. Bullets flying all over our heads because these people are sick. But let me ask you one question. Is this the first time the City of Chicago has ever had a gang problem? Just answer yes or no, please."

Durkin: "No."

Flowers: "And so, how did we eliminate the first set of gangs, the second set of gangs, and the third set of gangs which was not African Americans and Hispanics? How did we eliminate those gangs? How do we eliminate the Irish Mafia? How do we eliminate the Italian Mafia? Tell me how... Don't say nothing to me. How do..."

Durkin: "Timing's everything, Mr. DeLuca."

Flowers: "How did we eliminate those gangs, Sir?"

Durkin: "That was mainly through federal prosecutions against the..."

Flowers: "Excuse me?"

Durkin: "...against the..."

Flowers: "You got the jobs. You got the politics. You got the restaurant. You got the businesses. You got the banks. You got the insurance companies. You got the schools. You wrote

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the books. You're writing the laws. That's how you eliminated those gangs. So, I challenge you... I challenge you to take this Bill out of the record. Take it out and then let's talk about jobs. Let's talk about eliminating segregation in this most racist city in the City of Chicago like other cities have done. Let's talk about putting schools... let's talk about health care. Let's talk about opportunities. Let's talk about the past of the African-American people and the struggles that we've had to endure all of our..."

Speaker Currie: "Your five minutes is up. Would you please bring your remarks to a very quick close?"

Flowers: "Let's talk about it, Representative, and take the Bill out of the record. Thank you."

Speaker Currie: "Representative Welch for five minutes."

Welch: "Madam Speaker, I yield my time to Representative Ford."

Speaker Currie: "Representative Ford, you're recognized for five minutes."

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

Speaker Currie: "Sponsor will yield."

Ford: "Leader, I have a few more questions. The number one deterrent I believe, of crime is a good police department and ability to solve crimes. I'm going to read to you something from the WBZ, just briefly. It just says, the Chicago Police Department last year solved fewer than one in five murders committed during the year, the lowest rate for crimes in the last half century. So... so, my question is, I don't understand how we want to add new laws to the books when the Chicago Police Department can't do their job now?"

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Durkin: "Oh, we want them to do their job and the thing is, they do clear crimes. It takes... sometimes these cases are very difficult to... to investigate and also to bring charges. I've had to do that before. It requires getting witnesses in from all areas of the city, the state and also putting together forensic evidence and taking testimony. They're not easy cases to charge unless you have a police officer standing in front and watching it. I can't speak to what's happened over the past year. I do know that there is some issues within the CPD, but as I said earlier, they're good men and women who are out to do the right thing. And I hope that they clear more cases in the future."

Ford: "So..."

Durkin: "And that is... that is always the intention. And speaking with Superintendent Johnson, I know that is a priority for him."

Ford: "So, if this Bill does not pass and does not become the law, are there other laws on the books that can do exactly this?"

Durkin: "I'm not aware of... I mean, the goal here is to target a certain group of individuals who are violent offenders who have plagued neighborhoods in Chicago through the State of Illinois because of their use of guns to settle their issues which is wrong."

Ford: "So, all the laws on the books for guns... gun laws, there are... there's not one gun law on the books that could solve the problems or help solve some of the problems in the City of Chicago. We have to enact this Bill... make it law in order to help the City of Chicago?"

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Durkin: "That is the request that has been made by the mayor, that has been made by the superintendents... the past two superintendents and I will rely upon them, but I also have an experience. I'm familiar with these neighborhoods. I've worked in them... worked in those areas as an Assistant State's Attorney. I drive into through Ogden Avenue on a daily basis. Look, I... I know what the problems that Chicago's confronting with violence. I'm trying to help it."

Ford: "And the other question I had was if a criminal, a repeat offender is just caught with a gun, will this fall in the category of being charged with a repeat offender, possibly?"

Durkin: "That's correct."

Ford: "So, you don't have to use the gun. A gun could be planted on you and you could be charged with that gun and be subjected to the new law?"

Durkin: "Well, I will say this. I don't know about planted, but when somebody purposefully, intentionally carries a... a loaded weapon and they've had a prior unlawful use of a weapon, they would be subject to presumptive sentencing."

Ford: "Just for having... I mean, I'm with you."

Durkin: "If... if a firearm is planted..."

Ford: "I'm just..."

Durkin: "...and that is what courts do..."

Ford: "Yeah. I'm with you on..."

Durkin: "...and that is how you... people..."

Ford: "Leader, I don't... I'm not..."

Durkin: "I have no respect for anybody who sets anybody up. I just want you to know that. I have absolutely no respect."

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Ford: "I'm not really trying to cut you off. I just want to say my confidence in the system to protect black men and black people is very, very minimal. And I know people that have been railroaded in a system like Chicago. And to say that this Bill will protect people, I can't agree with you. And I want to apologize to all the people in the City of Chicago that have to be subjected to such a racist police department and such a department that really don't respect our communities and that will not go out and find the real murderers and the killers in our communities. And I want to apologize to the people of Chicago because we have to bring more legislation like this to subject black people to more torture from a police department that really don't care about us."

Speaker Currie: "Representative Wallace for five minutes."

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

Speaker Currie: "Sponsor will yield."

Wallace: "Thank you, Leader Durkin, for bringing this to the floor for discussion. There are about 23 opponents on your Bill. Can you share why... a little bit of the opposition as to why these groups do not like this Bill?"

Durkin: "Not one of them came to my office and talked to me nor my Chief of Staff about the opposition. So, I'm afraid I wouldn't have any of that information for you."

Wallace: "Okay. Thank you for that. In committee and in another meeting that I had with Superintendent Johnson, he spoke about this Bill probably capturing a few dozen people. And since this Bill does not increase the... the maximum number of years already on the books, I guess my question is, if and when the

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police actually do arrest people, there's a number of different points of data that says either 1 in 9 people are actually arrested. The Superintendent himself said it's somewhere between 40 and 50 people. But when those people are actually arrested and brought to justice, what is preventing the judge from sentencing them to the higher end of the spectrum now?"

Durkin: "Well, history shows and I can tell you this that the... and this is just my personal belief... that in the place such as in Cook County, gun offenses are not taken as serious as the other crimes that are the ones that capture the headlines. We want to ensure that the judges who get these cases that there is a presumption that there will be a higher range of sentencing, but if they do believe that there is a reason to go down a downward departure, having downward departure in that sentencing back to the original sentencing scheme, they just have to state it on the record. But I think that the point is, is that there not as enough... as much confidence with... by the stakeholders who are supporting the Bill within members of the judiciary who look at these types of offenses as a... almost at... of a nuisance basis. And I would say that that these cases should be treated..."

Wallace: "Okay."

Durkin: "...very seriously."

Wallace: "I appreciate it."

Durkin: "And I think... I think that's where they're coming from."

Wallace: "Okay. So, and judges aren't using their discretion and officers may not be arresting and bringing them to be charged by the state's attorney. We do have several gun laws already

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that actually do have some pretty tough penalties. So, again, I'm trying to understand where the disconnect and I think it lies within the data points that I mentioned that only 1 in 9 people are actually even being arrested. You mentioned that the people who have been committing some of these acts already have prior offenses. What was the number of that? And you said that this is somehow how the Superintendent will get to this 50 percent reduction in gun violence?"

Durkin: "What I received from the City of Chicago was the following statement. Over the past five years, almost 40... approximately 40 percent of the people that the Chicago Police Department arrested for first degree murder had at least one prior arrest for a gun crime far and above any other arrests."

Wallace: "Okay. So, about 40 percent."

Durkin: "Forty percent."

Wallace: "So, then you're trying to say that if those people were arrested under this particular type of Bill and charged and sentenced under this that those people would not have reoffended. So, there's some type of causation instead of a correlation and we know that that absolutely is not the case, right?"

Durkin: "Well, we talked about the... the University of Chicago crime lab. They also presented a report with respect to recidivism... recidivism rates. And they say that it compared to non-gun defenders, this is the University of Chicago crime lab, individuals with a prior gun conviction are approximately seven times more likely to commit murder and two times more likely to commit robbery."

Wallace: "Okay."

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Durkin: "That's data and I..."

Wallace: "So..."

Durkin: "...I guess the idea..."

Wallace: "...that is..."

Durkin: "...is that these individuals who have these backgrounds..."

Wallace: "Well, I don't want my..."

Durkin: "...have the arrests..."

Wallace: "...time to be run out."

Durkin: "I'm sorry."

Wallace: "I do appreciate what you're saying. I get that. It's still not a causatory issue. So, are you familiar with the U.S. Department of Justice's report on deterrents issued in 2016?"

Durkin: "I'm afraid I'm not."

Wallace: "Five things they say and number one is the certainty of being caught is a vastly more powerful deterrent than punishment. If people are not certain that they're going to be caught then they will continue to run amok, and I think that's what we're seeing. I would just simply like to go to the Bill."

Speaker Currie: "To the Bill."

Wallace: "I know I have a few seconds left. If there are 1400 strategic subjects, there's only a couple hundred or a couple dozen people that this will effect, I'm not understanding why then we aren't here to talk about resources to make sure that law enforcement is able to actually complete these cases so people can come..."

Speaker Currie: "Please bring your remarks to a close."

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Wallace: "...so they can come to justice. Again, the U.S. Department of Justice has simply released a point... a report that says the certainty of being caught. If you're not caught, you can't be sentenced. And in that... and because of that, I will not be able to support this measure. Thank you."

Speaker Currie: "Representative Riley for five minutes."

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

Speaker Currie: "Sponsor will yield."

Riley: "Leader Durkin, I think that one of the important questions that was asked and you know, you didn't provide an answer... I guess it's difficult to come up with an answer... was when Superintendent Johnson made his 50 percent, I really think strategically for him to come out with a figure and not be able to back it up with... with data was the wrong thing for him to do. So, you've not seen any definitive analytical information that leads to if this happens here are the reasons why crime will go down?"

Durkin: "I guess the way to look at it and is that the individuals who do commit these crimes, we see that in their rap sheets. And the best argument I can make and I think it's a pretty compelling statement and it also pro... it's some good data is that the 40 percent of the people that the CPD have arrested for first degree murder over the last five years, all had prior unlawful use of a weapon background. So, I guess the issue is it's getting in front of the issue. And finding the individuals who we... who, based on this report, have the propensity to commit violent crimes as the University of Chicago study indicated as well."

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Riley: "But Representative Durkin, I mean... come on, let's... let's really look at it. That's a qualitative statement, but it doesn't say, but if you do these things, here are the reasons why... If you had a mathematical model or but none of that has been done. And so, again, to make the statement about we're going to cut it down by 50 percent if we get this Bill, there's really no way they... that can be proven. I will say this though. It was about five or so years ago, I went to an alumni association meeting at UIC. And so, there were people who graduated from statistics... master degrees in statistics and planning and all of that, and some of them were, in fact, working for the Chicago Police Department. The Chicago Police Department has a large analytical section. They can actually do those kinds of studies where we could at least say here's a model that, you know, we could critique the model, but here's the way that they're predicting changes in crime if certain other things happen. There was a study and you know, whenever I say there's a study, I can quote what the study was. There was a study by the RAND Corporation in 2013 that said some of the predictive analytical models that the CPD came up with didn't work. Now, the RAND Corporation over the years cannot be construed as a... certainly a liberal leaning research organization. They're pretty, you know, in the middle of the road. But that's what they came up with. So, I'm only saying that it would be good if a pronouncement came out of the City of Chicago and Chicago Police Department about something that would occur. If only these things would occur then they really got their facts straight. If they couldn't say it then what they should say is we would hope that this

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would happen. I think would make it a little bit more... more plausible. And I also think that in the absence of other cause and effects kind of things we do know about... we talked about education, we talked about jobs and those kinds of things... then this is just, you know, another sort of draconian kind of measure. There's... how many people are sworn in the Chicago Police Department? About how many?"

Durkin: "I couldn't tell you that."

Riley: "Okay. I think it's over 10... 10 or 12 thousand. Clearly, to get these offenders, you have to arrest the people. So, if they're having problems arresting the people then that might be part of the issue. You talked about maybe needing more police..."

Durkin: "I believe that's the mayor's intention over the next six months is to add 900 new police officers to the... to the Chicago Police Department."

Riley: "Well, you see that... and we don't know if that's going to help, but at least we can say more manpower in the communities where it's really needed we feel would help, you know, reduce gun violence. But something as these measures where, again, we're sort of betting on the come that if we... and I believe it's a mandatory minimum type Bill too... if we do these things, that's going to reduce crime. I just really think that we're sort of barking up the wrong tree. But thank you for your concern, anyway."

Durkin: "Sure, sure. And just to remind you. The University of Chicago crime lab reports that individuals with prior gun convictions are... are likely to commit seven times... are more

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likely to commit murder at seven times more than any other individual. So, there are statistics, but it's..."

Speaker Currie: "And he's used up your time. Representative Willis."

Willis: "I yield my time to Representative Mayfield."

Speaker Currie: "Representative Mayfield for five minutes."

Mayfield: "Thank you. I'm going to... Will the Sponsor yield?"

Speaker Currie: "Indicates he will."

Mayfield: "Representative, can you speak to the unauthorized possession of a weapon and the felony why for those individuals who they don't live in the City of Chicago and they are pulled over and they are found to have a weapon in their possession, why they should receive a felony?"

Durkin: "'Cause that's currently the law. It's a Class 4 felony for an unlawful use of a weapon meaning someone does not lawfully have a firearm. That means that they have a FOID card, that they're registered."

Mayfield: "Okay. So, under this Bill, if a person is pulled over and they have an unauthorized weapon, they would be immediately put into your diversion program? Are there any... is there anything else that would provide any type of relief for that individual that is found with a weapon, even though they did not commit a crime. They just simply had the weapon on their... they possessed an unauthorized weapon?"

Durkin: "The diversion program only applies to youthful offenders under the age of 21. First-time offenders, it is a probationable case for unlawful use of a weapon. So, for that first..."

Mayfield: "But they would still get a felony."

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Durkin: "That would be a felony unless it's negotiated down between the defense and also the prosecution, which they have that discretion to do that."

Mayfield: "To negotiate it down to what?"

Durkin: "A Class A misdemeanor."

Mayfield: "Okay. That's an interesting point. All right. We've taken discretion from the judge. We've given it to the prosecutor and they can pick and choose who gets a felony and who gets a misdemeanor."

Durkin: "That's... The law states that... they've applied the law and at times there are plea negotiations on cases. This is what happens in Lake County... in the Lake County courthouse... Cook County, Will County, and they'll make a decision whether or not the evidence at the end of the day based on when it comes up to trial. Oftentimes, cases are pled out; they are reduced because they don't believe that the facts are strong enough to be able to offer the prosecution to make its case. They can either one... do one of two things. They can have a reduced penalty or they can go to trial and be not guilty."

Mayfield: "Okay. But my question is, if an individual... let's say in Lake County... pulled over, you know, they had a broken taillight and for whatever reason that arresting officer ascertained that that individual had an unauthorized weapon in their car, meaning they did not have an Illinois FOID card. What is the penalty?"

Durkin: "That would be 1 to 3 years that's not... that is probationable, a Class 4 felony."

Mayfield: "One to 3, Class 4 felony. Thank you for that. To the Bill. And for those of you..."

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Speaker Currie: "To the Bill."

Mayfield: "...considering voting 'yes' on this Bill, I think this is a very key point. You heard the arguments, you know, about the fact that we've increased gun penalties six times, you know, in 12 years, no impact to the gun violence in the City of Chicago. We heard, we talked about, you know, this is going to decrease gun violence by 50 percent. Superintendent Johnson stated that there are 1400 individuals that are already on a target list. This is going to knock it down to 700. We're still going to have gun violence. This Bill is not going to address the issue of gun violence, but what this Bill will do for those of us that live in the suburbs, particularly myself. I have a military installation in my backyard. I have Navy... I have Navy Seals. I have Marines. I have Army reservists, National Guard, all in my backyard. Many of them do not have an Illinois residency. They have conceal carry cards in other states that are not recognized here in Illinois. Should any one of them been pulled over, they will be charged with a felony. Their entire life ruined under this Bill. That is what this Bill says. Representative, I understand what you're trying to do. This Bill needs work. I am willing to work with you on this Bill, but I cannot jeopardize the lives of the men and women who are laying down their lives for those of us in this chamber here on Memorial Day and say, you know what, because we can't seem to get our laws in order here in Illinois, we're going to make sure that all of you that are in the military, 'cause this Bill will target my military personnel, they'll be waiting for them outside the gate, pulling them over on technicalities and

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charging every single one of them with felonies. We need to fix this Bill, Representative. I'm urging a 'no' vote. Thank you."

Speaker Currie: "For five minutes, Representative Harper."

Harper: "Thank you, Madam Speaker. To the Bill."

Speaker Currie: "To the Bill."

Harper: "I was born and raised in Englewood where we shoot every single day. And as a child, I went to sleep to the sound of gunshots every... and additionally, I have attended countless funerals of my own friends. But since this budget impasse has begun, I have been finding myself caught up in the crossfire of random shootings at least every other month where I both see the shooter, the victim, and everything. You're not going to find an issue here more important to me than gun violence. It is the reason that I am here. Gun violence is not a police problem, so there's no way police can solve it on their own with this Bill. I've heard today that violence will decrease by 50 percent in a year if we pass it. This is the biggest lie I've heard since I've been in Springfield. Such a prediction is also disrespectful, but that's the kind of numbers you get from police. As stated by many others, police are not even catching the shooters and killers and in order for this Bill to be most effective, you actually have to catch the shooters. And it's not because the neighbors aren't helping either because I live at the CAPS meeting. If we don't catch killers in Chicago, how will this Bill decrease violence? The superintendent is right when he says that only a percentage of people are causing the violence in Chicago, but he can't catch them. There are a few ruthless shooters in

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our community that, yes, make us all look bad, but the majority of the people in my community are just like me. It seems no one's interested in solving the murders in my community and we wonder why we have to ask, do black lives matter? Apparently not when it comes to the murder clearance rate, not in my community and please, stop referring to us as thugs and gangbangers. It's not even set up like that anymore, and quite frankly, to use those terms in 2017 shows how disconnected you are from the real causes of violence. This Bill doesn't go after the second-time gun offenders. It just goes after people caught with guns for a second time. It will only result in the same thing we've been doing in Legislatures across the country since I was a baby when they wanted to be tough on crime or stop the war on drugs. The only war that was raised was the war on the freedom of my black and brown daddies, uncles, cousins, nephews, and sons. The war that ends in mass incarceration that leads to more black babies not having daddies, not having that income, and not having that influence and being led down the road in an environment that turns him into picking up guns to protect himself. These are people who, for whatever reason, cannot depend on protection from a community, from a church, from a family, or from the police, the one who gets paid to protect and serve. My constituents say when we call the police for help, we are just as guilty as the perpetrator. We're all treated the same when they show up at the scene. So, because of that distrust, some of us have to arm ourselves to protect from the evildoers looking to attack us in our own community because of the circumstances and lack of infrastructure beyond our control.

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So, unless you're going to address a dangerous flow of guns into my community at the same time that you lock people up for having them for a second time, I cannot support this masher... measure. It leads to more mass incarceration and does nothing to address the root causes of gun violence: poverty, low educational and vocational opportunity, food deserts, no recreational opportunities or quality card programming, poor neighborhood infrastructure, lack of businesses, no jobs, six closed schools at one time in my community, you name it, are all root causes to violence. Until I see this Legislature get serious about turning around these root causes, I can't be serious about supporting a Bill that's going to lock up more of my neighbors for reasons and circumstances beyond their control. This is exactly why Members of the black and Latino Caucus introduced House Bill 4008 which provides emergency funding for evidence-based programs, street-level engagement that we need to lead our young people down another path other than the alternative economy and guns. There is a lifestyle that has been created, an order to the street, so to speak that has been created during the gross neglect of these communities over the past 30 years. You say you understand the societal conditions that cause my violence, but if you understand, you must not care, because you vote 'no' on every single measure that helps those societal conditions that prevents a child from picking up a gun. Engaging disconnected youth, maintaining safe streets and parks, bustling businesses with great green open space as well as properly funding schools will reduce violence by 50 percent not this Bill. I encourage a 'no' vote."

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Speaker Currie: "Representative Thapedi for five minutes."

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

Speaker Currie: "Sponsor will yield."

Thapedi: "Leader Durkin, the name of your act that you're proposing today is the Safe Neighborhoods Reform Act. Is that correct?"

Durkin: "That is what it's called, correct."

Thapedi: "All right. So, on the path to reformation, did you confer with Members of the House who represent the communities that are most affected by this Bill and if so, what is now your understanding?"

Durkin: "Yes. As a matter of fact, the Senate Sponsor is Senator..."

Thapedi: "No. I mean, of the House."

Durkin: "Oh, the House, sure. I spent a very good afternoon with Representative Art Turner who came over to me with concerns from the Black Caucus. And he wanted to know..."

Thapedi: "Was there anyone else other than Mr. Turner?"

Durkin: "Representative Art Turner came to my office approximately two weeks ago to discuss recommendations that came from the Black Caucus which I accepted."

Thapedi: "All of them?"

Durkin: "I accepted the five-year sunset on the... instead of a... a permanent placement of these laws and I put a five... I accepted the five-year sunset on the... on the presumptive sentencing. I did not support, at first, the diversion program, but that was his request of me and I accepted it."

Thapedi: "All right. Leader Durkin, is there anything in this Bill that addresses any of the roots of the problem associated with gun violence and you've heard some of them. Is there

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anything in this Bill that addresses the lack of jobs in the neighborhoods that you're trying to reform?"

Durkin: "This is a..."

Thapedi: "You're going to have to yes or no."

Durkin: "No."

Thapedi: "Okay. Did you..."

Durkin: "There is nothing in this Bill that this is... penalizes bad actors."

Thapedi: "All right. Is there anything in this Bill that addresses the lack of economic development in the neighborhoods that you're seeking to reform?"

Durkin: "This Bill addresses..."

Thapedi: "Is that a yes or is that a no?"

Durkin: "...the worst of the worst, the bad... the worst actors we have in different neighborhoods. The answer is no."

Thapedi: "All right. Is there anything in this Bill that addresses the school issue, the lack of quality schools in the neighborhoods that you're seeking to reform?"

Durkin: "This Bill addresses the worst of the worst, the bad... the worst actors we'd see..."

Thapedi: "Again, we're talking... school..."

Durkin: "...who are tearing up and destroying Chicago neighborhoods. The answer is no."

Thapedi: "All right. It's no to the schools. So, is there anything in this Bill that addresses generally a viable alternative to crime for some of the young people that live in these neighborhoods that you're seeking to reform?"

Durkin: "Yes. For the people... for those young offenders who have made a bad decision, we are giving them a second chance to

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have their records wiped clean if they make... if they are under the age of 21 and they were placed in the diversion program, which is a request of Leader Turner..."

Thapedi: "And... and I appreciate that..."

Durkin: "...and those individuals would not have that arrest and conviction on their background which would carry with them the rest of their life. So, I think that's a pretty good... a pretty good addition to the Bill."

Thapedi: "I would agree, I would agree, Leader. There's no question about that. But I'm looking at the beginning that the goal is, is to put ourselves into a position where these young folks are never even put into the position where they're committing crimes that we want to put them on a path to success. And if we're not willing to have a Bill that we want to call the Safe Neighborhoods Reform Act and we don't want to address any of the roots of the problem, that's problematic. That's problematic. And my last question is... is, did you coordinate with the Senate Sponsor on the Bill and what the path would be in the House or did you unilaterally decide to prefile for the Bill?"

Durkin: "I filed for the Bill after that I found out that it passed the... the House and nothing more than that."

Thapedi: "All right. Now, it's also my understanding that there is a... a trailer Bill to the Safe Neighborhoods Reform Act and that Bill apparently will address some of the roots of the problem dealing with gun violence, more specifically in the City of Chicago. Are you willing to support that trailer Bill? That trailer Bill is on file. It's my understanding that it's Senate Bill 1980. Do we have your commitment to supporting a

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trailer Bill to your Bill that will truly put us on a path to reforming our neighborhoods?"

Durkin: "Well, I'd have to read it first. But I'm not going to just blindly state that I'm going to vote for something until I've read it and I've consulted with my counsel. I'd be more than happy to talk to you afterwards, but right now I'm not going to be able to review that Bill between the now and the time this Bill is called for a vote."

Thapedi: "All right. And then my last part is that I want to make sure I understand fully about the sunset scenario. So, after the five-year time period if it's determined that it's not working, what would be your intention at that point?"

Durkin: "My intention would to be not-supporting a resurrection of that Bill."

Thapedi: "Thank you, Leader."

Speaker Currie: "Representative Turner, your name was mentioned in debate. You have five minutes."

Turner: "Thank you, Madam Speaker. I'll go directly to the Bill. I just wanted to clear up..."

Speaker Currie: "To the Bill."

Turner: "...clear up a few things that were mentioned as my name was used in debate a couple times. First of all, I did take a chance to... and I'd like to thank Leader Durkin for sitting down with me and negotiating certain aspects of this Bill. And I brought to him there were concerns of Members of my caucus; however, you're hearing a lot of opposition from the Bill from Members of my caucus and... and for a couple reasons. First of all, when it comes to the diversion program, there is a diversion program included in the Amendment, but it's

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not as we would like to see it. There's no pre-com... there's no pre-complaint for the diversion program which was a huge problem for many of the Members of our committee. Also, the gun task force, the teeth were essentially removed from it enfor... enforcement action was removed from the Bill as it relates to the task force. Now, as for me and how I feel about this legislation, it's very hard for me with a Bill on the board to not support something that would address repeat gun offenders considering the violence that we're experiencing in the City of Chicago. However, I thought Representative Harper made a very good point and spelled out a lot of the reasons that lead to the gun violence that we experience, in particular, in the City of Chicago where... where my districts... where my district is. And I think those things need to be addressed. They're not... all of those... all of those considerations are not taken up in this Bill, but those are the sorts of things that I think need to be addressed if we're truly serious about reforming our criminal justice system and dealing with gun violence in the City of Chicago and across our state, for that matter because violence isn't just happening in Chicago. You can go to Rockford, other areas, downstate in St. Clair County and other areas that experience the same sort of violence that we're experiencing on Chicago's south and west sides. So, I think that, you know, while I understand the effort that's being taken from... taken up here and we have to do something in particular about the gun violence that's going on, we need to address those other issues. Poverty, poverty being a huge, huge one. Poverty, education or a lack thereof, those are the sorts of things

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that we need to be tackling and you will see some results coming from gun violence... see gun violence reduced in these cities where this is a major problem. I'm going to support the Bill because I've negotiated with it. Although I'm not totally onboard with everything, I'm... this is... this is a start. This is a start and we'll work forward with him. There is... there is a sunset included on this Bill. The Bill will sunset and we will come back and revisit the data that we collect over the course of that time. If this will do anything though to address those offenders that the City of Chicago Police Department will have you believe is just about three dozen... three dozen people that are calling... causing real, real problems in the City of Chicago, in my community in particular, then I'm for it. Thank you."

Speaker Currie: "Representative Andrade for five minutes."

Andrade: "Thank you, Mr... Madam Chairman. To the Bill."

Speaker Currie: "To the Bill."

Andrade: "I've been around four years and I probably voted for every reformative justice Bill there is, but I'm reading this Bill here and it says reduce, remove, reduce, remove, not even sure what's doing. I mean, here and then, yes, the Chicago Police Department has problems, but let me tell you something. When I first got here, I sat next to someone that was... then was convicted for bribery. Then I got another person that was a child sex offender, predator. That doesn't mean that everyone in this chamber is a child pedophile. It doesn't mean everyone takes bribes. I have classmates, family members that are Chicago Police Department and they are the utmost honorable people. I will not stand here and hear that every

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Chicago Police Department employee is a bad person. Yes, they have issues, but they are my friends, they're my family members and I... Will the Sponsor yield, please? Madam Chairman, will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Andrade: "So, let me understand this. I want to understand this Bill, maybe I'm confused, but... I'm not an attorney. So, now, we remove the fact that when a person gets the first offense, it's not a felony depending on the judge. Now, the second offense, are those second offenses that are listed here that say 26 predictable felonies? Are those the second offense or first offense?"

Durkin: "No. Those are the predicate offenses in which you work off of as being a second offense. Those are all gun-related... gun-related crimes."

Andrade: "So, these people that we're trying to keep in jail are people that have committed armed robbery, first degree murder, attempted first degree murder with a firearm, aggravated battery with a firearm, armed violence, aggravated possession of a stolen firearm, unlawful discharge of firearm. There's even hijacking, carjacking. So, we want to protect hijackers? Aggravated vehicle hijacking, home invasion, home invasion with a firearm. So... so, is that... is this the people we're trying to... to make sure?"

Durkin: "Yes."

Andrade: "Okay. Now, to the Bill."

Speaker Currie: "To the Bill."

Andersson: "So, when I grew up, I had... instead of having branches of banks in my neighborhood, I had more branches of gangs in

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my neighborhood. The police, when I grew up too, I luckily had a strong family support and strong father. When the gangs tried to recruit me in my neighborhood, he dropped me off at jail. He, my father, dropped me off at jail at Belmont and Western and said, he thinks he's tough. And I thank my father for dropping me off at jail with those gang detectives to make sure that I am able now to be stand here as a State Representative 'cause if it wasn't for my father, I would probably be dead like some of my other classmates or jail like some other classmates. I underst... yes, I understand that we don't have social services programs. That is a deep, deep concern of mine and we're lacking all those social service programs. But the lack of social services programs does not justify any action to take someone else's life, does not justify any action to take someone's property at force. We had a 16-year-old kid just die the other day because he tried to rob someone and someone had a carry and conceal. Nothing justifies the act of killing other people or tak... or having the intent to kill other people. So, I stand here as someone who's a product of a Chicago neighborhood and police officers used to tell me, hey, you're hanging around with the wrong gang. You're a... you're a Latino. You should be with the Latin Eagles not the Simon City Royals. So, I understand what it is to grow up in a neighborhood where there's more gangs than role models. So, I respectfully request an 'aye' vote. Thank you."

Speaker Currie: "Representative Cabello, you have five minutes."

Cabello: "Thank you, Madam Chair. A question of the Sponsor."

Speaker Currie: "Sponsor will answer questions."

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Cabello: "Thank you. Leader Durkin, can you maybe speak a little bit more on some of the reductions that are in this Bill? We're talking a lot about the enhancements of this Bill. Would you speak of some of the reductions in... in penalties for this Bill?"

Durkin: "There are certain drug offenses that we've reduced the... the distance for the individual who's distributing narcotics from 1000 feet to 500 feet. That was a request that was made in the Senate and I believe that was part of the Governor's Commission Report. And also, the... we also stated that the enhanced... but the penalty stays in place. There was a statement made that this would somehow eliminate these at the public housing. It reduces the distance. People will still be charged and they will have an enhanced penalty. But with respect to schools, in particular, children need to be present during school time... during school hours and people need to be present. I... again, I gave the example of somebody who's... who's arrested if they're within thousand feet at 1:00 in the morning. It doesn't quite make sense why they're being upgraded to that enhanced penalty."

Cabello: "Can you explain what Superintendent Johnson said when he said that there may be more arrests and convictions if they had more detectives. So, I'm hearing lots of the debate of, well, the police aren't doing their jobs. They're not getting the criminals off the street. Part of that integral part is you have to have the street cops that are answering the calls for service, but then you also must have an investigate... investigative component to that police department. And I believe he said that he has only 8 percent

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of his 13 thousand policemen that are detectives. Is that correct?"

Durkin: "That's what he stated. And I know that the city is committed to putting more boots on the ground. And you know, they're doing the best they can under difficult circumstances. It's never been diff... it's never been easy to be a police officer in Chicago or any major metropolitan city. You'd want... always wanted more police. There's a cost to it, but I think that the city is intent upon doing that. But that's what he stated and... and I hope that they're able to put more men and women in uniforms in Chicago to be able to work these... these problem areas that where most of this crime is being... most of this crime is occurring."

Cabello: "Lots of the other concerns that we're hearing in this chamber today are about making sure that we reduce the prison population. Is it your opinion that with this diversion program for the juveniles that maybe we can start breaking the cycle of recidivism by helping some of these... these young adults before they enter into the adult system?"

Durkin: "Absolutely. And that's the point of it that kids are going to make mistakes, dumb mistakes, and we're giving them a second chance to be able to go on the right path at life as opposed to becoming hardened criminals. And this was suggested to me by the Black Caucus. And the more and my read... more and more that I read about it and understand it, I think it's the right thing to do. We want kids to be mindful of what their actions are, but we're giving them an opportunity to erase a terrible decision that they made at a point in their life."

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Cabello: "Just getting back to the reductions and some of the penalties. For those Members that are thinking that it's going the opposite direction, could you talk to maybe... a little bit of time on we're not being soft on crime? What we're actually doing is we're being smart on crime and we're trying to do the best for the taxpayers who ultimately end up paying for all this."

Durkin: "Sure. Now, I just want to get into just a few figures that the Illinois Sentencing and Policy Advisory Committee, SPAC, estimates that they'll be about 300 individuals per year that would be sentenced to the Department of Corrections for this, but we don't know exactly what the... and I believe that's offset by the diversion program and also, we would be reducing the headcount based on, I believe, commonsense reforms with the other... with the reductions that we spoke about earlier. And in committee, SPAC said that they believe it's going to be revenue neutral at the end of the day. We can do more to reducing the population within the Department of Corrections, particularly low end defenders. I'm open to that discussion and also, that legislation. As a matter of fact, I was a chief cosponsor... Madam Chair, can you bring some order into the chamber? Madam Chair?"

Speaker Currie: "Could we have some order in the chamber, please?"

Durkin: "Thank you. But last January, I sponsored legislation with Representative Gordon-Booth which is, I think, a very responsible piece of legislation which set up trauma centers for not only just people who commit..."

Speaker Currie: "Your time has come to a close, Representative. So, can you... can you bring your remarks to a close?"

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Durkin: "I will just state that we... I worked with Representative Gordon-Booth and went out to San Francisco and I visited crime centers in the urban area of Chicago and some of the crime-hardened areas of San Fran... San Francisco. And I saw that these programs that turned a lot of lives around, not just victims, but also offenders of crime that give them an opportunity to find a way to redeem themselves and to make themselves better members of society. So, we've done that. I've done that. So, it's not as if this side of the aisle is... is not sensitive to what happens to men and women of color. So, that's something that I'm very proud of and that's a continuation of efforts that I believe in that are smart, they're responsible, and will put us on a path of putting people in a better place in their life. Again, I believe with the balance that we have in this legislation, I think that we are not going to have this... this massive increase within the Illinois Department of Corrections. There's some bad people that will need to go away. I think no one disagrees with that. But the fact is, we're giving opportunities to people... young men, young women... of a youthful age who've made a terrible decision but we're giving them a chance to redeem themselves..."

Speaker Currie: "Represent..."

Durkin: "...which we've never done before."

Speaker Currie: "Representative Andersson for five minutes."

Andersson: "Thank you, Madam Speaker. I yield the balance of my time to Representative Cabello."

Speaker Currie: "Representative Cabello for five minutes."

Cabello: "Thank you, Madam Chair. Leader Durkin, this is not going to solve the crime problem in Chicago. This is not going to

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solve the crime problem in Rockford that has the highest crime rate per capita... the highest violent crime rate per capita, but is this a piece of the overall solution?"

Durkin: "It is. And I've said this in committee that this is not going to solve all the problems in the City of Chicago. But I believe this is a significant start to try to eliminate some of the worst individuals who've caused... wreaked havoc upon the City of Chicago over these years. So, I... I believe that my answer is yes."

Cabello: "Thank you. To the Bill. Ladies and Gentlemen..."

Speaker Currie: "To the Bill."

Cabello: "...we have some major problems in this state. And we have a major crime problem. You and I know that our criminal justice system is broken. You and I know that this Bill and many of the pieces of legislation that we have passed is not going to fix this problem, but it is a piece of the overall solution. I believe that we have worked together very well in previous General Assemblies to try to change the culture of what the criminal justice system does, but we're going to have to look at it in a lot of different ways. We have to look at early childhood education. We have to look at adult supervision. We have to look at addiction and recovery. We've got a wide range of things that we must look at, but in this day and age, you and I should stand together saying that it is from here on out unacceptable for you to be afraid in your own neighborhood. We should stand together saying that. We can sit there and say that the police are corrupt and you know what, there are some that are, but not the majority of police officers are corrupt. I think Representative Andrade

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said it great. There's been people in this chamber that have done some pretty unspeakable things, but that doesn't make you and I bad because of what they did. We do have policemen departments around the country and in this state that are working to root out the problems that they have. But let's not hold the good people accountable for what the bad people are doing. We here, as a chamber, works great passing the police reforms. We as a chamber work great in passing a lot of criminal justice reforms. I look forward to helping pass more. I look forward to hopefully getting a crime commission back together so that we can continue the work that we as a Body did. Ladies and Gentlemen, this Bill is not going to solve every single problem, but it will be a tiny piece of that overall huge problem that we have. I would respectfully ask for an 'aye' vote."

Speaker Currie: "Representative Arroyo for five minutes."

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

Speaker Currie: "Will."

Arroyo: "Representative, I want to thank you for what you're doing. I want to thank Senator Kwame Raoul. I believe he's in the chamber or was in the chamber. You know, since I came to the General Assembly, I've tried to pass gun legislation here. I've had a 'one gun a month' Bill that took me four years to try to pass it and I couldn't pass it. We need to pass some kind of comprehensive legislation for gun control that tries to stop the shooting. You're trying to do something people say is good, some people say it's not. In my district, there's also shootings. I believe that if somebody in my district gets caught with a gun more than once I think he should be

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locked up. I don't want somebody that's not locked up if he gets caught with a gun twice. So, how does this affect the people? Is this going to incarcerate more people or is it going to have less people getting locked up? The SPAC report says that it's going to reduce the people that get locked up?"

Durkin: "Eventually. The trade-off is that the individuals who would be qualified for diversion but also, some of the commonsense reforms we're making with these drug cases which we've... which came out of the Governor's Commission. But what we're saying at the end of the day, we're talking no more than 300 people a year statewide that this would apply to. But remember, those are the individuals that have very, very... that have violent backgrounds."

Arroyo: "Representative, I didn't hear that. It's kind of loud on this side of the floor."

Durkin: "It is."

Arroyo: "Could you repeat that, please?"

Durkin: "Well, we believe with the trade-off with the diversion program that's going to avoid individuals from going into the Department of Corrections. But also, some of the commonsense reforms we made and which I talked about within the... on some of the... the drug offenses that which is a recommendation from the Governor's Commission. I believe that the trade-off is going to show minimal impact within the Department of Corrections. Three hundred people at best, we believe, on a yearly basis would be affected by this and which would be sentenced to the Department of Corrections based on this sentencing scheme."

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Arroyo: "So, there's going to be less people in people getting out of jail?"

Durkin: "I can't..."

Arroyo: "Less people..."

Durkin: "I... I think... I think the... in the committee hearing, the attorney for the... for SPAC indicated that it would be revenue neutral. There will be an impact on the Department of Corrections. It's not going to be as profound as some people state. And I said again, we're talking maybe 300 people per year statewide that would... this would apply to."

Arroyo: "Representative, I want to thank you for trying to pass some kind of legislation. It's not easy in this chamber."

Durkin: "No."

Arroyo: "I've tried it; it didn't work. I'm going to support this Bill because you and Kwame have come together to be able to do something in this chamber. I'm very proud of that. And I want to be part of that."

Durkin: "Thank you."

Arroyo: "If you get caught in my district with a gun more than once, lock them up. I don't want to be considered as weak on crime in my district. You get caught with a gun, lock them up. Thank you very much."

Durkin: "Thank you."

Speaker Currie: "Representative... Representative Evans for five minutes."

Evans: "A question for the Sponsor?"

Speaker Currie: "Yes."

Evans: "Question for the Sponsor?"

Speaker Currie: "The Sponsor will yield."

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Evans: "Thank you. Sponsor, I had a question. Is this a omnibus crime and economic development solution Bill? Is that what you found?"

Durkin: "No. I've never labeled this as an economic development Bill. This is a Bill that is addressing serious gun violence that's happening mainly in the City of Chicago, but also in other parts of the state."

Evans: "To the Bill. Ladies and Gentlemen, the communities in which have been mentioned in debate are communities in which I travel, I live, communities in which the superintendent travels and lives. We live in these communities. And these communities are void of many things, economic development, various things that we have discussed. But also, what these communities have is individuals who choose to utilize guns for purposes in which are terrorizing my community. And I know some of these individuals. I'm friends with some of these individuals. I'm willing to stand on this floor and tell the individuals in my community who choose to use guns for violence that I oppose you. That if you keep doing it, we got to lock you up. I'm willing to push against my friends. And as I mentioned in committee, I'm asking other... the individual on the other side to push against your friends because a portion of this is people are proliferating guns in my community that come from communities on the other side of the aisle. This is a team effort and I'm willing to stand. I think the frustration from many of the Black Caucus Members is it too far and too many times that I'm willing to stand against my friends, against people in my community, to give them additional years, but we're not getting that reciprocated.

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Guns are being proliferated in my community to cause these violent crimes and that is a big portion of it. So, I'll do my part today to say, hey, guys you've got to stop. To team up with the Superintendent who lives in these communities. The superintendent who came down to Springfield to advocate for the safety of my communities. If you don't like the Bill, that's a decision that you have to make, but I'm sent down by individuals like my next door neighbor, a 63-year-old woman who wants the violence to stop, who wants the shooting to stop, who wants the nonstop unnecessary violence to stop. It's not gun violence based off of drugs. Many of these crimes are no nonsense situations in which individuals are choosing to use weapons. Okay? So, we're sending a message to them. The superintendent wants to send that message. And this isn't about Durkin, this isn't about Kwame. This is about the individuals in my community that are tired of the violence and many of it is senseless violence. So, I'm voting 'yes' for this Bill. And I don't love the Bill because it's going to attack friends of mine, but what I'm saying with this Bill is we have to send a message, the Police Superintendent has to have the tools. It is not a omnibus solution to this crime and violence in my community, but I would encourage the Sponsor and many individuals on this side of the aisle is after we vote for this Bill join me in various Appropriations Committees to get the resources to my community that many of you all haven't supported for years. That is the true testament in which you're willing to solve it. Will Chicago State receive the funding that's received the university that educated African Americans? Will South Suburban College

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receive the funding for tech programs? That is... that is the key. I'll join you in turning it back, but will you join me in a true fight to stop violence? Thank you."

Speaker Lang: "Representative Lang in the Chair. Leader Durkin to close."

Durkin: "Well, thank you. It's been a very healthy debate and I respect all the comments from people who offered their thoughts and opinions on this. But I just want to get a few things straight in the record. There was a question about the... which was raised on whether they were... they'd never seen a situation where a criminal act has been sunsetted after a certain amount of years. Well, we're just on the eve of having our RICO statute sunset and there's a Bill that is currently going to re-up that, so we've done this in the past. Also... I think it's also important to raise the issue that there was a question about why we don't have reciprocity for individuals to have their carry and conceal permits. Representative Phelps has had that Bill for a number of years that he's had and has not moved out of committee and he's tried to move it out of committee and I'd support him on that. And also about exempting military personnel from... from having a... the CCW license. Representative Reis has carried that Bill which I would support as well. So, we are trying to get that... those things solved. I wish we could, but I was... people from out of state we won't have to solve that, we tried to. I support it. But the fact is, the Bill's never moved out of committee. I will just say this that the police and state's attorneys they are committed toward solving these murders. And it's a tragedy that we see a number of these not being brought in and

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cleared, but I think in time they will. Folks, this has been a very... I think a good process. And I want... and I stated when I started this and I thank people who started this process from the beginning, Representative Sims and Representative Zaleski who started this discussion three years ago, but I would be remiss without thanking Senator Raoul but also the administration, who's going to sign this Bill if we're able to get the votes today. Folks, this is a... this is a Bill that... I live in the west suburbs, of course, one of the most proudest and most gratifying moments of my life was serving as an Assistant State's Attorney in Cook County where I was able to investigate crimes all through the City of Chicago for a very long period of time and bringing justice but also bringing closure to these individuals to me is very important. Men and women who are law-abiding citizens, who raise families, they want closure, but they also want respect. They want their streets taken back. The mayor of Chicago wants to take back his streets and so does the superintendent of the Chicago Police Department. This is just the beginning. We have five years to make a decision on whether or not this will work, but that's my commitment to you. If I'm here in five years, if it doesn't work, don't expect my support. But this is a start of trying to do something to stop this plague of violence which we pick up and read in the newspapers on a daily basis. It's a good Bill. I'm asking for your support."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Clerk, please take the

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record. On this question, there are 70 voting 'yes', 41 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Leader Currie for a Motion."

Currie: "Thank you, Speaker, Members of the House. I move to suspend the posting requirements so that Senate Bill 446 can be heard in House Appropriations-Elementary & Secondary Education Committee; Senate Bill 321 in the Appropriations-General Services Committee; Senate Bill 1483 in House Elementary-Licensing; Senate Bill 1417 in Environment and also Senate Bill 1648 in Environment; Senate Bill 521 in Executive; Senate Bill 325 in Health Care Licenses; Senate Bills 1607, 1707, 1748, and House Resolution 418 in Human Services. In the Judiciary-Criminal Committee: Senate Bill 2021 and in House Transportation Regulation: House Joint Resolution 62. I believe that we've cleared this with the other side of the aisle."

Speaker Lang: "You've heard the Lady's Motion. Is there leave? Leave is granted. And... and these postings will proceed. Leader Currie has an additional Motion on Senate Bill 444."

Currie: "I move to suspend the posting requirements so that this Bill, Senate Bill 444, can be heard in the Cyber Security Committee."

Speaker Lang: "Mr. Anderson on the Motion."

Andersson: "We have requested a Roll Call on that, please?"

Speaker Lang: "Those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 66

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voting 'yes', 50 voting 'no'. And the Lady's Motion prevails. On page 29 of the Calendar, under the Order of Resolutions, there appears HR422, Leader Currie. Please proceed."

Currie: "Thank you, Speaker and Members of the House. The Governor has the authority under 1970 Constitution to propose reorganizations in the agencies over which he has control. The Governor has suggested merging the Illinois Department of Human Rights with the... with the Departments... the Human Rights Commission. And I oppose that Executive Order not because I think it may be a bad idea to try to find a way to bring efficiencies into the operations of our Human Rights agencies, but because I am fearful that the authority the Governor seeks may lead to a reduced level of due process and protections for people who had been victims of discrimination in employment and in other areas in the state. Currently, the Department of Human Rights, just like the Federal Equal Employment Opportunities Commission, serves as the factfinder, serves as the investigating arm, but the investigating arm just as with the police is not the adjudicator. It's not the place where judgement happens. That authority rests today with the Human Rights Commission and with the courts. That's what happens with the EEOC. They do the investigation. They try to encourage settlement if they think they can do that, but if the parties reject, the EEOC can take the issue to court. Currently, under our system, that's the way these two agencies work. I think it would be appalling if we were... if we merged the investigating arm with the adjudicatory arm. Nothing in this Executive Order says that that will not happen. My advice to the Governor, because

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we agree that there are terrible backlogs in the department. We agree that we need more efficiency. My advice to the Governor is, Governor, file a Bill. Show us how you will create efficiencies. Show us that our fears about merging the two important functions of investigation and adjudication will not, in fact, be merged. I urge the Members of this chamber to join me in rejecting and disapproving the Governor's Executive reorganization program. And I ask you to join, not just me, but also... also AFSCME, also the Illinois Bar Association, the Cook County Bar Association, the Trial Lawyers, the American Civil Liberties Union, EverThrive Illinois and... and others in opposing this measure. Again, there's a better way to do it. And I will work closely with the Governor and his people when he offers us the better opportunity, which is a Bill that fleshes out the kind of merger that he has in mind. I'm happy to answer your questions. I'd be grateful for your support for the Resolution."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Thank you. Representative, I'm trying to understand what is it about the Executive Order that causes your concern about the... the balance between the investigatory arm and the..."

Currie: "Because there's no specificity in the Executive Order. There's no transparency. There's no accountability. Advocates, people who work with those who bring claims before the Department of Human Rights, have repeatedly asked the department and the commission for information about what

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their plans might be. Nobody has been able to tell anybody anything. My point, Representative, is that we would be happy to look at any proposal that would make for greater efficiency, would make sure that there are adequate resources in our Human Rights activities, but we want to see the specifics. We want to see how do you do it and at that point, we would be more than happy to work with you to see if there are ways that could save money and could make for greater efficiency in the operation of this system."

Andersson: "It doesn't appear to me from reviewing the Executive Order itself that it's making any changes with regard to the... the protections that currently exist regarding the separation of the powers of these two entities. In other words, there..."

Currie: "Yeah. It... it doesn't say... it doesn't say, yes, we're going to... we're going to destroy the distinction between the investigatory and the adjudica... adjudicatory functions. It doesn't say that. It's just that it certainly is possible for that to happen under the Executive Order as proposed."

Andersson: "Well, with respect, I would say that's not possible to happen without statutory changes because the statute codifies those separations of powers. This is not significantly different than the EEOC, which there isn't an EEOC investigatory arm that's separate. They actually do function together. It's also very similar to the City of Chicago, which has its own ordinance version of this."

Currie: "As I say, there may be many different models that we could look at and we be happy to do that. But the basic concern that we protect due process rights for those people who are bringing complaints that we make sure that there is

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a distinction between the cop who does the investigation and the judge that tries the case. That distinction is key. That distinction is critical. Bring us a Bill, let us see how you would flesh out the merger between the department and the commission. We will be happy to work with you. We, too, are concerned about the backlog. We, too, are concerned about resources."

Andersson: "So, I..."

Currie: "But this is not the right way to go."

Andersson: "So, I certainly understand your point and I agree with your point that we do want to have that separation. We don't want the cop and the judge working together, so to speak, but at the same time, I think that this is a separation of powers issue. The... the Governor certainly operates the agency. Certainly, has the authority to do this. I realize that we can overrule it by... by this process, but... but to me, I think that, quite honestly, he deserves the chance to do this. The Executive Order isn't designed to flesh out all the details; I'll concede that to you. But at the same time, I believe the statutory protections that already exist can't be overridden by the Executive Order. So, the concerns that you've raised, while I respect them, I don't think that they're implicated by this. Thank you, though."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And to the Resolution. I respectfully disagree with Leader Currie on this issue because we had a full out, a very spirited debate, on this issue last night in Human Services with the two... one acting director and I think the other executive director... of the

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commission and the department both who were very, very soundly for this change. And went on to say about how this way of doing this is anom... an anomaly in the United States. All the other states that are doing this... and she read from the script how many there were... including other organizations in Cook County and the City of Chicago, none of which do it the way we do it. They all do it the way this is suggested in this Executive Order. Just alone, talking about a thousand cases, four to seven years of cases regarding discrimination being held that long is really something that needs to be addressed. And this suggestion to address it this way just seems to make sense when they made the point that no one else in the United States is doing it the way we are doing it and they're all doing it the way this is suggested in this Executive Order. So, even though I always respect Leader Currie and her suggestions, in this case the debate last night in that committee was very strong and very straightforward as to this approach would seem to settle cases and not have people with issues regarding discrimination waiting four to seven years which is really unconscionable. Thank you very much."

Speaker Lang: "Leader Currie to close."

Currie: "Thank you, Speaker, Members of the House. It is certainly not accurate to say that every other state does it differently from the way Illinois does it. Again, I welcome the opportunity to see what a new program would look like in the State of Illinois that is why I invite the Governor to introduce a Bill. And to the earlier point, yes, the Governor does have the authority to reorganize Code agencies under his control. Some have raised the question whether our Commission

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on Human Rights actually is that kind of agency, maybe he doesn't have the authority to do that as he offers it in this Executive Order. But there is no question that we have the authority to disapprove an Executive Order and that's what I ask my colleagues to do. Too much is at stake, too much is at risk. And there is nothing in this Executive Order that would guarantee the saving of a single penny or the reduction by a single case of the terrible backlogs we face. I urge your 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; and opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Clerk, please take the record. There are 66 voting 'yes', 48 voting 'no'. And the Resolution is adopted. Page 14 of the Calendar, Senate Bills-Second Reading, Senate Bill 1502, Mr. Turner. Please read the Bill."

Clerk Hollman: "Senate Bill 1502, a Bill for an Act concerning regulation. This Bill was read a second time a previous day. Amendment #1 was adopted in committee. No Floor Amendments. A state mandates note has been requested but not filed at this time."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Mr. Andersson is recognized."

Andersson: "Thank you, Mr. Speaker. Would you please excuse Representative Brady for the rest of the day?"

Speaker Lang: "Thank you, Sir. Leader Turner on a Motion on Senate Bill 1502."

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Turner: "Thank you, Mr. Speaker. I'd like to Motion to move... move to deem the notes inapplicable."

Speaker Lang: "Mr. Andersson on the Motion."

Andersson: "Thank you. We would object to the Motion. The... I would add... actually, will the... will the movant yield?"

Speaker Lang: "He will yield."

Andersson: "What's the basis for... for moving it? Clearly, there's... there could be a fiscal impact and now we don't know."

Turner: "What's the basis for the note?"

Andersson: "We'd like to know the fiscal impact."

Turner: "Fiscal impact?"

Andersson: "Yeah. It's a state mandates fiscal impact."

Turner: "It's a state mandate note on it, as I understand it."

Andersson: "Right. It's a fiscal note that relates to any stand... state mandates. I mean, but again, the point is we asked for these notes so we can get some information so we can make informed decisions. So..."

Turner: "Okay. The fiscal impact is there's no dollar estimate that can be provided."

Andersson: "There's a pending state mandates fiscal note that has not been answered yet. That's the one you're ruling inapplicable or attempting to."

Turner: "Yes. I'm attempting to deem that inapplicable."

Andersson: "Yes. So, well, Mr. Speaker, we would object."

Speaker Lang: "Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. DeLuca, McAsey, Phelps. Mr. Clerk, please take the record. On this question, there are 63 voting 'yes',

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48 voting 'no', 1 voting 'present'. And the Gentleman's Motion prevails and the note is... request is deemed inapplicable. Mr. Clerk."

Clerk Hollman: "No further Motions."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 1502, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Turner."

Turner: "Thank you, again, Mr. Speaker. Members of the Body, happy to stand before you today to present Senate Bill 1502. Quite simply, Senate Bill 1502 creates the Illinois Right to Know Data Transparency and Privacy Protection Act which permits customers of online vendors and goods and services and more occupations to provide from such vendors what information the vendors collect, disseminate, and sell. Does two things specifically: an operator of a commercial website or online service that collects personally identifiable information through the Internet and customers who reside in Illinois who use the... who use or visits the website must, upon request, identify all the categories of personal information that the operator collects through the website or service about the individual customers who use or visit the website and accept the service and provide a description of the customer's rights as provided under the Act accompanied by one or more designated request addresses. Upon request by the customer, the operator who discloses a customer's personal information to a third party must provide to the customer for free the categories of personal information that are disclosed about a particular customer and the names of the third parties that

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received that customer's personal information within the past 12 months, all categories of personal information about the customers that were disclosed, the names of the third parties that received any of the customer's information. Such information must be provided within 30 days of the customer's request and the operator will not be required however to respond to a request made by that same customer more than once within the given 12-month period. We've made a lot of exemptions in this Bill. We've had 8 Amendments to this legislation over the course of the two Bills. There was an identical House version of this Bill that has a bunch of cosponsors on it. I'd be open to answer any questions around this legislation."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative Turner, I appreciate the discussion that we had in committee about a similar version of this Bill on the House... the House side. There's a couple of differences though I'd note and I would say that during the course of our debate in committee, in the Cyber Security Committee, I know this Senate Bill went through the Consumer Protection Committee, but in Cyber Security we had quite a bit of debate a couple of times and you were... you were very accommodating on some of the concerns that we brought up. The Bill that we're looking at today though has many of those concerns that you in your House Bill you amended to... to address. And that the Senate Bill today still includes those concerns. So, the first thing I'd look at is in Section 35 of this Act, the

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second portion that says that any agreement that does not comply with the applicable provisions of the Act will be void and unenforceable. And when we talked about this on the House version of your Bill, I brought up the scenario that said so imagine, for instance, that you're looking at a photo-sharing site, a site where consumers have agreed to upload their photos to share with family and friends. And today, that site includes in the terms... the user agreement, it includes an agreement that the company will not use your personal photos for advertising purposes. Now, when we look at the Section 35 here, it says that if... if that... that photo sharing site were to not be in agreement with this Bill at any time. So, even at the moment that this Bill goes into effect, if that photo-sharing site is not in agreement with the terms laid out here, that the entire applicable provisions will be void and unenforceable. So, wouldn't that set up a scenario in which all other existing consumer protections would be void and that consumers who entered into user agreements would immediately upon effect of this Act be rendered null?"

Turner: "So, glad you asked the question, Representative. Section 35, waivers and voidable contracts. Both provisions go to the same issue. This is a disclosure statute or a statute where public policy dictates companies convey certain information to Illinois consumers. Many Illinois disclosure statutes like the Illinois Dating Referral Services Act, Illinois Physical Fitness Services, Illinois Dance Studio Act, Illinois Manley's Tenet Law, the Debt Management Service Act, Employment Contract Act, Credit Services Organization Act have this exact same language. This is because the whole

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purpose of the law is to convey information through written agreement and thus, allow citizens to make informed decisions. So, if the required information is not conveyed in attempts to waive this Act, undermine the protections offered by it in the first place. Voiding a contract does not give a consumer any additional rights beyond what they would already have under current law. This is does not create a private right of action at all. Moreover, this is a consumer protection Bill. The consumer deserves the right to void a contract if a company is not telling them that they are collecting and selling their personal information. If a company is collecting and selling a pers... a customer's personal information and a customer finds out about it that customer should have the ability to void that contract and stop paying for service in which the company has failed to disclose terms required by law in Illinois public policy."

Demmer: "Yeah. I appreciate that, Representative. And I think the point that we had discussed in committee was there's nothing in here that says that any business shall have a certain period of time in order to comply with these... with these regulations. And you had... you had indicated, well, maybe we could put in there like, look, 90 days, 120 days, whatever it might be, but the Bill as it's written today gives no time for custo... for companies to comply, right?"

Turner: "Representative, Floor Amendment #1... not Floor Amendment... but Amendment #1 that went through customer... the Consumer Protection Committee has a cure period of 15 days in there, as we discussed prior to the Amendment being made."

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Demmer: "Okay. So, the other... thing you mentioned was that there's no private right of action in this?"

Turner: "No private right of action."

Demmer: "So, as I'm looking in... and this is from the latest version from the anal... from the system here, in Section 30 we still have nothing in this Section shall prevent a person from seeking a right of action for a violation. Does that language remain in Section 30?"

Turner: "Are you talking about the savings clause?"

Demmer: "I'm talking about lines 20 through 23 of Section 30 which says that nothing shall prevent a person from seeking a right of action."

Turner: "So, that... that language is in there to make sure that we're clear that it doesn't take away any... any existing rights under BIPA and the Civil Code of Procedure, but the private right of action language was one of the very first things negotiated out of this Bill. There were many Members on both sides of the aisle that had concerns about private right of action and we have... we have... we have been very thorough in making sure that no private right of action, whatsoever, is included in this legislation as we present it today."

Demmer: "But the private right of action remains in related statutes?"

Turner: "Nothing, as it pertains to a violation of the right of... the right... the right to know can... can be taken up by the private right of action. So, let me just tell you really quickly, Representative. It'll be one second. I'm sorry. So, House Bill... Senate Bill 1502 declares that any violation of a consumer's rights under this Act is a violation of the

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Consumer Fraud and Deceptive Business Practices Act and the Attorney General or the appropriate State's Attorneys Office will have sole enforcement authority under the provisions of the Act and may enforce violation of this Act as an unlawful practice."

Demmer: "So, under the... under the Consumer Fraud and Deceptive Business Practices Act, doesn't that Act include a private right of action?"

Turner: "No. Well, excuse me, excuse me, Representative. For other pieces, but we're stating out and we're writing out in this legislation. We've written it right into the legislation. That as it pertains to the Right to Know... Right to Know Act that we're creating, there will be no private right of action. And only the Attorney General's Office or state's attorneys can bring arr... bring an action and discuss. We're very clear about that in the legislation."

Demmer: "Okay. Yeah, thank you for that piece. The other thing I want to look at is Section 10 where we talk about identifying what the categories of personal information are. And again, this was something that came up in committee when we looked at the House version of this. So, we have letters 'a' through 't' that list the types of personal information that might be collected. And one of the categories, actually 'a', says the identity information including but not limited to real name, alias, nickname, or username. So, I think there's a natural tension that occurs here where a site today that may allow for anonymous use. So, a site that may allow for an alias, a nickname or a username that has nothing to do with your name, you can create whatever you want to be your username or your

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alias, the sites require though to keep information about your username and about your... in fact, your real name. So, if someone were to have a username on a site, how would the... the website know who it was that was requesting the information about disclosures? Wouldn't it force the company to track all sorts of information about you, categories 'a' through 't', on the chance that you requested that over the course of a year?"

Turner: "Another great question, Representative. So, you're right in mentioning that it's just categories that are collecting, that we're speaking about in terms of the data that's being collected that a company would have to disclose. First, it's important to note that California has been dealing with this in a similar law for over 10 years. Also, Europe and Canada have similar requirements already in place. And in 2018, U.S. companies doing business with European Citizens will have to comply with Europe's stricter version of this Bill for European Citizens. My quick response is there are few ways for companies to comply with the provision. According to Section 20, an operator may disclose personal information to a third party shall make the following information available to customers upon requests free of charge the categories, as you spoke about, and all categories of personal information. These are the two ways that they can disclose: present the categories or the categories of personal information about consumers that were disclosed and the names of the third parties that received the customer's personal information. If the company could identify the requesting customer, if they... for instance, if they... if they registered for an account with

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the company and they making a request through a web form only accessible when logged in to the account, the company could respond back with the categories that were disclosed about the specific customer. Facebook already does something like this. In instances like that, you don't have to give any more info than the comp... to the company than you have... than they already have. And there's an easy mechanism for verifying the user. If the company doesn't have a way to verify the user or the user doesn't know what info they collected about them, the company can make available information in accordance with subsection (2). They would just have to respond with the categories of information disclosed about customers and they could do this through a script on the phone, a canned response, an email, a popup box on their website that people can see after submitting the web form. If a company is really that concerned about having to retain more information for some reason, they can easily just automate a response in accordance with subsection (2). They can be proactive about it. It's simple. And in these instances, you wouldn't necessarily need to give over any additional information. So, a person's anonymity is being retained."

Demmer: "And I... and I appreciate that response that you wouldn't have to give over additional information. I guess the question is, in websites that allow a user to be anonymous, to let... allow a user to simply exist under a username and maybe there's... you know, many websites require you have a email where you verify or a telephone number you verify, but some don't. Especially websites that allow comment fields or websites that allow people to, you know, change their... their

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comments or name or their user name on day to day basis. There's really no way for a company like that to comply with the terms here. Although, an individual user may say, I'd like... I'd like that website to report back to me any kind of personal information they have about me whether it's information... and we discussed this in committee... whether it's information that I have given that company or whether it's information that the company has inferred about me based on my web browsing habits. Now, that whole aspect of having inferred information based on your browsing habits, would constitute a situation where somebody may have only given over a username or an account name and the company has then inferred other personal information about that. And when I asked about that distinction between given information and inferred information in committee, they said, well, those are both the same because companies are very sophisticated there. So, how would a... in a situation... a website where you have just given a username and they've inferred other information about you, couldn't I log on to that website and say, hey, I'd like the disclosures about username xyz?"

Turner: "No. And in those instances, that's where subsection (2) becomes so important where a company can just, right from the start, say, list the categories that they are collecting for all of... all of... on all of the consumers that they're doing business with as well as list all of the companies that they're disseminating this information to. A consumer wouldn't have to offer up any more information than they were... were using in the first place in those situations. So, that's

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why that was put in there to deal with specifically what you're talking about."

Demmer: "So, that would apply specifically to inferred information. So, for example..."

Turner: "Yeah."

Demmer: "...the user did not grant that information?"

Turner: "Yes, because the company on the frontend could put into... put in... set up a situation where they've disclosed to the consumer right from the start in one of the various ways that I've described on their website what information they collected before the request is even made. So, the anonymous portion has dealt with that."

Demmer: "Thank you for that..."

Turner: "You're welcome."

Demmer: "...response, Representative."

Turner: "You're welcome."

Demmer: "I do have a quick follow-up on what... the first thing I asked about which was the... the waivers. And so, my question is, when... when you've included in here in Section 30 a... a savings clause that says that no... nothing in this Section provides somebody from seeking private right of action under the... the under... I know there was others. But prior to that where you say exclusively the state's attorney, the Attorney General has the right to bring an action under this Act. Isn't that nullified by Section 35? It says that if a company does not comply with this... and this is the thing we talked about initially... if a company does not apply... comply with these regulations from the day the Bill becomes effective and we... we nullify all the... the Sections of this Act, doesn't that

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also nullify the exclusivity for the Attorney General or the state's attorneys?"

Turner: "The Attorney General is the one that would make you... make the violation... would notify the company that they were in violation of..."

Demmer: "But that... that's if a company complies with this Act. If a company complies with this Act then they're saved by the fact that only the Attorney General may bring action. If, though, a company does not comply with the... the technical language of this Act then Section 35 kicks in, all provisions of the Act are nullified and then there is not something that exclusively saves to the Attorney General the right of action."

Turner: "If a company does not comply under Section... under Section 35 of it then the contract would be voidable at that point and then the person would... would not have to comply. It's not a private right of action though. The private right of action can only be brought and not... there is no private right of action that can be brought. The action can only be brought by the AG's Office or the state's attorney."

Demmer: "Okay. Thank you, Representative. And to the Bill here. I think it's important that we recognize that while there's legitimate motivation to protect the individual's privacies, what we have here is a classic case of the bootlegger and the Baptist. And the situation there is, look, during prohibition there were two people who are motivated to keep prohibition intact: a bootlegger who is able to profit off the fact that you couldn't legally sell alcohol and a Baptist who had a moral objection to alcohol. And the idea there is that many

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times a similar provision can be supported and embraced both by people who have a pure and true motivation and by those who see an opportunity to benefit from the law as it's written. This kind of Bill has been opposed by business groups, small and large, because of the fact that it applies to every website that's maintained by a business in the State of Illinois. People have to comply with this Bill... for a very small business that might collect one of two pieces of information and that now have to collect all the information in letters a through g here, to maintain those databases for a year, to make those databases susceptible to hackers. And in the meantime, while everybody's trying to maintain their compliance with the pure aspects of this law, there are many individuals who will see this as a... as a great opportunity to sue businesses, small and large, to make a quick buck. This is something that has two dual motivations. And so, while I respect the actions of the Sponsor, who I believe is looking out for the privacy of consumers, I think there is also a way that many businesses could... many law firms could look at this as a way to have a private profit opportunity. This is a Bill that would put an extreme burden on small businesses and large businesses across the state. Instead, Illinois should be embracing these forward-looking businesses and these people who are... who are pursuing new avenues, new technologies, new ways to engage with and interact with consumers. We need to make sure that they have the ability to disclose their privacy terms upfront and not have the opportunity for litigation, squelch their efforts before they even get started. I encourage a 'no' vote here. And Mr. Speaker, I'd ask for a

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verification should this Bill receive the requisite number of votes. Thank you."

Speaker Lang: "Your request is acknowledged. We're moving to the two-minute timer. There are still six speakers who may have questions that Mr. Demmer hasn't asked yet. Mr. Evans is recognized."

Evans: "Question for the Sponsor?"

Speaker Lang: "Sponsor yields."

Evans: "Thank you. I'll be quick. Representative, thank you for your efforts on this very complex and important issue for our state. Representative Turner... Leader Turner, House Amendment 1 specifically exempts public utilities, alternative retail electric suppliers, alternative gas suppliers, and electric cooperatives. My question is, why did you not include electric generation companies in this list of exemptions? Thank you."

Turner: "So, let me be clear this Bill does not apply to electric generation companies and they are exempt. Senate Bill 1502 seeks to protect people's data privacy. And the Bill only applies to operators of websites or online services for commercial purposes. Electric generation companies generally sell their products in wholesale energy markets. They don't provide services directly to end users and definitely don't interact with the public the same way that a public utility or retail electric supplier interacts. I feel like the language is clear. The activity of generating electricity does not fall within the scope of Senate Bill 1502 based on the plain reading of the Bill. However, to avoid any ambiguity, I would state on the record that our legislative intent is for Senate Bill 1502 not to apply to electric

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generation companies. And if I may, to the previous speaker's points about the small businesses, I just want the Body to make sure they knew there's a small bus... small business exemption included in this language of this Bill. And this Bill would not require companies to maintain or do anything more than their... anything they're currently doing. In fact, companies don't have to change their business model or business practice at all. We're not addressing that. What we're doing is we're giving consumers the right to make a request upon these companies so that they know what information's being collected on them and who that information is being disseminated to. People are seriously concerned about privacy, seriously concerned about privacy, and the ones who don't want you to know as to what... about the information that's being collected and who they disseminate to are the ones that are actually..."

Speaker Lang: "Please complete your comment."

Turner: "...are the companies that are actually profiting from this data collecting and sharing this that's been going on. My biggest opponents have been billion dollar companies: Verizon, Google, Facebook, Uber, Lyft, Comcast, Microsoft, Apple. These are billion dollar corporations that profit specifically from privacy information in the sharing there of it. We don't want to stop businesses from being able to do anything that they're currently doing right now and this Bill will not do that. Whether it's the maintenance on the information that they're already collecting, however they're maintaining it now, there will be no extra burden put on them. This Bill would just strictly give consumers a right to know."

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Speaker Lang: "Mr. Fortner for two minutes."

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

Speaker Lang: "Sponsor yields."

Fortner: "Representative, if I'm a consumer and let's say I'm dealing with a midsize company's website, so they'll apply for the small business exemption. They're not one of these multibillion dollar companies that have server farms all over the place. What... how do I... when would I find out from that company, only when I have the initial contact? Would I have the ability to do it at only future point? When... when does the interaction disclosing the categories of the companies occur?"

Turner: "When does the action occur?"

Fortner: "Yes."

Turner: "Upon request of the consumer, the company would have 30 days to respond."

Fortner: "At any time, for... forever?"

Turner: "No. The consumer would be able to make the request one time during every 12-month period and a parent can also do it for their children but one time. One time and the company..."

Fortner: "Does..."

Turner: "...has within 30 days to make a request."

Fortner: "Does this obligate the company to hold it for that full year then?"

Turner: "This doesn't obligate the company to do anything more than they're currently doing. Just the..."

Fortner: "What if they don't hold it for a year? What if they don't normally hold it for a year? And I want to find out six months after I had an interaction with a company and then

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want to find out... and it turns out their current policy is they would keep it for maybe a month."

Turner: "So, let's not confuse people. The year portion of it is as it pertains to how often the request can be made."

Fortner: "I understand that."

Turner: "If the data is being collected and a consumer makes the request about what data is currently being collected on them, not if they did it six months ago, just what is currently at that time being collected on them and what's being sold to..."

Fortner: "To the... to the Bill. I've only got two seconds. There is a big problem here with the ability to manage the data because midsize companies may not..."

Speaker Lang: "Please complete your remarks, Sir."

Fortner: "Thank you, Speaker. Midsize companies that would be in the scope of this Bill would be forced probably to have to hold data far longer than they normally would 'cause they would have to be able to respond to a potential request under the way this law is written. They would not normally have to, but they would now have to be prepared to answer a question if the person made the request within the time frame. This is an additional burden and puts that data at risk of being exposed to other sources of theft simply by having it held longer than it normally would. I urge a 'no' vote."

Speaker Lang: "Mr. Wheeler."

Wheeler, K.: "Thank you, Mr. Speaker. I move to move to Standard Debate, please?"

Speaker Lang: "Sure. The Bill is now on Standard Debate. Please proceed."

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

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Speaker Lang: "Absolutely."

Wheeler, K.: "I'm grateful for that. Representative Turner..."

Turner: "Yes, Sir."

Wheeler, K.: "...I am going to follow up a little bit on the previous speaker's questions only because this is... actually does make a difference in how a company would... would actually manage data. That's one of the things I do for a living, so I'm kind of tuned in to how this would actually work. So, when we talk about this, if I have interaction as of... on my company's website, and let's say that I'm having FedEx or UPS do my shipping for me, I'm thereby de factoing, sending another company 'cause they're going to ship the product for me on an automated basis that information. Okay? If my current policy right now is to destroy that data after 30 days, 'cause that's all the longer I need to hold that part of it for, what happens when the customer makes that request of me?"

Turner: "All the company would have to disclose is the categories not the specific information for each consumer that was being collected."

Wheeler, K.: "But I don't have that information any longer because I've destroyed it."

Turner: "You don't have to have the information. You have to have... all you have to know and disclose... is the categories that you collect information on in your normal course of business of doing your basic privacy."

Wheeler, K.: "But they can ask me questions back about who I sold the data to or who I transferred the data to?"

Turner: "You wouldn't... you wouldn't know who you sold the data to. You wouldn't have a record of who you sold the data to?"

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Wheeler, K.: "No, no. The question then becomes if I'm choosing UPS or FedEx as a vendor for my shipping based on a algorithm on my website, I may not have that record available to me at a later date and that's my question, is that some of these things may be harder to track than we're imagining just by default of... of the scenarios we always talk about which are the large companies."

Turner: "I'm sorry, are we talking categories or specific information, Representative? I'm sorry. Maybe I'm not understanding you."

Wheeler, K.: "Well, I had to tell them what categories I'm going to track, but then I also have to divulge to the customer request to whom I gave their information, correct?"

Turner: "Yeah. So, is the question what companies you sold the information to?"

Wheeler, K.: "No. My question is, the data that I have to store, you're requiring me to store something for a period of time that I may not otherwise store?"

Turner: "So, when I... the way I'm hearing and understanding is that your question is I'm requiring you to store specific information about consumers and that you may not have that information down the road?"

Wheeler, K.: "Yes, correct."

Turner: "Right. Okay. And when I... my response to that is that you don't have to disclose what specific information you collected on a consumer under the category. What you have to disclose are the categories under which you collect data and who you're disseminating that information to."

Wheeler, K.: "And who I'm disseminating that information to?"

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Turner: "And who you're dissem..."

Wheeler, K.: "Yes, that's the kicker part there."

Turner: "...what... what companies you disseminate things..."

Wheeler, K.: "Right."

Turner: "...the information to."

Wheeler, K.: "So, my point is if... if a company orders something from my website, Art, and then a year and a half later they say, hey, I want to check out and see what they did with that information. I'm getting these emails. I'm getting these things I don't want. Maybe it's because Wheeler's website is the one that gave this information away. And they call me up and say, hey, tell me who you're given that to. I go, I have no idea because that was a long time ago. I didn't have your record in my system anymore."

Turner: "Sure. And I understand what you're saying, Representative. First of all, it would only have to be for a year that the... the information that you collected."

Wheeler, K.: "There's a statute of limitations of the data for one year?"

Turner: "For over a... that the... as far back as the company would have to go in terms of who they're disclosing that information to would be a year. And yes, if a company cannot disclose to the consumer who they gave that information to, who they sold their information to within the last year, that company would be in violation of this law."

Wheeler, K.: "And that... that's my concern because that does make a company and the lawyer who's giving them guidance, tell them to take the extra step, keep that data for a longer period of time than they already do right now. So, there is

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an impact on how a data would organize their... how a company would organize their data and how they keep that intact."

Turner: "And I... I would argue that a person's privacy rights is more important than that."

Wheeler, K.: "Okay. Then maybe... that's a value statement and I appreciate that."

Turner: "Sure."

Wheeler, K.: "However, it does have an impact on how a company does business. So, we can't take it off the table, that... that it's just unilateral."

Turner: "You should... you should ask the people in your district what they think about privacy and who... how they feel about their information being sold and whether or not..."

Wheeler, K.: "I'm... I'm... I'm not..."

Turner: "...they want that information sold..."

Wheeler, K.: "I understand."

Turner: "...and who the company should keep it with."

Wheeler, K.: "I'm just addressing a fact about the Bill."

Turner: "Sure, sure."

Wheeler, K.: "I'm not saying that the Bill's wrong in the intent. Real quick here. I'm going to go to the fact that California has a similar situation. Why aren't we just adopting California's approach?"

Turner: "I'm sorry, Representative. I missed... I'm sorry."

Wheeler, K.: "California has a similar situation with their data. Why... what... the very brief verses, I didn't go to the Bill just a second."

Turner: "Yes, Sir. Is it the California law?"

Wheeler, K.: "Why... why don't we just adopt it?"

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Turner: "Why didn't I... Because I wanted to adopt Right to Know."

Wheeler, K.: "Okay. To the Bill then. Ladies and Gentlemen, the effect of this Bill, unfortunately... even the Sponsor has great intentions, oddly has virtually no upside and lots of downside. It doesn't offer the protections for consumers that I think the intentions are; therefore, unfortunately the backside is it's going to stifle..."

Speaker Lang: "Please complete your remarks, Sir."

Wheeler, K.: "Thank you, Mr. Speaker. It will... has the effect of actually stifling innovation on business. You can't find a single business group that's for this Bill. It's bad for business. Bad especially for small business. Who don't have the full-time IT staff necessarily or a team of attorneys to make sure they're in compliance with all the things that this Bill unintentionally is going to give us. At this time I urge a 'no' vote. Thank you."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. To the Bill. This... this Bill has all the best intentions for protecting consumers, but it really does fall short. If you did... look at the poll, 76 percent of the Illinoisans opposed this initiative. We always talk... we're... I hear a lot of talk on both sides of the aisle about... we talk about the big tech businesses like Uber, Apple, Lyft, Facebook, Google, Amazon, Comcast. I can go on and on, but the reality of this Bill would affect every single business with 11 or more employees. We... the Sponsor talked about the exemption, but that's for 10 or fewer employees. So, I'm worried about my small businesses. We're all trying to land these big tech jobs in our area. Heck, I'm trying to

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land any job that come to my area, but this is not going to help my case. The websites and our apps are already under strict, FCC privacy enforcement. Privacy protection, I think, should continue at the federal level to make sure there will be an even playing field. The Sponsor knows that I have most respect from him than anybody in the General Assembly and he's a great friend of mine. But I... I do want to... I do have some concerns about his Bill and I'll be voting 'no'. And I hope you do as well."

Speaker Lang: "Under the rules of Standard Debate, we have already had three in opposition. Representative Ammons, do you stand in favor of the Bill? Please... please proceed."

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

Speaker Lang: "Sponsor yields."

Ammons: "Thank you. Representative, does your Bill require expressed authority from a consumer to collect their data?"

Turner: "So, the Bill... the Bill doesn't change anything that companies are currently doing. The consumer... it just allows the consumer to make a request upon that company what data is being collected on them and who's that data being disseminated to, sold, shared with, et cetera."

Ammons: "Does it bar telecommunications companies, video or service providers or any other ISP from collecting personal data and information without consent?"

Turner: "Not at all."

Ammons: "Does your Bill require expressed or affirmative permission before they collect that information?"

Turner: "Not at all."

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Ammons: "Does it impose any kind of surcharge at all for collecting that information?"

Turner: "No, Ma'am."

Ammons: "To the Bill. This is a good consumer protection Bill and I'll tell you why. Because as with many things we are experiencing as a result of President 45, there is a consistent rollback that our great colleagues on the right are supporting. The rollback of privacy provisions for people across the board including the right to know in customer protection of their information expressly over the Internet. Now, we do know that companies are selling your private information and they're making money off of it. They're selling it for many reasons, and this Bill, although I would love to see stronger provisions in this Bill, this Bill does nothing to stop them from selling your private information. And I would like to just point the Body to a survey that was asked in one of the speakers today. Sixty-five percent of Americans lack confidence that their personal information is private and safe from distribution without their knowledge. Sixty-five percent of Americans want their information to be protected, not the Verizons or the AT&Ts of the world to be protected, but that their information, their personal files and data be protected. This Bill takes us one step closer to digital privacy protections. And I'll just say in closing that the Federal Communication Commission under the Trump administration has taken great provisions to roll back not only these kind of privacy Acts but to ensure that companies can run rampant of which many of our colleagues support, the explanation today that companies are going to do bad if we

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protect consumer protections that doesn't actually make sense. So, with this Bill, I ask for you all to support it because it is one step.. one step, a small step towards digital privacy that is not only necessary, but it is a must in 21st century business practices. And I urge an 'aye' vote."

Speaker Lang: "Under the rules of Standard Debate, we've already had three on each side. Mr. Turner to close."

Turner: "Thank you, Mr. Speaker, Members of the Body. Thank you for all of the question, the discussion and all of the hard work put into this Bill over the course of this year. This is about privacy over profits for me, privacy over profits, people, right to know. The Bill seeks to protect Illinois citizens' privacy and promote online transparency. We are not attempting to stop businesses from doing anything that they are currently doing. Business and data collection has made life easier in some aspects where efficiencies can be put into place, but data can also be used for other nefarious reasons. Personal information has been collected online and has been used in certain cases to discriminate against vulnerable people, online and personal information has been used to price insurance or verify loans. And when you talk to people about privacy and where their priorities lay on privacy, when polled: do you approve or disapprove of corporations collecting, sharing or selling your personal information such as your Social Security number, credit card number, race, religion, gender, or location without your knowledge, 94 percent of the people polled disapprove of it. They don't want you sharing their information. They.. they.. or at least would like to know about it. When polled if a

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corporation's website offers you the opportunity to request the names of the companies that were obtained... obtaining your personal information such as your Social Security number, credit card, race, religion, gender, or location, would you request the name of those companies? Eighty percent... more than 80 percent of the people polled said yes they will want to know this information. Sure, I'm up against a lot of giants in this situation, but the supporters are there. When moving through committee with this Bill, we had over 1200 witness slips, everyday people, weighing in on this privacy issue and saying that they wanted Illinois to take action and protect their privacy rights. I'm very thankful to the Cook County Sherriff's Office and Tom Dart bringing me this legislation in his attempt to deal with public safety and consumer rights. The Electronic Frontier Foundation, the Center for Democracy and Technology, the ACLU, the Illinois... the Illinois Consumer Federation of America, all of these nonprofits, all representing people who want their privacy rights protected. This is a very important issue and many of your constituents are watching. I would argue that for many of the residents... Representatives on both sides of the aisle, if you talk to people in your district about privacy and privacy rights, they would want you to protect their privacy rights and give them all the tools necessary to make sure they can make an informed decision on who they'd like to do business with. We made a lot of Amendments to this Bill. We've made a lot of concessions. We've tried to be as accommodating as possible. We removed any sort of sense of gotcha legislation in this Bill and removed all of the private right of action. This is

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about consumers and giving them the option to make this request upon companies. I'd ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. Mr. Demmer has asked for a verification. Members will vote their own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Walsh, Sims, Martwick, Jones, DeLuca. Please record yourselves. Mr. Clerk, please take the record. On this question, there are 55 voting 'yes', 49 voting 'no', 3 voting 'present'. And the Gentleman moves for Postponed Consideration. Chair recognizes Mr. Ford. For what reason do you rise, Sir?"

Ford: "Mr. Speaker, a point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Ford: "There is sunshine and there is happiness. I would like to introduce my Page... our Page. He's a Georgetown rising sophomore, Justice Pugh. Please stand and please welcome Justice Pugh to the House of Representatives."

Speaker Lang: "Welcome. Thank you for joining us today. Leader Durkin is recognized."

Durkin: "Thank you, Mr. Speaker. A point of order."

Speaker Lang: "Please proceed, Sir."

Durkin: "Pursuant to House Rule 65(a), a Motion to reconsider has been filed on Senate Bill 1722. I move that we act upon this Motion immediately."

Speaker Lang: "Well, that's good 'cause that's what we're going to do, Sir. Mr. Ford... Mr. Jones is recognized on a Motion."

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Please take the Motion out of the record. House Bill 3259, Representative Wallace. Please read the Bill."

Clerk Hollman: "House Bill 3259, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

Speaker Lang: "Representative Wallace."

Wallace: "Thank you, Mr. Speaker. I rise to present House Bill 3259, which is a Bill that rights a wrong. It makes sure that 18 million... \$18.6 million goes to the Domestic Violence Shelters throughout the State of Illinois restoring their funding for fiscal year '17. This has been an intense labor, a labor of love, a labor of commitment of advocates and a shining example of what happens when we focus on the issue and focus on the citizens who are impacted by the issue, as evidence by over 80 people in this chamber from both sides of the aisle cosponsoring this legislation including Leaders Durkin and Bellock. I want to say thank you to those who have signed on and I encourage everyone in the chamber to please register an 'aye' vote so that we can restore funding to Domestic Violence Shelters in the State of Illinois."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative, I just want to be clear on the origin of this. This was originally intended... Where are you? There you are."

Wallace: "I'm here."

Andersson: "Hello. This was originally intended to be part of the stop gap budget we passed back in June of last year. It was intended to be there and it was an omission, correct?"

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Wallace: "It was not funded to this level, correct. That is absolutely correct."

Andersson: "That's correct, all right. I will rise in strong support of the Bill. It's obviously important. And it was part of the deal that was struck then. So, the Members that at least who were in the 99th I would hope that they would honor the commitment we all made with that. Thank you for bringing the Bill."

Wallace: "Thank you so much, Leader."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And to the Bill, House Bill 3259. I want to thank Representative Wallace for all of her dedication to this issue. And I want to thank Representative Harris for allowing this Bill to get out of the Human Service Approp. Committee and be heard today. This Bill is sponsored by over... close to 80 Sponsors and 3 Leaders in the House and the Senate. I want to thank all of you for your sponsoring this and for the highlight on such a huge issue of domestic violence. This Bill was supposed to have been in the stop gap budget last year of which I was a Member. And we didn't realize that that \$18 million did not get into the Bill. Domestic Violence Shelters are very supportive of women and men throughout Illinois and they have not gotten paid for almost nine months. Nine months of not getting paid except for through federal dollars. So, this Bill today will be a saviour to all of those groups throughout the State of Illinois for the support that they give that is so important for families involved in domestic violence which we are all aware of. So, I can't thank you enough for moving this forward

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today so that all those women and men and children in the State of Illinois will be able to receive the services that are so important so we do not see people abused, people shot, people stuffed in garbage cans, all of the horrific things that we hear on the radio and TV every day that happen throughout domestic violence. I thank you for your support and I urge you to vote 'yes' on this Bill today. Thank you."

Speaker Lang: "Representative Wallace to close."

Wallace: "Thank you, Mr. Speaker and to the Members of this chamber. This Bill is so intensely personal to me as I have often... or at least on three occasions shared my own story of survival. I also am asking that as we consider the domestic violence funding here today that some of you join us tomorrow for a subject matter hearing regarding measures to address the root causes of the violence that we just had a very thorough debate on regarding or in reference to Senate Bill 1722. Domestic Violence Shelters provide a unique opportunity to intervene in the trauma that we see in so many communities throughout the State of Illinois. And there are a number of us proposing additional interventions to impact the trauma that individuals are exposed to. It was mentioned earlier that the City of Rockford has had a large spike in violence and that is absolutely true. And one-third of that violence is related to domestic violence and part of that is definitely related to gun violence. So, I appreciate everyone who was here and willing to take a 'yes' vote today, but I hope that you understand given the debate on the previous gun violence Bill and given the urgency of the lives of the citizens of the State of Illinois that we also have to do things to

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address other forms of violence. And so, I invite you to Room 114 tomorrow at 9 a.m. to talk about services that can impact the root causes. Again, I encourage an 'aye' vote. And I thank every single Member on both sides of the aisle who is willing to support this Bill today. Thank you so much."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kelly Burke, Jones. Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 14 of the Calendar, Senate Bill 1446, Mr. Harris. Please read the Bill."

Clerk Hollman: "Senate Bill 1446, a Bill for an Act concerning State Government. This Bill was read a second time a previous day. Amendment 2 was adopted in committee. No Floor Amendments. A state mandates note has been requested but not filed at this time."

Speaker Lang: "Mr. Harris."

Harris, G.: "Mr. Speaker, I move that the note be held inapplicable."

Speaker Lang: "Mr. Andersson."

Andersson: "We would object."

Speaker Lang: "Those in favor of the Gentleman's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. The switches haven't moved. Please record yourselves. Mr. Clerk, please take the record. On this question, there are 64 voting 'yes', 48 voting 'no'. And the

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Gentleman's Motion prevails and the note request is held inapplicable. Mr. Clerk."

Clerk Hollman: "No further Motions."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 1446, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation would make a change in the Procurement Code of the State of Illinois to tighten a loophole that has come to our attention that would... that is allowing a \$9 billion procurement, one of the largest single procurements in Illinois state history, to occur as a purchase of care outside the regular procurement process with independent oversight as opposed to, you know, virtually every other type of state contract. Now, it has been said that purchases of napkins and paper by the state are given more scrutiny than this \$9 billion procurement. And the procurement I'm referring to is the RFP for the new Medicaid managed care proposal. This would move over 80 percent of Medicaid members into managed care and it is being done without adequate scrutiny. We need to be sure that as a procurement of this size moves along that every step of the process is done with transparency, to avoid conflicts of interest, to be sure that those who design, evaluate, review and then score the procurement documents have no conflicts of interest, that they are subject to all appropriate revolving door provisions of the Procurement Code. And I know that the... some folks will get up and say that there are many procurements of this type

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for managed care that have been done as a purchase of care over the period of history and that is correct. Starting when managed care was a very small program this was done as a purchase of care contract. Now, though, as the Members of the General Assembly when \$9 billion of tax money are going to be given out to private corporations we need to be absolutely sure that, you know, every member of the public has the assurance that there is transparency, there is accountability in the process. If you look at the fiscal note that was filed on the Bill, you will see that there are over \$27 billion of obligations of the state that have been handled already in our history as purchases of care. This is 26 billion... almost \$27 billion of tax money that has been spent and obligated without the independent review of an independent purchasing officer. It is... frankly, Ladies and Gentlemen, it's shocking that we've let this go on so long and I'll be the first to say it that the last procurements, the last purchases of care should have been done the right way. This... we certainly need to be sure that the current procurement goes the right way. We've seen recently just what has gone wrong in procurements of various leases. Yeah, different warehouse leases, the Barney's Furniture Store, these deals are being made. These are for small amounts, but if these... this kind of lack of oversight is going on in contracts worth 750 thousand or a million dollars, I think it is incumbent on us and particularly in this time to assure the people of the State of Illinois that a contract worth \$9 billion is free from any possible view that it has been done other than by the most strict and transparent standards. So, Ladies and Gentlemen,

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I urge you to think about this. I urge you to make sure that the largest procurement in Illinois history is done by the book, that any possible charge of conflict of interest is removed, that it is done independently, and that it follows the strictest standards not the least strict standards of our Procurement Code."

Speaker Lang: "Representative Bellock."

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

Speaker Lang: "Sponsor yields."

Bellock: "Thank you very much, Representative Harris. I just thank you for the last Bill, but I have some questions on this Bill. We went over this in a three-hour discussion in the Human Service Approp Committee with the director there, Felicia Norwood. And so, just a couple of questions. Does this apply to future contracts, what you're trying to do in this Bill?"

Harris, G.: "This would apply to any contract that has not been executed yet by the State of Illinois."

Bellock: "Okay. So, does this void any contracts that are in existence now?"

Harris, G.: "It does not void any existing contracts."

Bellock: "So, what actually is there an impact on... what on... well let me go into first with you did mention is that when this question was brought up before the committee, which was an important question..."

Harris, G.: "Yes."

Bellock: "...is why did they do this this way with the purchase of care? Director Norwood pointed out with a very concrete graph that she presented to all of us that since 1999 I think in

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every case where they went forward on the managed care issue, they were done by a purchase of care. Wasn't that correct?"

Harris, G.: "Yes. I mean, I looked at that chart and that is what really got me thinking about this Bill and what our obligation to transparency and you know, the most strict, ethical standards of procurement ought to be. 'Cause as you look back in that chart to the 1990s when we began in little baby steps down the path to managed care, we were taking out very small contracts, very small groups of people, at the time it made sense to do it in a less restrictive way, but as I thought about this, I began to realize now we're talking not about, you know, 50 or a hundred million dollars, we're talking about \$9 billion a year, every single year for the next four years that is going to be obligated in a process which is not transparent, where there are gag orders in place in the department not required by statute. Where they say, look, we are not going to about how these criteria were developed. We're not going to talk about who developed them. We're not going to talk about who we consulted with on. We're not going to tell you who is going to be reviewing these contracts. We're not going to be telling you what their criteria for the reviews are. This is all being done in a very opaque way, outside of the public view, and I'm not saying that I think that there's any wrongdoing or hanky-panky, but simply the fact that this gag order is in place, you can't... can't even discuss it, just raises a lot of questions. So, yes, absolutely. I see that chart and I see the decisions that were made in the past and I think that they were wrong decisions and it's time to correct that."

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Speaker Lang: "Representative Bellock, can you bring your remarks to a close?"

Bellock: "Sure. Thank you very much. To the Bill, Mr. Speaker. This Bill... what we were doing, the RFP, has been thoroughly debated for months now. And moving forward, the director did show that in every case when they went forward on the managed care issues with our managed care companies, they did do the purchase of care. I know that Representative Harris did put an Amendment in here, but the HFS is still concerned as to how this Bill today can affect the process that is already taking place right now. So, I would urge a 'no' vote on this issue. Thank you very much."

Speaker Lang: "Mr. Breen."

Breen: "Thank you, Mr. Speaker. I move for Standard Debate."

Speaker Lang: "Plenty of hands. We'll move to Standard Debate. You have five minutes."

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

Speaker Lang: "Sponsor yields."

Breen: "Representative, is... do we save more money by putting more folks into managed care, Medicaid system?"

Harris, G.: "The theory is that if there's adequate care coordination that we would save more... that we would save more by moving folks into managed care. I think with the movement into managed care we're seeing mixed results, but this isn't about the concept. This legislation has nothing to do with whether it is better to move people into managed care or to keep them in fee-for-service. This... this Bill talks about when we issue contracts for managed care, when we issue RFPs, it should be done by the same process through an independent

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procurement officer and not in a standalone process in an opaque way through the department."

Breen: "And... and help remind me, Representative, how long have you been in the General Assembly?"

Harris, G.: "Well, let me count here. Since the beginning of 2006, '07... at the end of 2006."

Breen: "Thank you. To the Bill. One of the points here is that... and it's been made previously... in 1999, we started this process of the purchase of care, because we're dealing with very sensitive issues that don't really fit under the Procurement Code. We have to amend these agreements often. We have got to be very nimble and agile with our agreements. You know, it was brought up to me that, you know, we wanted to move to 50 percent under managed care, under Governor Quinn, and we did it through this process of purchase of care. It was good enough then and now, we're trying to move to sojourning 65, 80 percent or more in managed care because we want to better coordinate care for folks on Medicaid. We know it will do a better job at least in the aggregate. And all of a sudden it becomes something that, well, it needs to be stopped because it's Governor Rauner. It makes no sense for it to be fine under Governor Quinn or Governor Blagojevich and all of a sudden, oh, it's no good because it's Governor Rauner. You know, this is petty politics and it has the potential not merely to cost our state more money but to harm peoples' health and their lives. Today, already we've seen this General Assembly thwarting the Executive Authority of the Governor on another matter on something where he's trying to help people with thousands of human rights cases back up

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for four to seven years. Oh, no, no, no. We didn't want to let the Governor do that, so no, no, no. The General Assembly will stop him. And here we are today, well, the Governor's actually trying to fix the Medicaid system. He wants to make things less expensive and get people better care. Oh, no, no, no, no, no, no. It's the Governor; we've got to stop him. At some point this has to end. You've got to let the man do the job that the people of this state elected him to, which he's been ready and willing in doing. However, we sit here. We're two days left 'til the end of Session. We haven't even begun to talk about the budget. We never took up the Representative's, you know, offer to go meet in the backroom. Here we are. We've got... we've got a gap to close, the tasks are clear in front of us, and we refuse to do our jobs. And now, in this Bill, we want to do it in a way that will hurt people that will raise costs unnecessarily. We just refuse... we put our heads in the sand, refuse to do anything about the problems facing the state. Mr. Speaker, I move for a verification of this vote if it gets the requisite number of votes 'cause this is terrible. We've got to stop this petty partisan politics. Thank you."

Speaker Lang: "Mr. Demmer. Oh, by the way, your verification request is acknowledged, Sir. Mr. Demmer. Now you can't make the Motion."

Demmer: "He beat me to the punch. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Demmer: "Representative, I just want to talk a little bit about the... the timeline that we find ourselves in right now. So,

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the RFP purchase of care was announced by the department several months ago. Managed care organizations across the state have invested quite a bit of time and effort and money into preparing bids under the rules as established by the department several months ago. Your Bill, today, would effectively nullify the work that those organizations have done and make them start the process over under the terms of the Procurement Code. Is that correct?"

Harris, G.: "Yes."

Demmer: "So, several months of... of effort and we're kind of changing the rules midstream for these organizations who have up to this point complied with State Law. And now, after the bids have been submitted but prior to the award of those bids, we've decided that we want to change the rules. Wouldn't it be safe to assume that some of those companies would say, look, you changed the rules onetime midstream how do we know you won't do it again? I don't think this is worth the effort of doing business with the state."

Harris, G.: "Representative, I think, you know, a lot of the organizations that came and testified before us have concerns about the process as it is now. If it goes through the Procurement Code and the regular procurement process, I think people know that. They understand how it works. They know it's totally transparent. They know that it's free from any question of conflict of interest, that the revolving door provisions prevail, that there is transparency about, you know, all phases of the bidding process, that they can evaluate and monitor to be sure that all decisions are made are in the best interest of the state and those people who we

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are covering with our health care. Right now, you know, people came to our... our meetings and they said we look at the way this RFP was designed and some people say we see that there seems to be certain preordained winners and losers. So, just simply the appearance of a conflict of interest or a possibility of an irregularity I think could, you know, already causes harm."

Demmer: "We adopted Floor Amendment or Committee Amendment #2, correct?"

Harris, G.: "Yes."

Demmer: "And Committee Amendment #2 specifies that existing MCO contracts would not be voided by this... by this legislation, correct?"

Harris, G.: "Yes, absolutely. And this was a concern brought by the existing Medicaid plans, the MCOs, who believed that they read the underlying Bill that there was a possibility it could be interpreted that during their normal course of business... and these are people that have already signed contracts... if there had to be an Amendment, an emergency change, or an extension that they would be prohibited from obtaining one of those under the Bill as previously drafted. So, this Amendment #2 was introduced to ameliorate that concern that they could do those things."

Demmer: "And I appreciate that. So, this is a... this is a Senate Bill that's been amended. It'll have to go back over to the Senate for concurrence and then be sent to the Governor for his signature or Veto. The Governor has 60 days to make an action on that Bill. How would this affect a plan that... currently the schedule is that at the end of June those awards

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will be made. If the Governor has not either signed or vetoed the Bill by the time the end of June comes and this RFP... these new RFP contracts are signed, wouldn't it simply not nul... not nullify those contracts and let those contracts stand as is?"

Harris, G.: "And there is also, as you know, Representative, after that June date there is an appeals period where there may be challenges to the decisions made that also would extend the time period."

Demmer: "Challenges by... by who?"

Harris, G.: "By any person who wished to challenge the outcome that was built into that particular process explicitly as part of their RFP."

Demmer: "So, under your vision of how this Bill will be implemented, the Governor could take up to 60 days in determining this, the awards could actually be made to the MCO organizations and then after that award during an appeal process their contracts could be nullified, even though this Bill says it won't nullify contracts, it could because your... your Bill the final action date would fall within that time frame?"

Harris, G.: "Representative, you know, your timeline is correct. This Bill though applies only to contracts that have not yet been entered into. So, if... if you use your... explanation, your... the timeline you suggested, yes, if the department rushed into signing these contracts to avoid having them go through an independent procurement process, yes, if they did rush that signature and the Governor did approve them before this law would..."

Speaker Lang: "Can you bring your remarks to a close?"

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Demmer: "Yes. Thank you, Mr. Speaker. To the Bill. I think this points out one of the issues that we have here in that the timeline, as it's rushed through the end of Session right now. In the midst... midstream of a RFP process playing out, we have a timeline that's very significantly challenged by this pending legislation. One that could create significant legal questions about when the enactment date of contracts is entered into and how House Committee Amendment #2, which guarantees that no existing contract will be nullified, how that would be dealt with if the Governor were to take this amount of time. As, I think, the plan has been, the department has complied with, issuing the RFP process giving a timeline that the department will comply with by the end of June we'll have an answer on this. Having this... this process in place, having this Bill pass could create serious questions about why any MCO would want to do business with the State of Illinois, which would try time and time again to change the rules midstream. I think this is... this is a dollar late and a day short. And I think we should vote 'no' on it. Thank you."

Speaker Lang: "Representative Willis."

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

Speaker Lang: "Sponsor will be happy to yield."

Willis: "Mr. Harris, we've heard from people on the other side that this was a fast-moving mechanism on your end, but I know I was involved in this and very concerned pretty much from the time that the RFP was first issued. The Latino Caucus had some major concerns on the guidelines that went through with this RFP. Are you familiar with when that took place?"

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Harris, G.: "Yes, I am."

Willis: "And that was, I believe, like mid-March, just a couple of weeks after the initial RFP was put in?"

Harris, G.: "I... I think, Representative, a lot of us as soon as we became aware of this RFP got concerned simply because of the dollar volume of it that it would be the li... \$9 billion of tax money, the largest procurement in Illinois history possibly. And as we became more and more aware of the process by which this had moved forward, the more and more concerned the Latino Caucus and others were about the transparency and the criteria developed and how this was going to be awarded. So, yes, a lot of us do want this process to slow down. We want it to be done through an independent procurement officer process to take away all questions of, you know, potential issues with this procurement."

Willis: "Right. And not only is the size of the contract a concern to many people, the scope of what it's trying to do, going from 13 MCOs down to 7. With that being written, I think we have very much concerns on who was going to be able to bid. Were we going to take some very good MCOs that were very active and beneficiary to certain communities and by the guidelines of the RFP not be able to allow them to actually bid. And... am I correct that that was also one of the major concerns that came through?"

Harris, G.: "Yes, that was one and there is another major concern, Representative, that's not been brought up yet. And that is, the potential conflict with existing State Law that would prohibit this RFP in its entirety and that is the law that init... that was enacted expanding managed care enrollment that

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says managed care enrollment beyond the 30 counties designated as of June 1 of 2014 for persons whose Medicaid eligibility is not the seniors or persons with disability population until HFS provides an opportunity for accountable care entities that existed in newly designated counties. And if you remember, one of the first actions in the HFS Department upon taking control was to eliminate the accountable care entities so there could be a fatal flaw just in conflict with existing State Law."

Willis: "Along those same lines, if this goes through, we could have people that could have some difficulty with, in essence, the continuity of care. If the MCO that they were originally using no longer is going to be their primary care provider and now, they may have to switch physicians, hospitals, whatever it may be, midterm and.. or in the middle of a health situation. Is that not also correct?"

Harris, G.: "Yes."

Willis: "Okay. We also have the issue that this could be something that with the size of this or the scope of this procurement process a lot of transparency issues are of concern to hear."

Harris, G.: "Very much so."

Willis: "And we know that we were.. So, I'm going to go to the time frame that this went in. So, the RFP was issued at the end of February. Mid-March we had various caucus Members very concerned and they sent a letter to the Governor about their concerns asking to slow down to reconsider. And then if I recall right, it was probably mid-April that we had a Human Ser.. maybe at the end of April that we had a Human Services subject matter hearing on it. One that went quite long, was

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quite frustrating because we were getting the runaround on the answers on where this was going. So, this is not something that we just threw in, as some of my colleagues on the other side of the aisle would say, at the last hour. This is something that we have been building towards hoping to rectify without actually having to go through legislative content.. intent. Is that not correct?"

Harris, G.: "Yes."

Willis: "Okay. To the Bill. We have just passed a major procurement reform. This needs to be included in that. We do not need to take steps backwards on our procurement reform. This is something we want to concede that we have the best case of transpar..."

Speaker Lang: "Please bring your remarks to a close."

Willis: "Will do that. A best place of having transparency in this. This procurement that went through by avoiding Procurement Code is in not my estimation a step backwards. We need to go forward not backwards. I urge an 'aye' vote on this. Thank you."

Speaker Lang: "Representative Manley."

Manley: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Manley: "Representative Harris, when I go back to district and I tell people about this legislation and they're going to ask me, why is it more important that we go through a procurement... through the Procurement Code rather than the way we're doing it now? Why is it essential to the citizens in Illinois?"

Harris, G.: "Because we're talking about \$9 billion of their tax money that will be spent outside of a standard procurement

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process for four years. We need to know that there is transparency. That the criteria for the RFP, the evaluators, the selection process and the awarding are all of the highest caliber. We apply this to almost every other purchase in the state, but why we don't apply this to a \$9 billion purchase is beyond me."

Manley: "It... it makes no sense. We talk about transparency and we talk about trying to save money and doing things better, smarter, more efficiently. This only... it just makes sense to me. And so, I don't understand the opposition to this. Where is that coming from? I've been fooled today about these... these pieces of legislation that have been basically no-brainers. Making sure we spend taxpayer money the right way by going through a procedure that requires transparency and certain criteria just seems to be the right way to go. And so, I thank you for bringing this legislation and I support the Bill. Thank you."

Speaker Lang: "Representative Jesiel."

Jesiel: "I'd like to le... yield my time to Representative Bellock."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I'd just like to go back over one more question with Representative Harris regarding, now, what we talked about that if your Bill will become law before the MCO contracts are signed then all of the Medicaid people who are in these MCOs... everything... everything that we have done for the last six months will be thrown out the window and we would have to start again. Isn't that correct?"

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Harris, G.: "So, your answer for what would happen to the folks who are in their MCOs right now is they would continue to be in the same MCO in which they're currently enrolled. So, nothing change would for the one out of every four Illinoisans who is in Medicaid, but if your question is before the contracts are awarded, if this Bill were to pass and become law, would it require the purchase of care process to start over as a tightly controlled procurement with all the transparency and ethics issues applied to it? The answer would be yes."

Bellock: "Thank you. To the Bill, Mr. Speaker, and I'll keep it brief. This is a process that we have been in since February. HFS designed the process; it's gone through the purchase of care procedure which is what they have used for every contract they have done for the last... since 1999 for all MCO issues. Moving forward, we have over 2 million people now involved in this process. It's a complicated process as it is. It is already... the bids are already back. It is halfway through the process already. I would say that if this Bill becomes law before we finish that pro... that purchase of care procedure then everything for those peoples' lives will be thrown up for grabs, out the window and will have to be started all over again, which will be another delay in managing the care of some of the most important people we have in the Medicaid system in Illinois. I urge a 'no' vote on this issue. Thank you."

Speaker Lang: "Mr. Harris to close."

Harris, G.: "Well, thank you, Ladies and Gentlemen. So, to recap the, you know, the discussion and the problems with this Bill.

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One is just because we made mistakes and let things get out of hand in the past with using purchase of care for multibillion dollar contracts, does not absolve it that the Legislature from correcting that mistake today. We're talking about one of the largest single procurements Illinois will ever make. It should be subject to the strictest standards that Illinois can apply to it. We need to keep in mind that there is a potential conflict with State Law that will render this entire process void. We need to remind ourselves that the ACLU has already written to the Department of Health Care and Family Services saying that because of the construction of the RFP and the contract language this particular procurement could devastate reproductive rights for all women on the Medicaid program in the State of Illinois. And if those were not enough reasons, Ladies and Gentlemen, to slow down a process that we are going to be obligated to for \$9 billion a year for several years to come, just pull up on your screen in front of you the part is... the procurement of contracts and leases for the Barney's Furniture Store. And Representative Manley said, how will I go and explain this back home? I'll show them how the state does, you know, leasing out warehouses and ask if they want to use the same kind of process spending \$9 billion of their tax money. I'd ask for an 'aye' vote."

Speaker Lang: "Reminder to the Members, Representative Breen has asked for a verification. Members will vote their own switches. Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Jones. Mr. Clerk, please take the record.

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On this question, there are 65 voting 'yes', 46 voting 'no'. And Mr. Breen has asked for a verification. Do you persist, Sir? Thumbs up or thumbs down will do, Sir. Gentleman persists in his verification request. Mr. Clerk, please read the affirmative."

Clerk Hollman: "A poll of those voting in the affirmative. Representative Ammons; Representative Andrade; Representative Arroyo; Representative Beiser; Representative Burke, D.; Representative Burke, K.; Representative Cassidy; Representative Chapa LaVia; Representative Conroy; Representative Conyears-Ervin; Representative Costello; Representative Crespo; Representative Currie."

Speaker Lang: "Excuse me, Mr. Clerk. Mr. Breen withdraws his verification request. There are 65 voting 'yes', 46 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On House Supplemental Calendar #1, House Bills-Second Reading, there appears House Bill 2877, Mr. Hoffman. Please read the Bill."

Clerk Hollman: "House Bill 2877, a Bill for an Act concerning gaming. Second Reading of this House Bill. Amendment 2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 3871, Mr. Martwick. Please read the Bill."

Clerk Hollman: "House Bill 3871, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment 2 was adopted in committee. No Floor Amendments. A fiscal note and a state mandates note have been requested but not filed at this time."

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Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 4025, Representative Lilly. Please read the Bill."

Clerk Hollman: "House Bill 4025, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A fiscal note and a state mandates note have been requested but not filed at this time."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. On the Order of Senate Bills-Second Reading, Senate Bill 1451, Mr. Phelps. Please read the Bill."

Clerk Hollman: "Senate Bill 1451, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. The Chair recognizes Mr. Demmer. For what reason do you rise, Sir?"

Demmer: "Thank you, Mr. Speaker. Please excuse Representative Bill Mitchell for the day."

Speaker Lang: "Thank you, Sir. Page 6 of the Calendar, Senate Bill 1399, Mr. Sims. Please read the Bill."

Clerk Hollman: "Senate..."

Speaker Lang: "This is on... there's a Floor Amendment, Mr. Clerk. Please move the Bill to the Order of Second Reading and read the Bill."

Clerk Hollman: "Senate Bill 1399, a Bill for an Act concerning courts. This Bill has been read a second time a previous day."

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No Committee Amendments. Floor Amendment 1, offered by Representative Sims, has been approved for consideration."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Floor Amendment #1 represents a Juvenile Drug Court Act regarding the electronic monitoring and limits placed on the application of electronic monitoring for juveniles."

Speaker Lang: "Those in favor of the Amendment..."

Sims: "Ask for its adoption."

Speaker Lang: "...say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 1399, a Bill for an Act concerning courts. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Sims."

Sims: "Thank... thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1399 amends the Juvenile... Juvenile Drug Court Treatment Act to permit drug court to establish a program for electronic monitoring of juveniles with regard to drug and alcohol related offenses, subject to the approval by the chief judge of a Circuit Court. I know of no opposition. And ask for its favorable Roll Call."

Speaker Lang: "Mr. Breen."

Breen: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Breen: "All right. Representative, I... who bears the cost of the... of the electronic monitoring system for juveniles?"

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Sims: "That is borne by... it is borne by the... by the state, I believe."

Breen: "'Cause I... as I understood it, when we have adults do it, do they... I mean, they themselves bear the cost. Is that..."

Sims: "That is correct."

Breen: "Okay. So, for the juvenile's though that will be a cost on the state or the taxpayers of the state?"

Sims: "That's correct."

Breen: "Okay. And then, under what terms here... I know it says drug court... what sorts of offenses would be eligible for... for the... the electronic monitoring?"

Sims: "Any... any offense covered by the... by the drug... by juvenile drug court."

Breen: "Okay."

Sims: "The... the perspective and the... the idea is to make sure that we are identifying the least restrictive measures possible to give a... to give to juveniles. So, that's... that's the purpose of the... of the Bill."

Breen: "Okay. And then, just... forgive me for being unfamiliar with this particular area of law. So, this is... are these folks normally then... they are under the care of the Department of Juvenile Justice as... once they go to drug court are they under Juvenile Justice's care or are they still under the care of the parents or what?"

Sims: "If they... if they are under the Juvenile Court Act and they would be... their... they have electronic monitoring. They'll be going... going home unless they are in a foster care setting."

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Breen: "Okay. So, the alternative to the electronic monitoring is they stay in a juvenile home or some sort of juvenile detention?"

Sims: "They would go or they will go through a juvenile... juvenile detention center."

Breen: "Okay. So, for that reason, you would say this is a savings to the state or at least to whomever's paying the cost at this time?"

Sims: "That... that would be the... absolutely my perspective. I think that would be a... a least restrictive of... a least restrictive alternative to incarcerating these individuals, putting them back in... making them stay home within the care of their parents. And they can then get treatment."

Breen: "Okay. Thank you for the answers to our questions."

Sims: "Thank you, Representative."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Nekritz. Please take the record. On this question, there are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions. There are none. So, that was an easy thing. Mr. Clerk, committee announcements."

Clerk Hollman: "The following committees will be meeting immediately after Session: Judiciary-Criminal is meeting in Room 122, Human Services in D-1, Health Care Licenses in C-1, Revenue & Finance in 115, Labor & Commerce in Room 114, and the Executive Committee in Room 118."

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Speaker Lang: "And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Tuesday, May 30 at the hour of 10 a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And this House stands adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on May 29, 2017: do pass Short Debate is Senate Bill 1607, Senate Bill 1707, Senate Bill 1748; recommends be adopted is a Motion to Concur with Senate Amendment 1 to House Bill 173, a Motion to Concur with Senate Amendment #2 to House Bill 763, House Resolution 418 and Floor Amendment #3 to Senate Bill 646. Representative Sims, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on May 29, 2017: do pass Short Debate is Senate Bill 2021; recommends be adopted is a Motion to Concur with Senate Amendment #1 to House Bill 3904, Floor Amendment #1 to Senate Bill 1842, Floor Amendment #1 to Senate Bill 2034. Representative Soto, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on May 29, 2017: do pass Short Debate is Senate Bill 325. Representative Daniel Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 29, 2017: do pass as amended Short Debate is Senate Bill 734; recommends be adopted is Floor Amendment #1 to Senate Bill 322, Floor Amendment #2 to Senate Bill 886. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee

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action taken on May 29, 2017: recommends be adopted is a Motion to Concur with Senate Amendment #2 to House Bill 2525. Representative Zalewski, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 29, 2017: do pass Short Debate is Senate Bill 9. Introduction and First Reading of Senate Bills. Senate Bill 453, offered by Representative Welch, a Bill for an Act concerning education. Senate Bill 552, offered by Representative Ford, a Bill for an Act concerning criminal law. Senate Bill 569, offered by Representative Moeller, a Bill for an Act concerning civil law. Senate Bill 779, offered by Representative Nekritz, a Bill for an Act concerning public employee benefits. Senate Bill 1337, offered by Representative Fortner, a Bill for an Act concerning local government. First Reading of these Senate Bills. Second Reading of Senate Bills. Senate Bill 9, a Bill for an Act concerning revenue. Senate Bill 325, a Bill for an Act concerning regulation. Senate Bill 734, a Bill for an Act concerning local government. Senate Bill 1607, a Bill for an Act concerning criminal law. Senate Bill 1707, a Bill for an Act concerning health. Senate Bill 1748, a Bill for an Act concerning regulation. Senate Bill 2021, a Bill for an Act concerning courts. Second Reading of these Senate Bills, they'll be held on the Order of Second Reading. Introduction and First Reading of House Bills. House Bill 4054... correction... 4058, offered by Representative Harper, a Bill for an Act concerning appropriations. House Bill 4057, offered by Representative Ives, a Bill for an Act concerning public employee benefits. First Reading of these House Bills. There

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being no further business, the House Perfunctory Session will stand adjourned."