

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

59th Legislative Day

5/31/2017

Speaker Turner: "Members are asked to at their seats. Members are asked to be at their seats. We shall be led in prayer today by Reverend Steve Cook who is with the Living Water Church of the Nazarene in Morris, Illinois. Reverend Cook is the guest of Representative Welter. Members and guests are asked to refrain from starting their laptops, turn off all cell phones, and rise for the invocation and the Pledge of Allegiance."

Reverend Cook: "Thank you, Members, for allowing me to speak today. We look to the word of God in 1 Kings, Chapter 3 where God asked King Solomon, I will give anything you want what is that that you would like? And he spoke and he said, wisdom. And God gave King Solomon wisdom. And so today's prayer is that... that you would receive wisdom from God today. And that you and your families would be blessed in a mighty and powerful way on this day. Let us pray. Dear God, our Creator, and the one from whom we receive our unalienable rights. We give You our thanks for this day and for the bountiful blessings You have poured out upon this great land, this country, this state, these peoples. We pray these blessings will continue through Your grace. We're thankful for the opportunity to serve wherein is found greatness. We pray for those assembled here today as they deliberate in this Body. We pray Your guiding hand to be upon them. Bless them with wisdom. Bless them with courage to do the right as you have revealed the right. Help us to remember that what is being done in this place is not just an exercise in debate but will affect millions of people. Help us, Father, preserve our heritage of freedom for future generations. Almighty God, we come today to this holy chamber of democracy conscious of our

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great gifts and conscious of Your great people for whom we use these gifts and service. Come to us. Remain with us. Enlighten our hearts, give us our courage and strength to know Your will and make it our own. And to live it in our own lives. Enable us to behold the rights of others and never let us be misled by ignorance or corrupted by favor. Unite in us a bond of your unconditional love. And keep us faithful to all that is true. May we always temper justice with Your love so that Your decisions are pleasing to you and earn for us the reward promised to You for all good and faithful servants. Father, be gracious and merciful unto them and let Your light shine upon them for You are our God and unto You we ascribe glory now and forever. Father, grant us freedom with discipline, motivation with understanding, determination with compassion. Father, give us the will of self-preservation and the strength and power to help those who are willing to help themselves. Heavenly Father, give us insight, patience, wisdom along with a sense of duty and ability coupled with restraint to adjust to the changes in nature and men. Father, show us Your ways. Bless us with Your heavenly and earthly bounties. And never let us be in want. Guide us in being friendly and generous toward one another. Instill in us faith and knowledge. And let all of us who have the ability to live at peace with ourselves, oh Lord, show the people of our nation the right way to serve and guard the sacredness of all orderly freedoms. Let us realize that You have given us riches not given to any other nation under the sun. Let us be ever grateful and accept the responsibilities that they entail. You are our God and to You we will describe glory and honor

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now and forever. This we pray on the 31st day of May in the year of our Lord 2017. Amen."

Speaker Turner: "We shall be led in the Pledge of Allegiance today by Leader Currie."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Conroy and Fine are excused this morning."

Speaker Turner: "Representative Demmer."

Demmer: "Thank you, Mr. Speaker. Please excuse Representative Davidsmeyer for this morning."

Speaker Turner: "With 114 Members present, a quorum is established. Representative Evans, for what reason do you seek recognition?"

Evans: "Just rise for a point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Evans: "Thank you. Ladies and Gentlemen, I have a Page today from my district. Her name is Nyla Lampkin. And she's a student that's graduating from TF South High School in the 33rd District, she's my constituent. But even beyond that, this woman made history today. Like many of the dynamic young ladies and young women in this Assembly, this young lady was the first ever African-American valedictorian for TF South High School. She's going to Howard University. Give this young lady a round of applause for her accomplishment."

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Speaker Turner: "Congratulations. And welcome to your Capitol. Representative Butler for what reason do you seek recognition?"

Butler: "A point of personal privilege, please Mr. Speaker."

Speaker Turner: "Please proceed, Sir."

Butler: "I would like to thank Representative Ford for personally contributing to the Twizzlers caucus today. And not... I know he is fiscally conservative at least when it comes to Twizzlers 'cause he got the bag with 10 percent more for the same price. So, anybody who wants a Twizzler lucy they're back here on the desk. So... thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative. Representative Greenwood for what reason do you seek recognition?"

Greenwood: "Point of personal privilege. Thank you, Mr. Speaker and Members of this Assembly. It is only fitting that I stand today in the 100th General Assembly to stand in remembrance of the lives lost during the East Saint Louis Riot... Race Riot of 1917. The 1917 Race Riots in East Saint Louis, Illinois have been recorded as one of the most horrific and violent series of events in the history of the United States of America. Its impact on the City of East Saint Louis, Illinois, the greater Saint Louis Missouri region and the social, political, and cultural trajectory of this nation was monumental. The 1917 Race Riots in East Saint Louis and the subsequent calls to action across the United States exposed many injustices suffered by African Americans and ultimately ignited a spirit of resilience and perseverance that has produced countless notable Americans who have been shaped by

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the city that survives, East Saint Louis, Illinois. Thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative. Representative Demmer for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Sir."

Demmer: "I'm glad to be joined today by a couple of Pages from my district, Hannah and Megan Grady just recently graduated from Amboy High School. They're down here on the Republican side in the front. So, if you have an errands I'm sure they'd be happy to run them today. They're also joined by their mother, Linda Grady, in the gallery. Please join me in welcoming them to Springfield."

Speaker Turner: "Thank you, Representative. And welcome to your Capitol. Representative McDermed for what reason do you seek recognition?"

McDermed: "I would be remiss if I did not indicate... this is a point of personal privilege... if I did not indicate in addition to the Twizzler's caucus, Rep Ford has most generously and bipartisanly contributed to the chocolate caucus. And so, I do feel that there's enough chocolate today to... here today to get us through however long we're sitting here. Thank you, Rep Ford."

Speaker Turner: "Thank you, Representative. Representative Ammons for what reason do you seek recognition?"

Ammons: "Thank you, Mr. Speaker. First and foremost, I want to wish everybody a Happy New Years for the General Assembly, this is our New Years. Last day of the session. And I also want to introduce... I also want to introduce my son who will

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be here with me today on this momentous occasion, Aaron Amir Ammons, who has just finished his freshman year in high school, is a star baseball player and is looking forward to going to play for the White Sox one day. So, welcome him to Springfield."

Speaker Turner: "Thank you, Representative. And welcome, Aaron. Representative Morrison, for what reason do you seek recognition?"

Morrison: "Thank you, Mr. Speaker. I, too, have a Page for a day... or Page for the day. Maya Mitchkess is here and she attends Quest Academy in Palatine. She's finishing up her 6th grade year. And I asked her, what's your interest in government? And she says, I want to see the state work together to solve problems for all the people. So, that's a good word for all of us here. And just want to welcome Maya."

Speaker Turner: "Thank you, Representative. And welcome to your Capitol. Members, on page 6 of the Calendar under Senate Bills on Second Reading, we have Senate Bill 321, Representative Mussman. Out of the record. Senate Bill 446, Representative Soto. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 446, a Bill for an Act concerning education. The Bill was read for a second time previously. Amendment #2 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 446."

Clerk Bolin: "Senate Bill 446, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Soto."

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Soto: "Yes, thank you, Speaker and Members of the House. Senate Bill 446 is similar to 3570 of the 100th General Assembly. House Bill #2 provides the technical fix to ensure only that the 4th quarter payment of reenrolled high school dropouts can be prorated if attendance falls below 75 percent. Additionally, House Committee Amendment #2 provided school districts eligible to receive additional funds for reenrolled high school dropouts shall receive funds at least for the next three years after the last year the district had dropout rates over 2 times the state average. House Committee Amendment #2 also clarifies the funds expended to reenroll high school dropouts must be expended for reenrolled high school dropouts for services consummate with the student needs and should be supplemented by the existing local resources. And I urge an 'aye' vote."

Speaker Turner: "For further discussion, Representative Andersson is recognized."

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

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

Andersson: "Thank you, Representative. So, explain to me... so, what are we doing with regard to the dropout rate? And how is that affecting the finances?"

Soto: "Well, the... let me just..."

Andersson: "Take your time. We have all day after all."

Soto: "Okay. I have my... my information. I'm sorry..."

Andersson: "Thank you."

Soto: "...for keeping you waiting. So, Illinois... there are 188,603 high school dropouts from the ages of 16 to 24. In the Black community, 73,555 dropouts. In the White community, 62,239

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dropouts. In the Hispanic community, there's 45,265 dropouts."

Andersson: "Okay. And so that does... what does the Bill do to affect that? What's happening? What does the Bill do?"

Soto: "Okay. Any school district..."

Andersson: "Right."

Soto: "...that's over the two times average school dropouts..."

Andersson: "Yes? What happens? They're over that? What happens?"

Soto: "...will get two times GSA funds... foundation level."

Andersson: "They're getting double... double GSA foundation level?"

Soto: "Correct."

Andersson: "So, we're..."

Soto: "Only for those students."

Andersson: "...and... so, for the number of students who have dropped out we're actually increasing funding? To those schools?"

Soto: "Only if they reenroll."

Andersson: "But if they reenroll now instead of getting one GSA, they get two GSA's if you will?"

Soto: "All right. Yes, to reenroll them and get them on the track to graduate."

Andersson: "Okay. And so, what's the... what's the estimated fiscal impact on this?"

Soto: "So, we don't have that information right now. Not until... we don't know right now how many districts fall into that category. So we don't have that information."

Andersson: "Well, you certainly can see there's going to be a fiscal impact to this to doubling the GSA?"

Soto: "Yes. But it's an investment and it'll keep the children... the students out of jail."



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Andersson: "I understand that. I also understand we're broke. Right? We can't fund out schools right now. We did a stop-gap budget last year and that hasn't even really been paid. All the categoricals, one of the schools in my area, U-46, didn't receive what it was supposed to under the stop-gap budget last year. So, how are we supposed to now add this to that already pending backlog of bills without a budget?"

Soto: "This would be an investment because it... if children don't reenroll they're going to end up in the prison, in the Department of Corrections. And it's only going to cost us more money."

Andersson: "I... I understand that but we simply don't have the money to pay. Is this subject to appropriation?"

Soto: "It... it's a long..."

Andersson: "It either is or it isn't."

Soto: "...it's a long term cost savings."

Andersson: "It either is or isn't subject to appropriation. I think I'm hearing it's not."

Soto: "Yes. We'll... we'll need the money to fund it. I know we don't have it right now."

Andersson: "Thank you. To the Bill."

Soto: "But it's going to cost money."

Andersson: "To the Bill. It may be a good idea, I honestly don't know because this concept of... of doubling the numbers simply because of dropout rates, I'm not sure where the data is to support that. But most importantly, like every other Bill that we pass around here that is not subject to appropriation, we are spending more money that we don't have on top of all

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the other money we've already spent that we don't have. I urge a 'no' vote."

Speaker Turner: "Representative Pritchard is recognized."

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

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

Soto: "Yes."

Pritchard: "Representative, we had a good discussion in committee but I think for the sake of this Body hearing some of your responses it would be good for you to refresh why we're helping these 5 districts and not other districts?"

Soto: "Okay. There's more than 5... those are just 5 of the 68 districts in the state, the largest."

Pritchard: "So... so, I thought there were only 5 that had the dropout rate higher than the state average that qualified them for this program?"

Soto: "So, the 5 that I just mentioned are the largest out of the 68 school districts."

Pritchard: "But they're the only ones that qualify for this program?"

Soto: "There's others out of the 68... Representative Pritchard, there's more than just the 5 that fall into... so, we just have a sample size right now. And the sample size is the 5 that we just mentioned but there's others."

Pritchard: "So, there's certainly others that would maybe be interested. And that's partly my question, is we've set the parameters for this program to only help those with the extreme dropout rate. And the follow up question would be, what are these school districts doing to keep kids in school,

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to have alternative schools, to have truancy officers? Are they doing that and are they successful?"

Soto: "Yes. They do have truant officers and they are having success but they need more officers like that."

Pritchard: "So, you mentioned that this is two times what we're spending now. Did you have an... an answer for the previous Representative's question on how much would be spent on this program?"

Soto: "Right now at this time, we don't have that information but we have to..."

Pritchard: "So, according to our records last year we spent 11 million dollars on this program. And if we spend two times, that's 22 million dollars on this program. And last year we served about 28,000 students."

Soto: "But that's not linked to GSA."

Pritchard: "Pardon?"

Soto: "It's a separate... it's not... the one you're... you're mentioning is not... it's not linked to GSA. It's separate funding."

Pritchard: "From what? The school district?"

Soto: "Are you talking about the truant... alternative..."

Pritchard: "So, we're certainly talking about truancy money that's coming into this program. And we're talking about General State Aid."

Soto: "It... it's a different funding mechanism."

Pritchard: "So, I'm just saying that this is an increase in funding in a program where we're already investing in truancy and... and reenrollment and alternative schools."

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Soto: "But you can't say it's the same about because it's not equivalent."

Pritchard: "Well, we know what we spent last year. That's what we can base this off of if we're doing it twice. So, the more important question and what we had in committee was a strong debate on how this program will fit in to the new model of funding education, the evidence-based model, because clearly there are some of the evidences practices that would replace this issue."

Soto: "So, we'll need a trailer Bill to... to address the language on the evidence-based model."

Pritchard: "So, it was discussed in committee that you would perhaps hold this so that we could see what happens to the evidence model and see what happens to funding. And then come back and see if there needs to be some Amendments to your Bill. I... I think it's in the interest of good legislation to try to craft the best issue that we have. So, the request in committee and the request we're making here is, won't you hold this until we know some of these other programs, and then during the summer or fall veto session we can come back and deal with this issue."

Soto: "Well, we'll be working on the negotiations on the changes if... if..."

Pritchard: "So in other words, the Bill isn't ready?"

Soto: "If the evidence... if the evidence-based model becomes law, we'll work on the changes."

Pritchard: "So, I'm just saying if this Bill isn't ready, we ought to wait. So, Ladies and Gentlemen, to the Bill. We have an issue where we need to try to keep kids in school. And we

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need to deal with alternative schools. But we don't have the funding to do this now. And we don't have a model that fits into the new evidence-based funding. This is premature. I think we ought to hold this Bill and deal with it later this year when we know the answers to some of these questions. Thank you."

Speaker Turner: "Representative Breen is recognized."

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

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

Breen: "Thank you. And... and Representative, I... I'm still trying to figure this out. We're going to give money to districts... we're give more money to districts when they have a higher dropout rate and they're going to keep that money for how long?"

Soto: "A period of three years."

Breen: "Okay. And for any child that drops out for ever just a month, they then get three years' worth of funding... double funding for that child?"

Soto: "On... on... only if they reenroll. If they're not reenrolled... and stay reenrolled."

Breen: "But now it... we're... we're not..."

Soto: "If... if you're not in school, you're not going to... you're not going to get funded."

Breen: "Wait, so this but... does the... and actually I see it's a minimum of three years. So, if a child drops out of school I guess in second grade, do they then... that school district gets double funding for that child for the next 10 years?"

Soto: "This is only for high school dropouts, Representative Breen."

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Breen: "High school dropouts? But then does the money stop when the person graduates or drops out again?"

Soto: "Of course. Yes. Yes it does."

Breen: "How are we supposed to track all of that?"

Soto: "The... the school district and the State of... of Board of Education they monitor that."

Breen: "And then why... why are they getting exactly a double GSA for that student?"

Soto: "That's the amount that was needed to help these dropout... the students who have dropped out..."

Breen: "Mr. Speaker, to the Bill."

Soto: "...excuse..."

Breen: "This... we've already heard that this is only going to benefit a very limited and select number of school districts in our state. And of course, Chicago Public Schools is one of the few that get helped under this provision. And as best I can tell it's yet again this issue of... of helping school districts that fail in a way of just throwing more money at those school districts instead of actually addressing the root problem, the root causes of the failure in the first place. Maybe we ought to look at the sorts of reforms that have been proposed over and over and over again but have been fought so hard. Why have we not thought about, you know, offering these children alternative arrangements in the first place? Why don't we offer them some school choice? So they don't have to drop out. Maybe they can find an educational environment in the first place before they drop out that fits them. Maybe we should be empowering their parents to help find a better life... a better educational opportunity and

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better environment for their children. And yet again, maybe we should stop throwing so much money at the Chicago Public School system which is failing our state and our students so miserably. I would urge a 'no' vote."

Speaker Turner: "Members, we'll be moving to a timer. Representative Bourne is recognized."

Bourne: "Thank you, Mr. Speaker. I would move that this is moved to Standard Debate."

Speaker Turner: "The Bill will be moved to the Order of Standard Debate. Please proceed."

Bourne: "Thank you. Thank you, Representative. I think that this is a good purpose of this Bill but I... as you can tell we have a few questions. Could you repeat how many districts will be affected by this Bill?"

Soto: "So, there's 5 right now but out of the sample of 68... but there's going to be more schools than that."

Bourne: "So, what is the next... so there are 5 right now and I was looking at this in committee, what's the next school district that's closest?"

Soto: "Can you repeat that question again? I'm sorry, we can't hear you. It's too loud."

Bourne: "Sure. So, there are 5 that would be affected right now because there are an unlimited number of schools that might be eligible for this we don't exactly know the cost and what that's going to be in the future. But I thought it was interesting when I looked at the next school district on the list that would be closest to receiving funding through this, do you know which school district that is? So, if I remember right I think it's Springfield. And the Springfield school

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district was very close to being at double the average dropout rate. And what my concern is, is that if they encourage a couple more students to dropout all of the sudden they'll be eligible for a lot more funding. I think having a threshold like this is problematic. That is we are wanting to encourage schools to lessen their dropout rate having a threshold like this could be problematic. Do you think that's the case?"

Soto: "No, I think that what we're trying to do is... remember, again, there was a sample of schools that we were... and out of those five there's going to be more. That was just a sample. So, there's more schools, and we don't have that information until they send it to us from the districts."

Bourne: "Is there a reason that you picked the double of the average dropout rate? Is there a specific reason for that?"

Soto: "It was the advocates who thought that... that that threshold was appropriate."

Bourne: "Okay. I think that if this is a problem that we want to tackle then having a double rate that only affects 5 school districts in this state is not a far reaching program. Also, that you've heard concerns about the cost, you're heard concerns about other aspects of the Bill. Representative, it seems like there are a lot of questions about this Bill. It seems like there are still issues that need to be worked out. And it certainly seems like we might be here after today, this year. And I think... I think that if there is enough support, if we work out some issues that that would be better than having this discussion right now. I would wonder if you would be willing to pull the Bill from the record now,



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continue to work with us on this? And then we'll keep the discussion going."

Soto: "I just want to mention again 'cause I know the same question has been asked, it's more than 5 schools. We just had a sample and they gave us five schools but there's more schools that of course that we're going to be also helping out."

Bourne: "So, if that's the case do you know how much this would cost the state?"

Soto: "We don't know until we have all the data. But I will get you that information."

Bourne: "How many school..."

Soto: "I will get you that information."

Bourne: "...how many school districts in this state are receiving less than the 61.19 per student already?"

Soto: "We're not sure but we can look into it."

Bourne: "Okay. Because there are many school districts in my district that are receiving below the 61.19. And so, having a program that then doubles that for some schools seems like a problem when we're not meeting obligations for all of those schools currently. Again, I would ask, would you be willing to pull this from the record and continue working on it? Are you willing to pull it from the record?"

Soto: "No."

Bourne: "Okay. Well, thank you, Representative..."

Soto: "Thank you."

Bourne: "...for your work on the Bill."

Soto: "Thank you."

Bourne: "I think that there's more work to do."

Soto: "Thank you. And I'm continue to do that."

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Speaker Turner: "Representative Sosnowski is recognized."

Sosnowski: "Will the Sponsor yield?"

Speaker Turner: "The Sponsor will yield."

Sosnowski: "Just two quick... well three quick questions. And I apologize, I think I missed the opening of it. Was there a cost estimate associated with this?"

Soto: "We don't know until we have all the data. And we don't have it all yet."

Sosnowski: "Okay. The second question is, I noticed that the alternative schools slipped in as proponents or supporters of this initiative... I'm a supporter of those. And I have... part of my district is Rockford. But my concern is I... how does this transfer work if a district were to receive extra money those alternative schools don't necessarily receive that money. It goes to the district, is that correct?"

Soto: "It'll go the district, but it's intended for the alternative schools."

Sosnowski: "Okay. Well the intention is good but there's... I just wanted to clarify. In your legislation there's nothing that requires that it goes to the alternative school, right? If a dropout comes back and they're reenrolled in the regular school, the funds may stay with the district. If they put them into an alternative, it may go there but it's kind of at the district's discretion?"

Soto: "Correct."

Sosnowski: "Okay. And then the final question I have was, I've noticed that there was 5 schools listed in the... in the analysis that we have anyways and I think you mentioned some of those. And you said there may be more."

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Soto: "There is more but we don't... they only gave us a small group of schools. But we don't have all the data. But we can ask for it."

Sosnowski: "Okay. And I apologize..."

Soto: "And I will get it back to you."

Sosnowski: "...I didn't look up yet the committee testimony but did any of these school districts slip in in support of this? We're not registering any support."

Soto: "No. We didn't have any of them... we didn't have any slips in the committee."

Sosnowski: "Okay. So, the only supporters were just the alternative schools in this?"

Soto: "Right."

Sosnowski: "Okay. To the Bill, Mr. Speaker. You know, it's certainly I think a valid idea to help with dropouts. Love to be able to work with the Sponsor on being able to do something to help, you know, those folks in these situations. But this appears to be kind of an open ended, very costly Bill. And I would just caution the General Assembly. This... this looks like it's a large expense. And there's no way to truly make sure that those dollars are going to the alternative schools where I believe the Sponsor is intending those dollars to go. And without those protections I think this is a little early to look at a Bill like this. I would urge a 'no' vote. Thank you."

Speaker Turner: "Excuse me, Members. The Bill Sponsor can hear the debate. Thank you very much. Representative Sauer is recognized."

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

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Speaker Turner: "The Sponsor will yield."

Sauer: "Hi, Representative."

Soto: "Hi. Good morning."

Sauer: "I commend you for your heart for kids and looking into this issue and trying to fight for some people that are the most vulnerable in society. The question I have is, I've heard repeatedly we don't have the data and we don't know how much this is going to cost. And when we haven't even debated a budget yet and we're... we've been on the Education Task Force looking at education and the proper way to fund it, why would we make a decision right now when we don't have data and we don't know how much this is going to cost?"

Soto: "It's going to be a long cost savings... long term cost savings. I mean, we... if these kids stay out of school they're going to end up in jail. It's going to cost more money to have them in the prison."

Sauer: "Well, I think we should get that data, Representative. And we should make a data-driven decision and understand how much it's going to cost. And I agree with you, I think there's probably a good way we can go about doing this. And perhaps we can do it through a budget process and through more work for education. But I really... I would urge a 'no' vote because we should make a data-driven decision based on money since that's the biggest thing that we do. So, to... thank you."

Soto: "Thank you."

Sauer: "But, I would urge a 'no' vote."

Speaker Turner: "Representative Wallace is recognized."

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

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

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Wallace: "So, if I'm understanding correctly this as has been mentioned before will give 2 times the foundational amount of support, correct? For students?"

Soto: "Correct."

Wallace: "But it will do so directing the money toward an evidence-based model or best practices for high school dropouts?"

Soto: "Yes. That is correct."

Wallace: "Okay. So... because... I just wanted to clear that up because I hear a lot of about data and whether or not it's going to be something that we know will be worth investing in. And so that Bill is very clear that it should be a program that has demonstrated best practices. It should be a program that can be run directly by the school or contracted with a non-for-profit that has specialized in working with at risk students. Am I understand that?"

Soto: "Yes, you are. That's correct."

Wallace: "Okay. Thank you. To the Bill. I think it's worth really delving into the language of the Bill and making sure that we are making an informed vote here. This is not just throwing money at the problem, this is about addressing the fact that Illinois is actually beneath the national average for high school completion. And in the region that I represent we have over 40,000 people without high school diplomas. And they are costing us quite a bit of money in other areas. These are individuals who are not able to take on jobs that pay living wages and they are probably also in situations in which they are relying on the state for other forms of public assistance. We should be doing more intervention on the front end. And to

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the point of this idea of creating more school choice, I think that's kind of a disingenuous argument for us to be having when we've had so many discussions over the last week about individuals who are living in poverty and the neighborhoods have been completely just dismantled with no economic investment. And we understand that Illinois, unlike most states, over relies on property taxes to fund its education system. So, we have situations where there are students who really do not have the choice to be at... to be in a school that adequately prepares them for the future because we have a funding formula that is inherently inequitable. So, here's a way to provide some equity. We do understand that at-risk students are in need of additional resources and this is one way to provide those support services that they are going to need. When they reenroll, we will help them get all the way through the path to completing high school. I would encourage an 'aye' vote."

Speaker Turner: "Representative Mayfield is recognized."

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

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

Mayfield: "Thank you. Representative, can you talk a little bit about the wrap around services that this extra money will provide to these children?"

Soto: "Yes. There does have additional instructors in the wrap around services that you mentioned. After school programs..."

Mayfield: "Counseling?"

Soto: "Yes."

Mayfield: "Okay. Things that they're going to need to help them to be successful?"

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Soto: "That is correct."

Mayfield: "Okay. I... I think that's a great thing. Want to clarify, this money goes to... is to be spent on the student not on additional personnel such as retaining janitors or anything like that? That is..."

Speaker Turner: "Please proceed, I'm sorry. I didn't reset the timer."

Mayfield: "Can you repeat that?"

Soto: "Yes. This is for the students who are in a reenrolled... so the dropouts are reenrolling..."

Mayfield: "So, the money will be spent on students not on administrative personnel."

Soto: "That is correct."

Mayfield: "It goes for the intended purposes? I think you're doing a great job. They talk about funded I'm sorry, the foundational amount. The average cost to incarcerate is around forty, forty one thousand dollars a year. Even at double the foundational rate we're not even close to reaching that 41,000. So, would you say that this would actually save the state money as opposed to costing us more money?"

Soto: "Absolutely. Like I mentioned in the past for the Members who have spoken, in the long run we would be... these students would end up in jail if we can't help them. So, it's very important that we fund a program like this because that's happening. It's... look at all the violence that's going on all around the state because, of course, we haven't had budgets and we don't have the money for the schools."

Mayfield: "Thank you. To the Bill. I think this is a very good Bill. It will actually save the state money because we will

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not be feeding the school to prison pipeline. I think that's very important. We will actually be saving these children, helping them to become contributing citizens and taxpayers which is what we want in our state. We want people to work. We don't want to just house more and more people in our correctional institutions. This Bill I really think will... it just a... I'm sorry, he handed me something and I lost my train of thought. But, I just want to say please vote for this Bill. It's a great Bill. It does more good than it does harm. I know there was mention that there's another Bill out there that deals with the evidence-based model that does not have a direct funding stream. We do have a funding stream for this. Vote 'yes'. Thank you."

Speaker Turner: "Representative Soto to close."

Soto: "I urge an 'aye' vote. Thank you. And again, this won't... students stay out of jail."

Speaker Turner: "The question is, 'Shall Senate Bill 446 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 60 voting 'yes', 55 voting 'no', 0 voting 'present', Senate Bill 446, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2017: recommends be adopted referred to the Floor is Floor Amendment #2 to House Bill 1126, Floor Amendment #4 to House Bill 3052, Floor



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Amendment #2 to Senate Bill 1, Floor Amendment #2 to Senate Bill 60, Floor Amendment 2 to Bill 1671; recommends be adopted a motion to concur with Senate Amendment 1 to House Bill 302, Senate Amendments 1 and 2 to House Bill 2771, Senate Amendment 1 to House Bill 2977. Representative Zalewski, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 31, 2017: do pass Short Debate Senate Bill 1719; recommends be adopted is Floor Amendment 1 to House Bill 1126. Representative Sims, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on May 31, 2017: recommends be adopted is a motion to concur with Senate Amendment 1 to House Bill 3817, Floor Amendment 1 to Senate Bill 1402. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on May 31, 2017: recommends be adopted a motion to concur with Senate Amendment 1 to House Bill 369, motion to concur with Senate Amendment 1 to House Bill 690. Representative Yingling, Chairperson from the Committee on Government Consolidation & Modernization reports the following committee action taken on May 31, 2017: recommends be adopted is Floor Amendment 1 to House Bill 684. Representative Riley, Chairperson from the Committee on State Government Administration reports the following committee action taken on May 31, 2017: recommends be adopted House Joint Resolution 63. Representative Soto, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on May 31, 2017: recommends be adopted is a motion to concur with Senate Amendment 1 to House Bill 313. Representative Evans,

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Chairperson from the Committee on Transportation: Regulation, Roads & Bridges reports the following committee action taken on May 31, 2017: recommends be adopted is Senate Joint Resolution 37. Representative Costello, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on May 31, 2017: recommends be adopted is a motion to concur with Senate Amendment 1 to House Bill 3399. Representative DeLuca, Chairperson from the Committee on Cities & Villages reports the following committee action taken on May 31, 2017: recommends be adopted is a motion to concur with Senate Amendment 2 to House Bill 786. Representative Martwick, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on May 31, 2017: recommends be adopted a motion to concur with Senate Amendment 1 to House Bill 688, Floor Amendment 1 to Senate Bill 419. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on May 31, 2017: recommends be adopted is Floor Amendment 1 to Senate Bill 421. Introduction of Resolutions. House Resolution 473, offered by Representative Cavaletto. House Resolution 479, offered by Representative Nekritz. House Resolution 480, offered by Representative Nekritz. And House Resolution 481, offered by Representative Nekritz. These were referred to the Rules Committee."

Speaker Turner: "Representative Kifowit for what reason do you rise?"

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

Speaker Turner: "Please proceed."

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Kifowit: "Thank you. My comments are kind of relevant given the current discussion we had just on the last Bill. For 20 years we've been talking about refunding school... the way we pay schools. And we do have a Bill that talks about it now. This morning, I read a quote in *Politico* from the Minority Leader stating that a two-year property tax freeze doesn't go far enough. My question is, how far is enough for the Governor and the Minority Leader? It... it's almost mind boggling that we have a discussion about school funding in this chamber, in the same breath talking about freezing property taxes. We need to ensure our schools don't lose money is what I hear in the school funding formula. Hold harmless is a big key to this funding formula to make sure that our children have the resources they need to be educated. And... and this morning, the Minority Leader is on record again as saying a two-year freeze isn't enough. So, how much money should my school district lose on the quest to perpetuate this false narrative regards to property taxes? First and foremost, a two-year property freeze will cost my school district \$8 million, which is laughable considering the school district would only gain in our funding formula less than a million. Eight million dollars would cost my school district for the property tax freeze that doesn't go far enough. Let's talk about the five-year freeze that was included in... in the Senate's proposal. My school district would lose \$36 million on a five-year property tax freeze. So, my question is, is that enough? Is that enough for my school district to lose \$36 million? In effect that we are trying to get far enough to quell the property tax freeze narrative which is all over the

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television. So, the only person in my district who is out there talking about this is the property tax assessors. Our property tax assessor will say don't come to me when your property taxes don't go down from this property tax freeze that two years isn't long enough. Who knows how long it's supposed to be. Because it just freezes the levy. What we need is a balanced budget that funds schools properly. And that reduces the dependency of funding our schools from property taxes to where it's supposed to go in the State of Illinois. I am prepared and I have said on this House Floor to vote for a balanced and responsible budget. There are proposals that contain cuts in revenues in the House and it starts to put the State of Illinois on the right path. And I'm... I'm ready to go that route. But embracing the fact that property tax freeze in any shape or form will not harm our school districts profoundly. And for the Minority Leader to say that a two-year property tax freeze which will cost my schools \$8 million is not far enough, I think is just borderline ridiculous. Thank you, Mr. Speaker."

Speaker Turner: "Representative Welter, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Representative."

Welter: "I have with me today in the gallery behind us some guests from my hometown with Reverend Cook from Living Water Church his lovely wife, MaryAnn, Sharon, and Mrs. Dee. All members of Living Water Church are down here in Springfield for this great day to see their government in action. If you could

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please stand. If the Body would please give them warm Springfield welcome."

Speaker Turner: "Welcome to your Capitol. Senate Bill 447, Representative Hurley. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 447, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Representative Hurley."

Hurley: "Thank you, Mr. Speaker."

Speaker Turner: "Third Reading. Mr. Clerk, please read Senate Bill 447."

Clerk Hollman: "Senate Bill 447, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Hurley."

Hurley: "Thank you, Mr. Speaker. Senate Bill 447 simply increases the enrollment cap at the Chicago High School for Agricultural Sciences from 720 students to 800 students. I'm here for questions and would appreciate an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 447 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 110 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 447, having received the Constitutional Majority, is hereby declared passed. Senate Bill 518, Representative Senate. Mr. Clerk, please read the Bill."

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Clerk Hollman: "Senate Bill 518, a Bill for an Act concerning finance. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "Senate Bill 518, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Turner: "Representative Sente."

Sente: "Thank you. Senate Bill 518 is an initiative of the Illinois Green Economy Network, IGEN, that is a consortium of 39 statewide community colleges focused on green jobs. This Bill allows up to \$2 million to be used annually from the existing fund. It provides grants for the training and education, operation and services. The fund has a 16 million dollar balance in it. It has an existing ratepayer surcharge that is not changing. The Bill is permissive. It may be used an... 2 million may be used annually to provide grants for IGEN. Passed out of the Senate 51-1 and strong bipartisan support out of the General Services Approp Committee."

Speaker Turner: "Representative Andersson is recognized."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "So, one of the questions, Representative that we discussed in... Mr. Speaker, I can't hear myself. Thank you. Thank you very much. No, there was a... there was an explosion. One of the questions that... that came up during committee was the fact that this is being sent to DCEO whereas I think IEPA

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is the appropriate place for this? Can you address that again?  
Explain what that was..."

Sente: "I sure can."

Andersson: "...and the answers we received in committee."

Sente: "Yes. Everything is agreed between the two agencies. This program was initially administered by DECO through the Governor's Executive Order, it was transferred to the IEPA."

Andersson: "And so, the... but the Bill still reads DCEO. And... what was their explanation for how to deal with that fact?"

Sente: "And what was the last part of your statement?"

Andersson: "What was... I remember the agency explained how they were going to deal with it, but I'd like you to be on the record as explaining. Because right now the way the statute reads is we're giving it to the wrong agency."

Sente: "The agency wasn't actually there, that was the President of the College of Lake County."

Andersson: "Okay."

Sente: "And so..."

Andersson: "I guess I didn't know who I was talking to."

Sente: "...my understanding is... is... and I can't elaborate more than this is that the two agencies have... are both in agreement. They are aware of it. And because of the Executive Order, I believe it would provide for the timelier, no problem with transferring that money over to the IEPA. We had talked with Alex Messina, the President of the... of the College of Lake County had spoken specifically with the Director. And I don't think there's any issue."

Andersson: "Okay. And the \$2 million is that \$2 million that's available right now in a segregated fund?"

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Sente: "Correct. And it is May, the... there is \$16 million in the account and the account generates 5 to 6 million additional every year."

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

Sente: "Thank you."

Speaker Turner: "Representative Senate to close."

Sente: "I encourage an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 518 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 75 voting 'yes', 33 voting 'no', 0 voting 'present'. Senate Bill 518, having received the Constitutional Majority, is hereby declared passed. Senate Bill 639, Representative Stuart. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 639, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 639. Representative Stuart."

Clerk Hollman: "Senate Bill 639, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Stuart."

Stuart: "Thank you. Today I'm presenting Senate Bill 639. This will expand the offense of Drug Induced Homicide to include delivery of a controlled substance under the laws of a state



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other than Illinois which resulted in the death that occurred in Illinois. This legislation is an initiative of the family of Evan Rushing, a young man from Glen Carbon, who died of an accidental heroin overdose in February of 2016. I'm honored to be joined today with... by Evan's mother, who's in the gallery behind me, who has a picture of her wonderful son to... to see this event. Evan was 27 years old, served... Evan was 27 years old, served in the U.S. Army in Iraq and Afghanistan as a Sergeant with the Military Police and was also a member of the Glen Carbon Volunteer Fire Department. When the family was informed that the person who provided the poison that ultimately took Evan's life could not be prosecuted for Drug Induced Homicide because the purchase occurred across the river in Missouri, there response was to work to make sure that another family would never... would not ever be in the same position. What this Bill will do is close a loophole. Across Illinois we're hit particularly hard in Madison County and St. Clair County where I represent. Defendants who are charged with Drug Induced Homicide have been acquitted of the offense when the drugs that led to the death did not come from Illinois. This Bill passed the Senate unanimously. I encourage a 'yes' vote to help give law enforcement the tools that it needs to remove those who are contributing to and profiting from the horrible scourge and the heroin epidemic on our streets. Thank you."

Speaker Turner: "Representative Sauer is recognized."

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

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

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Sauer: "Representative, thank you for bringing this up. And God bless you and I'm sorry for your loss, Ma'am. But thank you for your courage and for being here and helping to move this issue along. What a great piece of legislation that I hope we have a unanimous chamber to vote on. This is something that's plagued every community, every district. It's certainly affected my county and my district. It's important that we fight to make sure that people have a full life and that we make sure that we vote on good legislation like this. So, thank you, Representative, for bringing it forward. And I would encourage an 'aye' vote."

Stuart: "Thank you very much."

Speaker Turner: "Representative Andersson is recognized."

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

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

Andersson: "And Representative, I would certainly echo the comments of the previous speaker. Thank you for bringing the Bill. I certainly intend to vote for it but I just have a few questions so that I understand it well. So, right now there is an exception to a Drug Induced Homicide simply by where the... where the poison as you referred to, which I think is appropriate, where it's purchased or where it comes from? How's that... how... how does the current law work? That... that surprises me."

Stuart: "Right. That's correct. So... and from what I understand if someone were to purchase the drug in Illinois..."

Andersson: "Right."

Stuart: "...and... and unfortunately die of the overdose in Illinois we would be able to charge them with Drug Induced Homicide."

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But we cannot do that when it's purchased in a different state."

Andersson: "So, someone buys the illegal drug in Missouri, crosses the line, gives it to someone else who dies, we can't charge the person who delivered that right now? Is that... that's..."

Stuart: "Right. We can't..."

Andersson: "...that's amazing to me."

Stuart: "...we can't charge the person who sold it or..."

Andersson: "Right."

Stuart: "...right."

Andersson: "Right. Even if it... even... I'm sorry, I'm just... I'm being dense here. But... but... so, they buy it in Missouri, they cross the border, they die here, we can't charge the Missouri dealer?"

Stuart: "Correct. Not with..."

Andersson: "Now with this, we could?"

Stuart: "...we could charge them for Drug Induced Homicide, correct."

Andersson: "Excellent. Thank you for the explanation. I apologize for being a little dense on that but..."

Stuart: "Thank you for letting me explain it."

Andersson: "...it's a good Bill. And I fully support it. Thank you."

Stuart: "Thank you very much."

Speaker Turner: "Representative Manley is recognized."

Manley: "To the Bill. I want to first send my condolences to the... to Evan's family. Will County has been plagued with this problem as I'm sure there's various parts of the state that are also suffering with this. But I want to compliment Representative Stuart on... we hear a lot about how we don't do

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anything here in Springfield and how we don't care and these... these untrue accusations are are kind lobbed at us. But you came in from talking to Evan's mom in tears and she said, it's an honor to be here to serve the people of Illinois with a real story and be able to do something that really matters. And so, I want to compliment Representative Stuart on having the heart to stand up and to lead the way despite the problems we're having here that there are real people out there that really need our help. And this is one indication of how we do really good work here in Springfield. And so, my compliments to Representative Stuart and my condolences to the family of Evan Rushing. And I think you all would... would agree this is... this is important legislation. Please support her Bill."

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: "Representative Stuart, I... I echo the comments of several speakers today, thank you for bringing this important legislation. I just want to clarify what we're talking about, kind of this... the pattern of events here. So, this Bill would apply to situations in which a drug induced death has occurred in the State of Illinois but the... the actual transfer of the drug that caused the death happened outside of the State of Illinois. Is that correct?"

Stuart: "That... that's... yes, that's correct. Thank you."

Demmer: "So, this... this would be... this would allow then Illinois prosecutors to bring a case against the person who sold the drugs even if the... those were sold in another state. Is that right?"

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Stuart: "Exactly. Yes."

Demmer: "And... and thank you. Mr. Speaker, to the Bill. I think this is a good step for us to take, especially for those like the Sponsor who represent districts that are very near other states. That we know that... that drug dealers don't respect state lines. We know that drugs that are brought into the State of Illinois can have very severe and very dire consequences. And giving this tool to prosecutors to make sure that we can hold accountable people who bring illicit drugs into the State of Illinois no matter where they're sold is one way that we can continue fighting against these... these kind of substances that are causing so much heartbreak in districts across the state. I appreciate you bringing this Bill, Representative, and I encourage a 'yes' vote."

Speaker Turner: "Representative Ammons is recognized."

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

Speaker Turner: "The Sponsor will yield."

Ammons: "First of all, thank you Representative for bringing to light the unfortunate death of the young person who unfortunately died as a result of these drugs. And like so many other people who have died of these drugs, I rise in opposition to this Bill. First and foremost, is this an enhancement of the current drug laws in Illinois?"

Stuart: "No, it's not an enhancement."

Ammons: "So, my sheet says that this is an enhanced to 15 to 30 years from 6 to 30. Is that true?"

Stuart: "The... the law that you're referring to is current law. This would... this would just expand who it can be applied to."

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Ammons: "So, please explain again why the current law can't be applied to someone that sells drugs in Illinois? I don't... I don't get what this Bill is doing."

Stuart: "It... they did not sell the drug in Illinois, they sold it out of state."

Ammons: "But we're they arrested in Illinois?"

Stuart: "Current law is if you sell the drugs in Illinois and a person dies in Illinois that they can be charged with Drug in... Drug Induced Homicide."

Ammons: "That's current law?"

Stuart: "Yes."

Speaker Turner: "Please make your final remarks, your time has expired."

Ammons: "Well, I'll just speak to the Bill. If current law says that if you sell drugs in Illinois, arrested in Illinois, you can be tried under Illinois Law I don't understand the purpose of this Bill. And secondly, people who are dying of heroin addiction in communities across this state I would really, really be concerned about them getting caught into a law like this that they also could at some point be charged with. Now, I understand that the prison is filled with people of color for distribution, possession, and sale and manufacture of drugs even though they may not be the beginning point of the manufacturing process. So, the law is not applied equally across the board. But I would hope that 6 to 30 years for a current law if someone broke that law would be tried under that current law and not enhanced, and this appears to be an enhancement in my opinion."

Speaker Turner: "Representative Batinick is recognized."

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

Speaker Turner: "The Sponsor will yield."

Batinick: "Representative, thank you so much for bringing this Bill. And I remember being in committee with you and I want to commend you for something. There was a Bill that you were the deciding vote on a Bill that I brought, and you didn't look at things along any logical lines on that particular issue. And you voted what you thought was right. And I think what the previous speaker just said is an example of what happens when we go to the extreme. And say, no, no, no, we're not going to do this no matter what the situation is. This is a great Bill. This is commonsense... commonsense legislation, whether you want to describe it as an expansion of... of sentencing or whatever we have problems, we have loopholes. And all of us need to get out of our ideological boxes and start solving problems. And I wanted to strongly thank the supporter for finding a problem and solving that problem. So, I strongly urge an 'aye' vote. Thank you."

Speaker Turner: "Chair recognizes Representative Ford."

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

Speaker Turner: "The Sponsor will yield."

Ford: "Thank you for your effort to deal with the cause of overdoses in the State of Illinois. But I have a question, do you believe that this will get at the strongman that is causing the problems of overdoses in the communities?"

Stuart: "The... the heroin epidemic, the scourge of opioid abuse, there's a lot of... we have to attack it from a lot of different facets. We have to look at the mental health issues, we have to look at what is leading people of all ages and backgrounds

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to... to turn to these drugs. But we also have to be, you know, providing the tools to deal with the people who are selling these. This is similar to if someone were to purchase a gun in Indiana, bring that gun to Illinois and shoot somebody, we... we would be able to charge them with that homicide. I see this as the same thing."

Ford: "That's exactly what I was thinking that this reminds me of the war on guns. And that's the problem that I have. When we continue to pass legislation like this, we forget about the big guy. And I think that what you're doing is good for certain communities but bad for others. I represent the Austin community and we have overdoses in the Austin community from heroin and fentanyl sales and usage than any community probably in the State of Illinois. And I'm sorry that I won't be able to support your legislation based on the fact that I don't think that it deals with the root cause of the problem. You remind me that it is just like the guns that's being brought in the communities. Supporting this legislation will hurt my community and it will send the wrong message that we are dealing with the real problem. And the real problem is stopping..."

Speaker Turner: "Please make your final remarks, Representative."

Ford: "...thank you, Mr. Speaker. I think the real problem that we have to stand in unison together around is to say that we must really have a war on drugs in the United States to stop the drugs from flowing in our country and stop the flow of drugs from flowing into communities that's struggling. I will not be able to vote for the legislation, but I think it's a great attempt to raise the awareness about the problems that



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we're having with the fentanyl problems and the heroin epidemic in this state. So, thank you."

Speaker Turner: "Representative Skillicorn is recognized."

Skillicorn: "Will the Sponsor yield?"

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

Skillicorn: "Representative, I've heard a couple questions about this and I just wanted to get some clarifications. If this law is passed... this Bill is passed, won't it only affect drug dealers who do their business out of state?"

Stuart: "Yes."

Skillicorn: "So... and... and I'm compassionate and empathetic, I'm pretty much against penalty enhancements. I want to see more people get out of jail and get jobs, I want to see economic advancement in every single community in our state. But it sounds to me like this doesn't affect anyone in... in my neighborhoods. It affects people that are selling dangerous drugs out of state, is that... that's correct? I have this correct?"

Stuart: "Yeah. I think yes. The way you're saying it, yes."

Skillicorn: "Okay. So... so, to the Bill. And it doesn't sound like this is... have any effect on someone that's local to us or someone that in our communities, this is just people are out of state preying on Illinois residents. So, I would... I would say this is a good Bill. I would argue for its, you know, to vote 'aye' on this. Thank you."

Speaker Turner: "Representative Mayfield is recognized."

Mayfield: "Thank you. I'm just going to speak to the Bill. This did come through Jud-Crim Committee and I do sit on that committee. And I asked a lot of questions because when I first

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read this Bill I also had the mistaken impression that this extended or enhanced penalties in Illinois. It does not do that. Those laws are already on the board. If you think they're exorbitant then let's work on some legislation to change that but that is not what this Bill does. What this Bill does... I live in a border area so if somebody comes from Wisconsin, sells drugs in my neighborhood that results in the death of someone, they can go to Wisconsin and get that person and prosecute them for that death. This is a good Bill. This gives our local police the teeth that they need in order to prosecute these individuals that are dropping off drugs in our communities. We need... you know, we passed similar legislation reg... for guns that said if you're trafficking guns over the border, you know, we can prosecute you for that. So, this just says the same thing. If you're trafficking drugs over the border, we're going to come and get you. We're not going to let you bring that poison into our communities. It's a good Bill. And I recommend an 'aye' vote."

Speaker Turner: "Representative Stuart to close."

Stuart: "Thank you. And I appreciate everybody's comments. I just want to say, I'm lucky enough, I have my son here with me today. I can give him an extra hug tonight. Janice Rushing can't do that. And so, we need to go what we can in... in his honor. And to make that not happen to other families."

Speaker Turner: "The question is, 'Shall Senate Bill 639 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 105 Members voting 'yes', 2 voting 'no', 5

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voting 'present', Senate Bill 639, having received the Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, we have House Bill 160, Representative Zalewski. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 160, a Bill for an Act concerning revenue. This Bill was read a second time previous day. No Committee Amendments. Floor Amendments 1, 2, and 3 have been approved for consideration. Floor Amendment #1 is offered by Representative Zalewski."

Speaker Turner: "Representative Zalewski on Floor Amendment #1."

Zalewski: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. It becomes our economic development package. I ask for its adoption and happy to describe the Bill in full on Third."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #1 to House Bill 160. 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: "Floor Amendment #2 is offered by Representative Zalewski."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Floor Amendment #2 makes a series of page and line Amendments dealing with equity investments on... with the credits and changes to respond to the needs of the Illinois Bankers Association. I ask for its adoption."

Speaker Turner: "Gentleman..."

Zalewski: "And it extends the Edge Credit... it extends the Edge by five years."

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Speaker Turner: "...Gentleman moves for the adoption of Floor Amendment #2 to House Bill 160. 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: "Floor Amendment #3 is offered by Representative Zalewski."

Speaker Turner: "Representative Zalewski."

Zalewski: "Floor Amendment #3 removes certain provisions of the Bill."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to House Bill 160. 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, House Bill 160."

Clerk Hollman: "House Bill 160, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 160 represents the effort of our Democratic Caucus on an economic development package. I'll walk through some key components of the Bill and then I'm happy to answer any questions. First of all, it makes changes to the New Markets Development Program. It includes what we refer to as the Keep... Keep Illinois... Keep Business in Illinois Act that we previously discussed on this... on this thing. It makes changes to the EITC. It extends the Angel Investment Tax Credit. And it makes changes... it includes the River's Edge Credit. It includes an internship credit. It includes a Federal Child Tax Credit and Apprentice Training

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Credit. It also makes substantive changes to the Edge economic... the EDGE Tax Credit. And this is probably the area where I think the Body will have the most interest, this is a desire among us to work collaboratively with the Department of Commerce and Economic Opportunity to change the way the EDGE Tax Credit works. First of all, the credit is changed to 75 percent of the amount of incremental tax income attributed to both the project. If... if there's certain metrics that are in place dealing with low poverty areas. Low poverty areas are defined in a series of ways. A credit amount will also include an amount equal to 10 percent of the training costs and the total aggregate amount of the credits cannot be more than 100 percent of the income attributable to the applicant's project. No credits are going to be given for job retention. And I want to repeat that. Going on a... on a go forward, prospective basis the credit will no longer be eligible for job retention. This is only designed... this is only going to be designed to be a prospective job generating tax credit. There's going to be enhanced reporting with respect to EDGE, including the name of the business, the location of the agreement, the estimated value. There's going to be a requirement for an annual report to be filed. In addition to that, thanks for the help of Representative Davis, we're going to for the first time have supplier diversity goals in the EDGE Credit in a much larger and much more transparent way. And we're going to have stringent, aggressive recapture that says that if the taxpayer ceases operations on a project during the term of the agreement with the intent to shut it

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down, the entire credit can be returned to DCEO. With that, I'm happy to answer any questions."

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

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

Speaker Turner: "The Sponsor will yield."

Andersson: "Thank you. Man, this is a soup sandwich."

Zalewski: "It's what kind of sandwich, Steve?"

Andersson: "I like to call it a soup sandwich. There is a lot..."

Zalewski: "I've never had one of those."

Andersson: "...there is a lot going in to this Bill. Let's talk about a few pieces of it if we may. One that caught my attention immediately when you spoke was the Keep Illinois Business Act. This is the one we debated, I think it was another Representative's standalone Bill. This is... this is the one that if an employer has received a tax credit... EDGE... EDGE or whatever and they remove any employee from the state they whole things gets clawed back, correct?"

Zalewski: "That's correct."

Andersson: "So, again, what is the logic of... of that sort of an immense penalty? I mean, clawbacks... I grant you, clawbacks make sense within the limited timeframe of the deal. This provision says even after they've complied, they've done everything they're supposed to do, they move an employee... one employee out, they lose it all. They got to pay it all back. In perpetuity, it never goes away. Why would anyone ever want a tax credit under that risk scenario?"

Zalewski: "I... I... you know, Representative, I think that there's plenty of companies out there that are willing to invest in

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Illinois and gamble on their operations in Illinois. That this is worthwhile investment to them. I supported Representative Halpin's Bill. I think it goes to the broader message we're trying to send that we're trying to build Illinois from the middle up or the bottom up. And I think it's a worthy part of any economic agenda we want to support."

Andersson: "Thank you. Mr. Speaker, is this on Short Debate?"

Speaker Turner: "Yes it is."

Andersson: "Can I move it to Standard Debate, please?"

Speaker Turner: "Seeing a required number of hands, this Bill will be moved to the Order of Standard Debate."

Andersson: "Thank you cause this one... actually I'd prefer it to be unlimited if we could but... I can't... I can't demand that. So... all right. Thank you. So, I also note that it lowers the corporate income tax from 5.25..."

Zalewski: "No."

Andersson: "...to 2.65?"

Zalewski: "That's... that's..."

Andersson: "Our estimation is that will cost us 850 million dollars a year, is that correct?"

Zalewski: "...Steve... Steve, that's not correct. We took that out."

Andersson: "You took that out? Thank you."

Zalewski: "You're welcome."

Andersson: "I apologize."

Zalewski: "Is it..."

Andersson: "You just ran three Amendments."

Zalewski: "...is it less of a... is it less of a soup sandwich now?"

Andersson: "What's that?"

Zalewski: "Is it less of a soup sandwich now?"

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Andersson: "Well, I would say that that that's something. That's something. So, okay let's keep going. Tell me what else is not in the Bill. Earned Income... Earned Income Tax Credit. Our analysis shows that the... the change there will result for FY18' in \$59 million in losses and FY19' 118 million, that still there?"

Zalewski: "Yeah, TC is still in the Bill."

Andersson: "Still there. Okay. River's Edge Redevelopment Zone Credit, which I fully support, we just passed that yesterday?"

Zalewski: "Yes."

Andersson: "So, we don't need that in here? That's irrelevant?"

Zalewski: "No, I... you know, again, there's a desire here to work collaboratively with, you know, I think your side of the aisle respectfully. And you know to the extent I had a number of Members in your caucus come to me this spring on River's Edge."

Andersson: "Okay."

Zalewski: "You know, I want... I want to be able to say that we've be inclusive of the effort to try to work with your caucus on these issues."

Andersson: "Okay. Thank you for that. We have an Apprenticeship Training Credit, that still in?"

Zalewski: "Yes."

Andersson: "Okay. And that's going to cost us somewhere between 80 thousand and 4.5 million, correct?"

Zalewski: "Correct."

Andersson: "Film Tax... Film Credit, negative impact of 16 million?"

Zalewski: "That's... that's out."

Andersson: "That's out? Thank you. How about live theater?"



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Zalewski: "Out."

Andersson: "All right. Angel Investment Credit?"

Zalewski: "In."

Andersson: "Ten... \$10 million per year?"

Zalewski: "Yes."

Andersson: "Okay. And we're reducing LLC filing fees from \$500 per year to \$39 per year. Is that correct?"

Zalewski: "Correct."

Andersson: "That one I don't see. Do you have an estimate of what that's going to cost? 'Cause I don't see it."

Zalewski: "Fifty one point five million dollars."

Andersson: "Okay. But like I said, you've got a lot in there. There's probably other people want to speak to it. Maybe who'll know more about it than I. So, I'll use what's left of my time to speak to the Bill. There's some good here, there's no question about it. But the bottom line for me is right now we need to negotiate a comprehensive balanced budget. And what we're doing here is we are costing ourselves a whole lot of money. Now, I like reducing taxes, don't get me wrong. But in the midst of the crisis that we're in, I think doing it in this piece meal fashion or this soup-sandwich fashion, if you will, is not the right way to go. I think that we need to do some of this but in the context of the larger discussion. So with respect, for me I... I can't support the Bill. Thank you."

Speaker Turner: "Representative Harris is recognized."

Harris, D.: "Thank you, Mr. Spon... thank you, Mr. Speaker. Question of the Clerk, if I may? What... what Amendments are on this Bill? All three? One, two, and three?"

Speaker Turner: "Mr. Clerk."

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Clerk Hollman: "Floor Amendments 1, 2, and 3 have been adopted."

Harris, D.: "Okay. Thank you. Question of the Sponsor please."

Speaker Turner: "The Sponsor will yield."

Harris, D.: "So Representative, you mentioned that the Corporate Income Tax Reduction is gone so we have other discussions taking place about the Corporate Income Tax. You mentioned that the... the Live Theater Extension is not in the Bill anymore but the Live Theater Extension was put out, we passed it yesterday on a separate Bill."

Zalewski: "Yeah. Correct."

Harris, D.: "So, the Live Theater Tax Credit is still there, correct?"

Zalewski: "Yep."

Harris, D.: "And the Film Tax Credit is still there..."

Zalewski: "Yes."

Harris, D.: "...correct?"

Zalewski: "Yes."

Harris, D.: "So, let's look at what we've got. We've got a state that's 14 billion..."

Zalewski: "No, no, wait David. The Film Tax Credit came out."

Harris, D.: "...well, the Film Tax Credit is out of the Bill but it continues in place until..."

Zalewski: "It's in... it's in... in the Code."

Harris, D.: "...until... until 2021, correct?"

Zalewski: "Correct. It's in the Code, yes."

Harris, D.: "So, the Film Tax Credit is still a Tax Credit under our State Tax Code?"

Zalewski: "Correct."

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Harris, D.: "So, look at what we've got. We've got a 14 billion dollar backlog of bills and we want to increase economic growth. I understand that. I buy it. Good objective, good ideas. The difficulty is you do it in a vacuum, as was referred to earlier, you do it in a vacuum and the two things don't connect. Is all of the sudden if we pass this package of economic assistance Bills, and there are any number of tax credits in here. The Earned Income Tax Credit, by the way, is going to cost us \$22 million a year for each one percentage point it goes up. The repeal of the Corporate Franchise Tax which all of us have wanted to repeal for so very long. Guess what? That's \$220 million worth of revenue that is not coming into the State of Illinois next year, so if this Bill becomes law. So sure, there are things in here which we want to do but what's the other side? Is all of the sudden if we passed all this, like... like Phoenix rising from the ashes great, great economic activity will come to Illinois that will make up for that lost revenue? Isn't going to happen. This... these proposals need to be put in a total package. They need to be put in a package which includes both tax credits, yes, as well as a consideration of tax revenue. How do we balance the revenue that we're bringing in with the expenses... expenses meaning tax credits for dollars that we in essence don't bring into our Treasury. How do we balance the revenue that we're bringing in with the dollars that are going out? All this does is have more dollars less... not coming in. So, we need to somehow bring additional revenue in. Look, I can stand here and argue, strenuously for a lot in this package. And I congratulate the Gentleman for... for bringing it forward. At

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the same time, though, shouldn't tax policy be done in a more reasonable manner? There were some subject matter only hearings on some of these... some of these provisions. But there was no overall discussion about all of the provisions of this Bill about how we structure tax policy in the State of Illinois. This is only... I hate to say giveaway, but these are giveaways that are... that reduce revenue to the State of Illinois. And I... I really question whether or not, again, should the Bill become law that all of the sudden there will be enormous economic activities that make up for these tax credits. Let's look at the Bill as a whole. I recognize that a lot of folks are going to want to vote for this Bill. I just think it's a bad way to approach tax policy and how we do things and how we structure our tax credits as well as the other... other provisions that are considered in this Bill. Look at it very closely. Maybe it gets out of this House, but I will tell you that if it does get out of the House should it ever become law instead of having a 14 billion dollar backlog of bills, it's only going to increase unless there's some additional revenue coming in making up for the revenue that's not coming in based on the... the... what we're doing with House Bill 160. Based on that, I've got to urge a 'no' vote. And hope you will look at the Bill closely. Thank you."

Speaker Turner: "Representative Ives is recognized."

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

Speaker Turner: "The Sponsor will yield."

Ives: "Representative Zalewski, you opened up your remarks with saying that this Bill were the... was the... a result of the efforts of our Democrat Caucus."

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Zalewski: "Yes."

Ives: "And then you also indicated that you desired to work collaboratively with us. So, what is it? Is this the Democrat Caucus solution to tax credits? Or were you really looking to work collaboratively with us? Because as far as I can tell, we were not included."

Zalewski: "Oh, I disagree, Jeanne. I had subject matter after subject matter in Revenue & Finance where your Members came forth and asked... presented ideas on economic growth and opportunity and we've afforded them opportunity. That... that chance to give us their collaboration. There's... LC language in here is... is an initiative of a caucus Member of yours. The River's Edge Bill helps Members of yours. So, to say that this is only Democratic in nature is in... inaccurate."

Ives: "So, you... obviously your Revenue & Finance Committee had a lot of hearings on various topics that are included in this legislation. And... and as we have documented before there's even specific parts of this legislation that have already been passed out of this chamber. Is that correct?"

Zalewski: "I... say that last part again."

Ives: "I said, you obviously had subject matter hearing on a number of the items that are included in this legislation in your Revenue Committee, correct?"

Zalewski: "Yes."

Ives: "Then you also... parts of these have also been passed out of the House floor right now already, correct?"

Zalewski: "Correct."

Ives: "Okay. And yet, this Bill that you say you worked collaboratively on this Bill actually went through the

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Executive Committee and not your Revenue Committee, isn't that correct?"

Zalewski: "Wrong. Wrong. House Floor Amendment #1 went through Revenue last week."

Ives: "I'm told that the base Bill went through Executive?"

Zalewski: "House Bill 160 was a shell Bill, the Revenue & Finance Committee recommended 'do adopt' Floor Amendment #1, which became the Bill in chief."

Ives: "Okay. And how much discussion was there on that?"

Zalewski: "Plenty. Representative Harr... I won't use his name in debate, but he got so mad he stormed out of the committee room. We had a lot of discussion about it."

Ives: "Well, good for him. Okay. So, that tells me that it actually wasn't a desire to work collaboratively because he stormed out of the room."

Ives: "So, you're proving your point right there."

Zalewski: "Okay. I disagree."

Ives: "But essentially, this is the Democrat Caucus initiative on tax credits. Can you tell me the exact amount of money though, when you subtract all the money... the revenue that it will cost and you add in some of the revenue that you're going to get with the change to the EDGE Credit mainly, how much... what is the net effect of this on our revenue stream for the State of Illinois? Year one. We'll go with year one because I know the IETC Credit moves."

Zalewski: "Net... net effect all Amendments, 199 million."

Ives: "Negative or positive?"

Zalewski: "Negative."

Ives: "One hundred..."

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Zalewski: "Positive. Wait, I'm sorry. Positive."

Ives: "...so this will add 200 million?"

Zalewski: "We... we... Jeanne, wait a moment. I want the record to be clean. We... we adopted the Amendments on Corporate Income Tax which made this a net positive Bill."

Ives: "So... so it's 200 million roughly positive effect on our revenue strain?"

Zalewski: "Yes."

Ives: "That's your estimate? Okay. So, if that's the case and if this is so positive for business why is the Illinois Chamber still opposed?"

Zalewski: "I... my sense is there's things in the... well, you know what, I'm not sure if the Chamber remains opposed after the adoption of the Amendments?"

Ives: "Our analysis shows that they're still opposed after the adoption of all the Amendments. And I think it's... if this is such an important business Bill that's something that should be cleared up prior to a vote on the House floor."

Zalewski: "There's probably things in the Bill that the Chamber isn't an advocate for, Jeanne. But there's things in the Bill that I think they are an advocate for without speaking for them."

Ives: "Look, I... there's things in this Bill that I'm an advocate for, but I think that you're doing this quite piece meal and that... this is a last minute thing on the last day of Session. And it's basically a response to say that you're doing something on tax policy when your tax policy is all over the board. For example, can you tell me what will be the affect on the Earned Income Credit give that you just passed the new

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\$15 Minimum Wage Law, which will absolutely 100 percent impact every bit of Earned Income Tax Credit?"

Zalewski: "So, your question is, what will the effect of a minimum wage increase be on the EITC?"

Ives: "Yeah, that's correct."

Zalewski: "I... I would imagine if a person has... still has the requisite amount of AGI on their tax return they still qualify for the EITC and would benefit from this Bill."

Ives: "Actually that... the opposite is true. 'Cause as you move up the inner... the income tax credit slope at some point you level off and then you start to... you start to go down that. And for the vast majority of people they will be on the downward slide of that slope and actually lose Earned Income Tax Credit..."

Speaker Turner: "Representative, please make your final remarks."

Ives: "The truth is, we don't really know. So, we don't really know what in this Bill is... and how things are going to be affected based on other things that we've already done. So, I urge a 'no' vote. And this is not well thought of. And it's last minute, last day."

Speaker Turner: "Representative Keith Wheeler is recognized."

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

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

Wheeler, K.: "Representative, you and I were involved in a working group about replacement for the EDGE Credit System, that's true right?"

Zalewski: "Correct."

Wheeler, K.: "And what's in this Bill a result of what actually occurred and all the discussions in that committee."



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Zalewski: "As most... substantively, yes."

Wheeler, K.: "Okay. I'm..."

Zalewski: "I want to be... I don't want to go so far as to say we had a complete agreement, Keith, but I feel like we've made..."

Wheeler, K.: "No, I agree. There's some stuff in here that's good..."

Zalewski: "...yeah."

Wheeler, K.: "...my point is going to be, Mike, that..."

Zalewski: "Yes."

Wheeler, K.: "...we never really got to have the discussions in... in deep enough much as truly depth to get to a point where we could get to an agreement. I was looking forward to that happening. Is that still your intention after this Bill?"

Zalewski: "I... I remain willing, ready, and able to talk at any moment about any of this, Keith."

Wheeler, K.: "Okay. Well, I appreciate that. I mean, I do because this stuff is important. People make decisions based on what we're deciding on here today. So, with that said, tell... is DCEO an opponent of this Bill?"

Zalewski: "I... I don't know of a stated position from the department, Keith."

Wheeler, K.: "Okay. Well, I got a note here that says they are opposed."

Zalewski: "Do you know..."

Wheeler, K.: "And there are several reasons why."

Zalewski: "Okay. Can you tell me?"

Wheeler, K.: "You got a minute? I need a fresh timer on this. The Keep Illinois Business Act is in the Bill. The New Markets Tax Credit Provision reflects 114519 language is not agreed

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upon. Moves the extension of the Film Tax Credit Program, Minority Film and Theater Vendor Reporting information not agreed to..."

Zalewski: "Hey, Mr. Speaker, I'm having a really hard time hearing the Representative."

Speaker Turner: "Members, can we please bring the noise level down in the chamber. Take all conversations to the rear. Thank you."

Wheeler, K.: "Back to the list here quick, Mike. I mean, I'll just go through it again very quickly so you can hear me. The Keep Illinois Business Act provisions that are in here. The New Market Tax Provision reflects language not agreed upon. Moves the extension of the Film Tax Credit Program, the Minority Film and Theater Vendor Reporting information not agreed to and other issues. Edges to... changes to EDGE not agreed upon. The supplier diversity goals in EDGE are not agreed upon and the Apprenticeship Tax Credit. Those are all issues that are yet to be resolved with DCEO."

Zalewski: "Sure."

Wheeler, K.: "So, I..."

Zalewski: "Well, I would say the flip side of that is that there... I would think you would agree with this, Keith. There were some core tenants the Department wanted..."

Wheeler, K.: "Oh, yeah."

Zalewski: "...and among them was an extension of the Act along with a prospective job growth component only, some different withholding requirements from the 100 percent rule, clawbacks. So, you're right they probably aren't in full agreement with what we're presenting. But I do think they

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have... we've... we've made a good faith effort to work collaboratively with them."

Wheeler, K.: "And that's my point, Mike, I think we're going in the right direction. I don't think we're there yet. And that's what I'd like to see us get to is getting... getting there together. Can you tell me quick, I know we've got short time here, Mike. The Apprenticeship items within this Bill and the Amendment version of it, how does that fit within the current Apprenticeship Program at DCEO?"

Zalewski: "How does it... how does... say that last part again?"

Wheeler, K.: "How does it fit within the current Apprenticeship Program that exists at DCEO?"

Zalewski: "How does it fit within the current Apprentice Program? Stay tuned, Keith. Hang on."

Wheeler, K.: "Hey, Mike, while they're looking that up can I ask you a different question?"

Zalewski: "Wait, they... my... can we get back to you on that?"

Wheeler, K.: "Yeah."

Zalewski: "Okay."

Wheeler, K.: "So, let me ask you about the... on the manufacturing side of things, there's no Manufacturing Tax Credit, Graphic Arts or R&D Credit?"

Zalewski: "Well, yeah... and I would say to that we continue to be open minded about those tax credits. I think it's important to remember some of those tax credits have expired and life has gone on. So, we're cautious about that. And we want to make sure we're doing things that create jobs on a prospective basis. We don't want to retroactively amend the Code for things..."

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Wheeler, K.: "As... as much as I agree that we've gone on to a degree, at the same time some of those manufacturers haven't gone on. That's my point..."

Zalewski: "Sure."

Wheeler, K.: "...of bringing up for us so we can discuss that as we move forward in the future as well, Mike. If... if some of these pieces were in a separate Bill, I could... I could probably go along with some of this. But realistically this is a... this is a... I'll just go to the Bill here. If you want to get back to me on that tax we can do that separately. It's May 31, this is House Bill, this is not going to go to the Senate and get accomplished today. So, this is more about positioning than it is about the process and this is a process we don't follow. And this process we don't follow has hurt us at every turn here. And I really wish and I hope for our future that we actually start doing that. And I was really excited about looking... at working on that working group on the EDGE replacement because I think that Representative Zalewski is a great guy to work with. And I look forward to doing those things together, but we didn't get the chance to fully finish that project..."

Speaker Turner: "Please make your final remarks, Representative."

Wheeler, K.: "I hope that in the very near future we do get to do that. There's a lot of work to do to create jobs in this state. And with that, should this Bill get the requisite number of votes, I do request verification. Thank you."

Speaker Turner: "Members, a verification has been requested by Representative Wheeler. Representative Senate is recognized."

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Sente: "Thank you, Mr. Speaker. To the Bill. One clarification. I believe a question was asked on House Floor Amendment 2... about the LLC filing fee. And in House Floor Amendment 2, there are some changes to the LLC filing fee. It does reduce the original articles of incorporation and does make a couple of additional changes to annual report and additional fees. But to the Bill. I was here two years ago and the Revenue Committee and the State Government had extensive throughout the summer, throughout the spring, conversations about different tax packages, restructuring our taxes in Illinois, the credits we provide in Illinois. I can't even think of how many committee hearings we've had that I've participated in two years ago, last year; that happened this year. And so, when we talk about the comment last minute? It's not enough? When is it enough? When it will ever be enough? We are going through economic development reforms that are important to both sides of the aisle. I just do not understand why we would not consider such a package as this. Now, let me break out a couple of the items. The Angel Tax Credit Bill, there were seven individual Bills from both chambers... both sides of the aisle. The Lieutenant Governor and DCEO worked on those issues. We just passed that piece of legislation. Bipartisan. It moved forward. Next piece, there's the LLC filing fee. The Governor's Office and DCEO and the Lieutenant Governor are in support of this language in this Bill. Is everything perfect? It's a compromise. That's what a compromise is. These items move the state forward. Is this a last minute? Are you kidding? Obviously, we're coming back and we're not done today, sadly. So yes, this package makes a lot of great

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changes. And why... and the comment was made, this will cost money. It absolutely will cost money. But it will also generate money. And we always talk about... and I hear it more from your side of the aisle than I hear it from our side of the aisle. Businesses will come here and then they will generate the money to make back the money we put in incentives. Our programs have demonstrated they do that. The Angel Tax Credit has demonstrated it will do that. On and on. That's why we have tax credits. Perfect should not be the enemy of good. This is a excellent Bill. I highly encourage a vote. And the last point is, once we know the costs then we can add up and look to how much our final budget should be. 'Cause clearly we're not getting that done today. So, we have run reform after reform that's important to the Republicans, important to the Governor. It's important to me. And so, now you have the chance to vote for it. Please do."

Speaker Turner: "Representative Thapedi is recognized."

Thapedi: "Mr. Speaker, I move the previous question."

Speaker Turner: "Gentleman moves the previous question. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'nays' have it. The discussion will continue... the debate will continue. Representative Willis is recognized."

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

Speaker Turner: "The Sponsor will yield."

Willis: "Representative, would you be kind enough to explain what the Student Assistant Credit is?"

Zalewski: "Which existing credit, Kathy?"

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Willis: "I see it listed under the provisions and it's one the credits I'm not familiar with. So, if you'd be kind enough to explain that to me. It says, Student Assistant Credit."

Zalewski: "Student Assistant. We extend the sunset of this Bill to 2025. And then we increased the annual credit provided to the employer from 500 to 1,000."

Willis: "Okay. And then, we've... we've had a lot of discussion the River Edge Credit. What about the Internship Credit, what is that one? Oh, that one's not given..."

Zalewski: "So... and I want to get back..."

Willis: "...you pulled out?"

Zalewski: "...no, that's a good question 'cause I want get back to Representative Wheeler's question. We are under... we... we don't have... DCEO currently doesn't... does not administer an Internship Credit. This would change that and ask them to administer an Internship Credit. So, it would be an establishment of the Internship Credit."

Willis: "Great. Which is... is definitely a pro-business thing to have more students or more people going to different things and help subsidize internships that they're going. What about... so, does that go along the same lines as the Apprenticeship Training Credit?"

Zalewski: "Yes."

Willis: "And how many people do we expect to be able to take benefit of the Apprenticeship Training Credit?"

Zalewski: "I'm not sure we can... I'm not sure we can ascertain that, Kathy."

Willis: "Do we have an Apprenticeship Training Credit now? Or is this a new program?"

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Zalewski: "No, we're... we're establishing it in the Code."

Willis: "Okay. All right. And then, if we go through... you know, one of the things I see is the LLC fee reductions. That's something in... from the full time that I've been in the House every year we bring forward that. Seems to be something that small businesses truly want to see, correct?"

Zalewski: "Correct."

Willis: "And do we... have we been able to do that at all in the last couple of years? Or is that something that continues to get pushed to the side?"

Zalewski: "Which... which credit?"

Willis: "The LLC Credit."

Zalewski: "Oh, the LLC lowered fee."

Willis: "Fee reductions?"

Zalewski: "No, we've had several discussions on lowering the LLC fee. There's been several permutations of exactly how to do that. I think we at this moment are willing to, for lack of a better word, borrow an idea from... from some of our colleagues on the other side of the aisle. So, I think the LLC fee needs to come down and that's what we're trying to do here."

Willis: "Right. And 'cause that seems to one of the biggest complaints we get from our colleagues on the other side, that we're not looking to these small businesses that this is something that can basically makes dollars and cents. By reducing that we're encouraging them to file more LLC's and therefore, we can really be pro-business. Is that not our goal with all of these credits?"



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Zalewski: "Correct. And I want to cleanup what I just moment... the LLC language is actually an initiative of the Lady from Lake County. But it... it remains an issue that colleagues from the other side of the aisle have put forth as something we need to address, ergo that's why it's in the Bill."

Willis: "Yeah, I can recall in both of my prior terms that I signed on as cosponsor of LLC reduction formulas. So, we did not put in... when you put in the new tax... the new... the final Amendment, we pulled out the Film Tax and the Live Theater Credit?"

Zalewski: "Correct."

Willis: "Why was that?"

Zalewski: "We... I think we wanted a standalone Live Theater Credit given. That was the one that expires. I think there continues to be interest in both credits, but for now we thought it was a prudent course just to run a Live Theater Tax Credit Bill."

Willis: "And we've actually found that having it standalone we hopefully have a better chance of getting it accepted. And we know that the State of Illinois has done quite a bit on using that Film Credit and the Live Theater Credit."

Zalewski: "Yes, correct."

Willis: "Terrific. Thank you. And then, the... so our total fiscal impact with this Amendment, do we have figures that can help us there? Do you... do you have something or is it still a work in progress?"

Zalewski: "One hundred and ninety nine million dollars positive net effect to the state budget."

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Willis: "And with that being positive, we're actually hoping that we're going to encourage more businesses to use the state and to qualify for these credits, correct?"

Zalewski: "Yes. Yes. Yes."

Willis: "Okay. So, instead of saying that this is a bad Bill because we're actually..."

Speaker Turner: "Representative Willis, please make your final comments."

Willis: "I will be happy to. Thank you. So, instead of saying that this is a bad Bill it's actually a pro-business Bill? Is that not correct?"

Zalewski: "Correct."

Willis: "Well, I thank you very much for bringing it forward. And I encourage all of my colleagues to vote 'aye' on this. Thank you."

Speaker Turner: "Representative Harris, your name was used in debate."

Harris, D.: "Actually, Mr. Speaker, only half of my name was used in debate so I'm only going to give a half of a comment."

Speaker Turner: "Thank you, Sir."

Harris, D.: "Just... just... and I have the greatest respect for the... for the Chairman of the House of Revenue & Finance Committee and I worked closely with him. I just want to... would simply like to say though, he said that this was... this was kind of a joint effort. Quite frankly, yes we had a lot of... a lot of subject matter only hearings. But when that... that Amendment came forward... when House Bill 160, Amendment #1, came forward we were not asked what do you want in? What do you want out? It was simply put forward as a take it or leave it situation."

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So, to say that we worked together is stretching the point a bit. But I still have the greatest respect for the Chairman of the Revenue Committee."

Speaker Turner: "Representative Christian Mitchell is recognized."

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

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

Zalewski: "I'm right here, Christian."

Mitchell, C.: "So, it's always a lot of fun to stand right next to your seatmate. I'm always curious what's on the cameras. A couple of questions. So, you... you would say I would imagine normally, Representative, or I'll just call you seatmate, the Republicans tend to be for tax reductions, is that correct?"

Zalewski: "Correct."

Mitchell, C.: "Especially on businesses?"

Zalewski: "Correct."

Mitchell, C.: "So, I... I thought I heard before that someone was actually relieved that we were no longer lowering the corporate tax rate, was that... was that said in debate?"

Zalewski: "It was."

Mitchell, C.: "So, I referred yesterday to some gymnastics that were happening on the other side, you know, while I was buying a little time on a verification, which is the time we find ourselves in again. So, thank you all for that. What I also heard from the Gentleman from Arlington Heights who has, by the way, a lot of respect for you hope you know that Mr. Chairman. Was that if we pass this Bill, there's not going to be a sudden burst of economic growth based on some of the

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reforms that we're putting forward. Is that... is that accurate?  
Did he say that?"

Zalewski: "I... I... yes. I would say that's an accurate... I don't want to speak for the Minority spokesperson, but I think that's what..."

Mitchell, C.: "I'm just verifying what happened in debate. I... and so, I would just say to my colleagues on the other side of the aisle that that same statement could be made for the turnaround agenda, which unlike this, has no direct investment in our business environment. Because not every business is a manufacturer and therefore, not every business is going to see growth from workers compensation. But, let's walk through a bit of the things in this Bill. So, many of our friends on the other side of the aisle have said, hey people are going to take a risk, start a business, one thing we could do is lower LLC fees. Does this Bill do that?"

Zalewski: "Yes."

Mitchell, C.: "Could you walk us through that a bit? What could be the impact on our local small businesses if people don't have to pay as much to take a risk and start a small business?"

Zalewski: "Well, LLC's are in many ways the preferred method of fin... creating an entity these days. For tax purposes, for shielding liability purposes. People wish to file LLC fees. Our LLC fee is high, it's \$500. The desire here is for an entrepreneurial to say, if I want to file an LLC, the initial startup cost shouldn't be the thing that slows me down. I think it... the LLC fees being low and affordable and helping grow entrepreneurship is... is appropriate. And that's why it's in the Bill."

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Mitchell, C.: "I agree with that, Representative. Another question why we're talking about reform. So, some folks might recall the now president of McHenry County, Mr. Franks, did a lot of work on EDGE Tax Credit Reform. I served on State Government Administration and got a chance to do on some of that work with him. Walk us through some of these EDGE Reforms because I think one of the concerns that I've had historically is that EDGE Tax Credits has been sort of a form of corporate welfare without really tying..."

Zalewski: "Correct."

Mitchell, C.: "...the tax credits to actually creating jobs and in doing so in areas that most need them. So, if you could share with the chamber a bit more about what we're doing on EDGE here I think it would helpful."

Zalewski: "Well, we've always had I think a struggle with EDGE. And I... I think it's... and that's a bipartisan statement. Some feel it's used as a... a shield rather than a sword. So, what we've seen is that companies come in, they tell the department we're leaving unless you give us an EDGE Credit. And I think that's not a recipe for success. It's pitting... picking winners and losers in an unfair way. This Bill does several things to end that practice, I think. First of all, it only goes to job creation not job retention. Second of all, if we find ourselves in a position where a company is saying, I'm... I'm leaving. I made my deal with you, but I'm leaving. The state finally has a mechanism to come get that money back which is a huge deal. Third of all, we're going to change the metrics upon which we decide who gets the credit. If you are in a low poverty area, a geographic area of this state where you see

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low unemployment and you see the high need for economic development, you are first in line for an EDGE Tax Credit. Those are the types of things that we do to EDGE that I think makes it much more palatable as a system for this Body."

Mitchell, C.: "Thank you, Mr. Speaker. To the Bill. There are things in this Bill that I don't like. I tend to believe that the way that we create new businesses in the State of Illinois is to raise demand, do things like we did yesterday in terms of raising the minimum wage. There's more demand for the products of our employers, invest in higher education, which this Governor's cut by over 60 percent, to make sure we have a prepared workforce. But this is a reasonable compromise. And I would urge everyone to vote 'aye'."

Speaker Turner: "Chair recognizes Representative McDermed."

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

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

McDermed: "Representative, one of my favorite shows is Empire. So, I'm really curious what happened to our Film Tax Credit? There was a subject matter in Chicago, lots of folks came and testified. More and more shows are being filmed here. What happened to my Film Tax Credit?"

Zalewski: "Well, you should know Representative that that credit doesn't expire for a good long while. We remain interested in that tax credit. I think for the purposes of this discussion, we're a little more focused on the here and now. I remain committed to the Film Tax Credit. I remain committed what it has done for economic activity in the Chicago and the State of Illinois. But for now, it just... it's not going to be part of this particular proposal."

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McDermed: "Don't we hear from those doing this work that they need the Film Tax Credit to be extended for investment purposes?"

Zalewski: "Yes."

McDermed: "But we're still not doing it?"

Zalewski: "Correct."

McDermed: "Okay. I'm curious at the name... at the name of your Bill, which is... to the Bill. Which is called, Keep Illinois Business Act. And yet, we've added a Business Occupation Tax of \$5,000 for businesses that otherwise are not paying taxes. Under no circumstance can I see how we can call a Bill, Keep Illinois Business Act when we're not putting in the tax credits that our businesses say we need, the development policies that our businesses say we need. And not only that, we're adding insult to injury and charging them \$5,000 Business Occupation Tax. Whatever this Bill is, it's not a development Bill. Vote 'no'."

Speaker Turner: "Chair recognizes Representative Batinick."

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

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

Batinick: "I'm going to start out a little happier tone for me today, that's a good look for you. You look like you're ready for a long day."

Zalewski: "Thank you. Thank you. I am."

Batinick: "I'm happy to consider this Bill except you just adopted Amendment 2 and Amendment 3 on a massive omnibus reform Bill minutes ago. It's hard for anyone to absorb all that."

Zalewski: "Sure."

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Batinick: "So, I hope you can understand I'm going to have some questions cause..."

Zalewski: "Yeah."

Batinick: "...I'm... I'm confused. Because I keep hearing about how this is a tax cut or incentives or whatever and it's going to cost us money, but then you're saying it is a net positive income? Can you please rectify that?"

Zalewski: "I think there's a number of provisions in this Bill that will help businesses in Illinois see their tax burden reduced. I think there's a number of provisions in this Bill that will help the state attract more businesses by virtue of the EDGE Program and Keep Illinois Business Act. And I think there's a number of provisions in this Bill that will change our Tax Code in a favorable way so that small businesses bear the same amount of burden as large corporations."

Batinick: "So, you want small businesses to bear more burden as compared to large corporations?"

Zalewski: "No. This... no, I want small businesses to bear less burden than large corporations. That doesn't happen right now."

Batinick: "Okay. Well, there's... like I said, you just adopted this Amendment. My guess is hardly anybody actually read this Bill or knows fully what it does."

Zalewski: "I... I did, Representative."

Batinick: "Can... can... okay then... then breakdown where the... like I'm seeing hundreds of millions of... of costs but you're saying the net is 200 million net? So, the hundreds of millions in new revenue the state's going to receive to set off... to offset



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LLC fee reductions and stuff like that... can you please break down those fee or tax increases?"

Zalewski: "The Theater... the Theater Tax increases?"

Batinick: "Well, there's new revenue in this. Can you break down the new revenue?"

Zalewski: "Yeah. There is a provision in the Bill which simply says that in lieu of paying a Corporate Income Tax we find that there are instances when companies are able to evade the Corporate Income Tax. As a result of that it creates some balance in the Tax Code, we would create a new mechanism so that we... you could see a fairness in the Tax Code of who pays what."

Batinick: "Okay. How much money does that raise? That's the only new revenue source you have?"

Zalewski: "Three hundred and eighty six million."

Batinick: "So, you have 386 million in new revenue and then 184 million in new incentives, we'll call them?"

Zalewski: "No. The net... the net... so, we... we also changed some of the EDGE, what's called the special EDGE, Mark. If we were to eliminate that, which we do here, it saves the state \$28 million."

Batinick: "Okay. So, you have a little bit less than 200 million. You have a little bit less than 200 million in new incentives and the 384 million in what you see as new tax revenue on businesses, correct?"

Zalewski: "What I see is Corporate Tax fairness."

Batinick: "Okay. Your Corporate Tax fairness is \$384 million of new revenue?"

Zalewski: "Correct."

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Batinick: "Okay. I just... just want to get that straight. Here's... here's the thing I'm... I'm having... we've probably been debating this for maybe an hour and I'm looking up at the board and I notice that it says, House Bill 160. Why are you bringing this Bill today?"

Zalewski: "Why am I sending House Bill 160 up?"

Batinick: "Why... yeah, why are we debating..."

Zalewski: "I... I..."

Batinick: "...this Bill today?"

Zalewski: "...I tend to hold my Bills until I have the requisite number of votes, Mark. And I have... I feel like I have the votes to pass the Bill."

Batinick: "Well, I guess the issue is last I checked May 31 is the budget deadline, and we should be working on Senate Bills that we send for them to concur cause there's not three days left in the Senate. I'm just curious why would we... obviously we're going to be here in June. You just adopted these Amendments. It would be wonderful to actually review all the incentives and the upside and the downside. Because you have new revenue in this, you have new incentives in it. It would... I would love to read... this is the type of... type of... type of Omnibus Bill that would really take somebody weeks to review. And I have no idea why on May 31 we're debating a Bill can't be passed out of both chambers on May 31, instead of debating the fact that we haven't had a budget for 700 days."

Zalewski: "No, I'm ready... I'm sure that'll be brought up... taken up... later on today. I... I would tell you, Mark, there's a desire among our caucus to work collaboratively on issues

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where we thing that's common ground. And I know in the debate...  
I've heard a lot of..."

Batinick: "Can I... I'm going to..."

Zalewski: "...no, wait... can I finish my..."

Batinick: "...can I nicely cut you off 'cause my time is running  
out? You can pontificate after I'm done."

Zalewski: "Sure."

Batinick: "I appreciate that. If... if... to the Bill. If we want to  
work collaboratively on this and I think there is a lot of  
good things in here, I'd like to absorb them all. I'd request  
that you pull the Bill from the record so that we can... when  
we come back here in June, we can pass it. We'll lose no time.  
It can go to the Senate the same day. And we can spend the  
rest of our day actually talk about the budget. Thank you."

Speaker Turner: "Representative Wehrli is recognized."

Wehrli: "Thank you, Mr. Speaker. Thank you, Mr. Speaker. I yield  
my time to Representative Keith Wheeler."

Speaker Turner: "Representative Wheeler is recognized."

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

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

Wheeler, K.: "Mike, you had given me an answer back on that  
apprenticeship thing. I just want to make sure I have clarity  
about this. I'm looking at some notes I have regarding  
apprenticeships in our state through DCEO that says that  
discussions on this tax credit would require DCEO to certify  
a tax credit for qualified apprenticeship programs. There is  
no such thing as a qualified apprenticeship program since  
there is not a designated agen... apprenticeship agency in the  
state. All apprenticeship programs in Illinois must register

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with DSO... or USDOL and DCEO does not have the authority to certify or register qualified apprenticeship programs. That's why I asked that question about what apprenticeship program you intended to use as a vehicle within our State Government right now with this... with what you're adding to the program here."

Zalewski: "What... why are we doing it? Is that your question?"

Wheeler, K.: "No. How it's going to work?"

Zalewski: "I think we're going to ask DCEO to establish the program. I think we're going to ask them to assess the qualifications for how an EDGE apprenticeship tax credit would be applied to businesses that chose to use it. And we'll empower them to convince more businesses to hire apprenticeships so they can learn the trades of the business."

Wheeler, K.: "Well, I'm a big advocate for apprenticeship programs. That's why I'm asking these questions, Mike, 'cause I want to understand how this might actually take form. Are you going to trailer Bill that would give them the authority to do that or?"

Zalewski: "No, I..."

Wheeler, K.: "Is it in the Bill?"

Zalewski: "...I'm... my staff assured me they have the authority in the language that's in the Bill."

Wheeler, K.: "I guess that means we need more communication with DCEO. That's my whole point. I mean, this is all coming so fast. We didn't really get to flush it all out. And that's why I..."

Zalewski: "Keith, to the question... to the... to your point on that. And I was in the committee last week. I... I had an open policy

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in that committee of allowing people to testify when... if I'm... unless I'm mistaken, one... the department didn't tell me that they were opposed to this. So, I can only go by what the department's telling me. And I don't mean to put them in a difficult position. They're busy, it was a last week. We're all running around. I didn't hear that they were opposed to this."

Wheeler, K.: "I think there's some underlying parts where, Michael, that... combined these other Bills in here, some that are already opposed to, it kind creates an opposition effect already. Again, this goes back to the process. I'm not going to take much more time of everyone's here. We can do a better job of the process on this. We can work more collaboratively. I think we've all discussed that. We actually have to do it. That has to happen at some point in time. I'd love to get together with you on that. To the Bill. If you vote for the fact that this Bill in the way it's formed right now, you're in effect voting for a tax increase on C Corps, who don't pay currently \$5,000 in income tax, currently. Think about that for a minute, people. That is where the revenue stream really comes from. This is a Business Occupation Tax that was originally balanced out by a cut in the Corporate Income Tax. That got removed. This is the... the Business Occupation Tax element of this Bill still is intact. Please vote 'no'."

Speaker Turner: "Chair recognizes Representative Halpin."

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

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

Halpin: "Mr. Chairman, so in this Bill there's a River's Edge Redevelopment Program Extension, correct?"

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Zalewski: "Yes."

Halpin: "And what was the justification for extending that program for another... was it 2 years?"

Zalewski: "Yes."

Halpin: "What was the justification for that?"

Zalewski: "I think we find it to be a productive credit, Mike, that is... is working in the way in which we'd like it to work."

Halpin: "And I actually asked the Department of Revenue to give an estimate as to how much credits were claimed under this program on an annual basis and the answer I received was approximately \$1.5 million per year. Does that sound about right?"

Zalewski: "Yes."

Halpin: "And so that's a very small portion of our... our state's revenue. I mean, it's probably less than... less than one half of one hundredth percent of the state's budget, correct?"

Zalewski: "Correct."

Halpin: "And there's currently five zones with that program?"

Zalewski: "Five zones, yes... yes, Sir."

Halpin: "And I believe there was subject matter testimony from the cities of Aurora and the cities of Rockford about how beneficial this program was to... to their communities?"

Zalewski: "Correct."

Halpin: "And in fact, in exchange for that \$1.5 million per year of... of tax credits those communities experiences perhaps tens of millions of dollars of redevelopment and economic development and increased economic activity, correct?"

Zalewski: "Correct."

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Halpin: "And so, I... as you know, I... I came to a subject matter hearing and had a Bill myself to add the Quad Cities to this program. I would agree that it is a good program that provides significant return to the State of Illinois for very, very minimal cost. And in my community in the Quad Cities we're right across the border from the... the State of Iowa, which has for a long time already provided 20 percent historic tax credits. And right now, Illinois cannot be competitive. If a developer wants to come in and... and do a historic property, they are going to go to Iowa because that's 20 percent off their costs right off the top that they're not able to get in our community. And so, you know, I think we need to consider extending this program if not statewide to... to cities that are along our Illinois Rivers or just add a Historic Tax Credit statewide without inclusion any kind of zone. But the very least, we should expand this program to more than just the five pilot projects that we've done. It's a pilot project to test whether it's been successful. And the answer is it has been successful. We need to do this our other communities. It's a very small part of the state's revenue that's lost. And it provides untold economic benefit. And you know, although I agree with a lot of things in this Bill and there's actually... the Keep Illinois Business Act is a... is an Act that I'm very supportive, it was my Bill... standalone Bill. But, you know, I can't support this legislation because I... we haven't had the opportunity to expand this program the way we should have. Thank you, Mr. Speaker."

Speaker Turner: "Representative Unes is recognized."

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

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

Unes: "Representative, I think that earlier in debate it was acknowledged that the Research and Development Tax Credit is... is not in the Bill. So, I know that already but is the Manufacturer's Purchase Credit in this Bill?"

Zalewski: "No. Actually I was asked if the MPC's in the Bill. And I said, no. We didn't talk about R&D."

Unes: "And the Graphic Arts Credit?"

Zalewski: "The Graphic Arts is not in the Bill."

Unes: "So, I've also heard throughout this debate that there was sounds like many, many people going to this committee and testifying. Can you tell me how many manufacturers actually came and testified?"

Zalewski: "On MPC?"

Unes: "Just on this Bill for Research and Development Tax Credits, on the Manufacturers Credit?"

Zalewski: "Mr... I don't recall... Mr. Denzler... when we did Floor Amendment #1 wanted MPC in the Bill, Mike."

Unes: "So, what about the Manufacturer's Purchase Credit?"

Zalewski: "That's the Manufacturer's Purchase Credit, MPC. Sorry."

Unes: "So, I understand that you say Mr. Denzler and the IMI but I'm talking specifically about manufacturers from..."

Zalewski: "We... we had a manufacturer come and talk to us about how EDGE works. And how, you know, it was helpful to his program. So, we did have manufacturers come talk to us."

Unes: "...so, manufacturing jobs to me... and Representative, I appreciate the hard work that you've put into this Bill. I know you've worked very hard on this. I'll go to the Bill.



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Manufacturing jobs are critical in this state. They are important to me, they should be important to every Member in this chamber. But we are losing manufacturing jobs at an alarming pace. Last year alone, we lost thousands and thousands of manufacturing jobs. And what happened? All of our surrounding states had a net gain. In fact, over 10 thousand manufacturing jobs were gained all around us. That's concerning to me. Just yesterday.. just yesterday on this floor we spent hours and hours talking about a minimum wage increase. Ladies and Gentlemen, why aren't we concerned about the now under 600 thousand manufacturing jobs that we have in the State of Illinois that we are losing? Why aren't we concerned about that? Why are those jobs being ignored? Hopefully, those working in minimum wage jobs could get promoted and go into a hardworking, blue collar, head of household jobs that these manufacturing jobs represent. But if we keep ignoring this industry and keep losing these jobs at an alarming pace of thousands of years.. thousands of jobs a year those jobs aren't going to be available in the State of Illinois. It's time that we stop ignoring the importance of these nearly 600 thousand jobs that we have. And these credits that would not only retain these important, hardworking, blue collar jobs, but also in the case of the R&D be able to bring new jobs to the State of Illinois which is something that we should all want. Thank you."

Speaker Turner: "Representative McCombie is recognized."

McCombie: "Thank you, Speaker. Will the Speaker.."

Speaker Turner: "The Sponsor will yield."

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McCombie: "...Sponsor yield? Thank you. Thank you. I'm still new so I'm learning here. You had mentioned that you don't like to present a Bill unless you have your... your votes. And a previous speaker or... can we have some quiet please? Sorry. A previous speaker had asked why you were presenting it at this time. So, I'm also curious about that. Because obviously this Bill if passed today is not able to go to Senate unless you have your three-fifths majority in the Senate to bring that forward. So, can I assume you also have that?"

Zalewski: "Can I... can I... can you assume that I know what the Senate will... how the Senate will act on this?"

McCombie: "No, but's it's going to go..."

Zalewski: "No, you can't assume that."

McCombie: "...forth to them. Because it... help me understand. If we pass this today, can it go to the Senate?"

Zalewski: "Yes."

McCombie: "When?"

Zalewski: "It can go to... it can go to the Senate, yes."

McCombie: "Yeah, so can it... it can go there, but can it get passed there?"

Zalewski: "It cannot be read three times in the Senate, no."

McCombie: "Okay. So, would this be truly then a Bill?"

Zalewski: "Yes."

McCombie: "Okay. All right. Also, the... parts of this Bill you're right are absolutely wonderful. We've had previous speakers speak on pieces of it that are really great pieces to it which I absolutely support. Then I'm confused because then like for example the River's Edge and then that gets voted down by some Members that support it and are on the Bill as a

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standalone. Also my Bill, House Bill 2834, was an extension of the EDGE Tax by Leader Currie and several other folks on your side. So, I thought that that was going to be an easy extension if we weren't going to do a rewrite. So, my question is..."

Zalewski: "Of... of which Bill?"

McCombie: "...for the EDGE Tax, HB 2834, it was just an extension."

Zalewski: "Okay."

McCombie: "I know there was talk about rewriting it completely."

Zalewski: "Oh, I... respectfully, Representative, we've had multiple conversations about... I mean, the Gentleman from Oswego would tell you we've had multiple conversations about how EDGE needs to be..."

McCombie: "Right."

Zalewski: "...reformed."

McCombie: "And I fully support the EDGE Tax and I fully support extending that even in its... in its current form that it is. But when you piece it together in this package, it then all of the sudden is not so appealing to my district of business in my district. So, I'm... I'm questioning why are so many pieces put into this? Because if you put an EDGE Tax Credit and partner it with the Keep Illinois Business Act it all the sudden becomes a bad, bad Bill. So, why..."

Zalewski: "I disagree."

McCombie: "...piece it all together?"

Zalewski: "I disagree, Representative. I... you know, I... if we were going to do a Bill like this that incorporates any number of proposals that deal with tax policy in this state, separate and aside from just general revenue, it will look like this.

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There is thing in here that are advantageous to small business. There are things in here that are advantageous for the department of recruit new business. There are things in here that will help an entrepreneur grow their own business. There are things in here that will help small businesses bare less of a burden than major corporations. I... I know that you may not think every single thing should be in or out but ultimately on Bills like these, these are recipes. And we find the right recipe and we go forth from there. And I think, you know, you guys... there's... there's been some substantive feedback, maybe I didn't find the right recipe right now. But I think I did a decent job of advancing the ball forward. So, to the extent you don't want to vote for this Bill that's... that's your prerogative."

McCombie: "Sure."

Zalewski: "I would say that this Bill is pretty good in terms of what... in terms of its balance, its approach, and its breadth, and its width."

McCombie: "Okay. Also, one more question. And... so with pieces already passed like were previously spoken on with the LLC and the Angel and the River's Edge, they're already passed? Why lump them in this now to take them away? Were they not... I don't understand that process either?"

Zalewski: "Well, I... you know, the... we passed standalone Bills as Members came to the conclusion they wanted to move their standalone Bills. I wanted to move my legislation in its current form. So, things sometimes happen in silos around here. And I wanted to move my Bill and they wanted to move their Bill."

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McCombie: "So, if they both become law... the standalones and this, how is that going to mesh up?"

Zalewski: "I'll... I think there's a rule on that. I'll get back to you on that."

McCombie: "Okay. Thank you."

Speaker Turner: "Chair recognizes Representative Phillips."

Phillips: "Thank you, Sir. Will the Sponsor yield?"

Speaker Turner: "The Sponsor will yield."

Phillips: "Mike, I'm curious about the creates the Business Occupation Assessment Act and that \$5 thousand your going to start putting on corporations. If there anything in there that talks about the number of employees that could... I mean, a corporation with say 10 or 15 could be protected from that? Small companies to isolate those from having to pay that?"

Zalewski: "Reggie, one moment please."

Phillips: "I remember when I was starting out with my small businesses that that can be really tough to swallow."

Zalewski: "It's... so it goes based on the corporation's AGI, Reggie. It doesn't go based on number of employees."

Phillips: "Well... so in other words, if it's a company that's starting out with 4 or 5 employees their... the silk screen t-shirts, say... that's was one of my first businesses."

Zalewski: "Reggie, I'm having a really hard time hearing you."

Phillips: "Okay. So, let's say I have 4 or 5 employees and I just got started out and I don't have... you know, my net income is less than the 5 thousand so I'm going to get hit for a 5 thousand dollar tax?"

Zalewski: "No."

Phillips: "So, explain it to me then?"

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Zalewski: "You would have to have above... so I'm going to hit the reset button on that answer. The way that it would work is any sub... Sub Chapter S Corporation... non Sub Chapter S Corporations would be assessed the tax. And it would be creditable against their Illinois Income Tax Return."

Phillips: "So, it... it affects S & C Corporations both, right?"

Zalewski: "Non S's. No... S's would not be affected by this."

Phillips: "Just C Corporations?"

Zalewski: "Correct."

Phillips: "Does it affect LLC's?"

Zalewski: "No."

Phillips: "So, just the C Corporations period in the State of Illinois?"

Zalewski: "Correct."

Phillips: "Do you know... have any idea... is this \$500 million how many C Corporations is that exactly?"

Zalewski: "No, that... that's inaccurate, Reggie. It's \$386 million. And we don't... we can't... I think we have how many C's there are in the state? I'll... I'll try to find that out for you."

Phillips: "So, if you have no tax liability, can you apply the credit towards the assessment? No. So, you're still going to get hit."

Zalewski: "Well, no the idea... well, no the idea is, Reggie, this is to capture C Corporations who we feel like are... are..."

Phillips: "Well, I know the idea, I get it."

Zalewski: "Okay."

Phillips: "And I'm... but I don't think this is going to do it."

Zalewski: "Okay."

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Phillips: "I think we're just going to punish some of the smaller ones."

Zalewski: "But we're... no... I don't..."

Phillips: "I wish there was a way..."

Zalewski: "...I disagree on that. I don't know how many C Corps are left in this state that use C Corps as a business filing and say, this is the way we're going to chose to file our business. C Corps are large corporations, who we feel as though are finding ways to make their tax liability zero."

Phillips: "Well, I'm... no offense, Mike, but how many companies have you ran?"

Zalewski: "One."

Phillips: "One. Okay. And how many employees did that have? One?"

Zalewski: "One."

Phillips: "Yeah, that's what I figured."

Zalewski: "But, I... but, Reggie, I don't know that that makes me any less of an expert on what big business law is."

Phillips: "Well..."

Zalewski: "And I..."

Phillips: "...maybe you should climb over on the other side and run in the shoes of the corporations that are trying to make a living here in the State of Illinois."

Zalewski: "...no I understand that."

Phillips: "And making it more and more difficult. Cause I have a C Corporation, it's a construction company."

Zalewski: "But I... but I've worked for private entities. I represent private entities. I know private entities, how they operate. I know how to counsel them on business filings. I know how to counsel them on regulatory acts. I'm not saying

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that I have as much business acumen as you do. But I think it's... I think it's irresponsible to suggest that nobody on this side of the aisle has any idea how to run a business simply because we've never run a business before."

Phillips: "I'm not trying to say that. I'm simply saying that I wish we could remodify this, take in a little bit of time so we can really asses this and see how it's going to affect the C Corporations, especially the smaller ones. 'Cause I understand what you're trying to do and I know the loopholes and I know how the corporations can move around those. But it's in the statute, it is our laws. And I'd be willing to talk about those and share with you my experiences..."

Zalewski: "Sure. I'd love..."

Phillips: "...on what is there."

Zalewski: "I'd love that."

Phillips: "But I..."

Speaker Turner: "Mr. Phillips, please make your final comments."

Phillips: "That's really all. I just... I'm feared for what we're doing. And I wish there was a way we could take a little bit of time to really think this through cause it's like everybody said, parts they like, parts they don't like. And the parts we don't like I think are going to destroy some of our smaller ma and pa businesses. Thank you for your consideration. I urge a 'no'."

Speaker Turner: "Representative Zalewski to close."

Zalewski: "Thank you, Mr. Speaker. This has been a very robust debate. I'll go back to what I said previously. This incorporates a lot of things that I think appeal to a wide variety of people. I think it will ultimately increase the



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economic activity of the state in a positive way. We've done our level best to incorporate as many ideas as we can under the considerations that we have. I would ask for its adopt... I ask for an 'aye' vote."

Speaker Turner: "Members, a verification has been requested by Representative Wheeler. Please be at your seats to vote your switch. The question is, 'Shall House Bill 160 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 63 voting 'yes', 50 voting 'no', 0 voting 'present'. Representative Wheeler would you like to proceed with your verification? Mr. Clerk, please read the names of those voting in 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; Representative D'Amico; Representative Davis; Representative DeLuca; Representative Evans; Representative Feigenholtz; Representative Fine; Representative Flowers; Representative Ford; Representative Gabel; Representative Gordon-Booth..."

Speaker Turner: "Excuse me, Mr. Clerk, the Representative doesn't wish to persist. With 63 voting 'yes', 50 voting 'no' and 0 voting 'present', House Bill 160, having received the Constitutional Majority, is hereby declared passed.

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Representative Zalewski for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Sir."

Zalewski: "Mr. Speaker, we're going to have a long day today. But in the meantime, these two young ladies have staffed the House Revenue & Finance Committee this year. They've staffed our Caucus this entire time I've been around... that they've been around. Valerie Cory and Sydney Holman are moving on to the bigger and better things after... after this Session. They have done yeoman's work the House Democratic Caucus, they've done yeoman's work for the citizens of the State of Illinois. If we could give them a big round of applause."

Speaker Turner: "Thank you and congratulations. Representative Wehrli, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed."

Wehrli: "Earlier this morning the Representative from the 84th District got up and spoke in opposition to a Property Tax Freeze and asked how long Members on this side of the aisle would appreciate to put in to place a Property Tax Cap. Let me remind everyone that Illinois has the second highest property tax burden in the state. We're second only to New Jersey. Kane County, Kendall County, and DuPage County rank in the top 10 of highest property taxes in the state. In fact, Oswego has an effective property tax rate that is 45 percent higher than New Jersey. The highest property tax state in the nation, yet Oswego outdoes them on property taxes. Decades of unfunded spending and unbalanced budgets in this state have

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put a higher and higher burden on property taxes throughout this state. What was... what was omitted in the comments made earlier about the \$36 million that the school district would miss was not that it was the school district's money, but it's the property owner's money. It's the property taxpayer's money. So, to answer the question of how long we would like a Property Tax Cap as long as we can possibly get."

Speaker Turner: "Mr. Clerk. Mr. Clerk, Rules Report."

Clerk Hollman: "Committee Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2017: recommends be adopted a Motion to concur with Senate Amendment #2 to House Bill 155, Senate Amendment #1 to House Bill 3244."

Speaker Turner: "Leader Lang in the Chair."

Speaker Lang: "Representative Fine, for what reason do you rise?"

Fine: "Point of personal privilege, please."

Speaker Lang: "Please proceed."

Fine: "I'd like to welcome to the floor today my Page for the day, my Chief Legislative Aide from our Glenview Office, Shiva Mohsenzadeh."

Speaker Lang: "Welcome the House Chamber. Mr. Harris."

Harris, D.: "Point of personal privilege, please."

Speaker Lang: "Proceed, Sir."

Harris, D.: "I'd just like to add my comments as the Republican Spokesperson on Revenue to what the Chairman of the Revenue said regarding his... the two Democrat staffers, Valerie and Sydney. It has been a pleasure working with them over the years. They are going on... I don't see how they go on to bigger and better things than the Illinois House of Representatives,

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but we certainly wish them well. And it's been a joy working with them. Thank you very much."

Speaker Lang: "Thank you and congratulations. Members, in the interest of time because we have many Bills on the Calorie... Calendar and it is May 31, when your microphone goes off we're not giving you a chance to finish your comment. So, please keep an eye on the timer which we're going to be using the rest of the day. Additionally, I would ask Members to refrain from having repeated debate on the same Bill and saying the same things over and over and over. I don't want to squelch debate but you should say what you want to say, but let's get through these Bills as expeditiously as we can. Additionally, points of personal privilege, would request they be a bare minimum for the rest of the day. The Chair recognizes Mr. Davis on a point of personal privilege I'm sure."

Davis, W.: "Very quick though. Everybody has congratulated young Sydney, I just want everybody to know she's a product of the 30th District, she lives in my District. And I'm just so very proud of her and everything that she's accomplished and very, very happy that she is moving on. And I'm sure this won't be the last time we see young Sydney."

Speaker Lang: "Page 13 of the Calendar under Concurrences, House Bill 155. Mr. Sims, please proceed. Out of the record, Mr. Clerk. We'll get back to you, Mr. Sims. Page 19 of the Calendar under Concurrence, House Bill 3817, Representative Nekritz. Please proceed, Representative. Members, please be in your chairs for the remainder of the day. Goodness knows if we will get back to your Bill."

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Nekritz: "Thank you, Mr. Speaker. I don't think she's here but over the last three years it's been my pleasure to work with Cook County Board President, Toni Preckwinkle, on a series of juvenile justice initiative and reforms. So, I'd like to thank President Preckwinkle and her team at the Justice Advisory Council, some current and former Executive Directors and staff, Kim Foxx, Lanetta Haynes Turner, Chris Barnard, and Ali Abid. I would also like to thank some folks from law enforcement, Matt Jones and John Thompson for working on this particular piece of legislation. You know, Illinois had the first in the country Juvenile Justice System back in the late 1890's and over the years we've wandered away from the mission and the purpose for those... for that Juvenile Justice System. But with the benefit of research and data we now know how important it is to return to and restore the integrity of our Juvenile Court System. So, again, over the last three years it's been my pleasure to work with President Preckwinkle and the Justice Advisory Council on three significant reforms. First, would be ending automatic transfer for all but for the most heinous crimes. Second, ending commitments to the Department of Juvenile Justice for misdemeanors. And now, this legislation which provides for automatic expungement for arrests and adjudications of delinquency. The concurrence Motion actually is designed to exclude the following crimes from automatic expungement. That would be: dismembering a human body, reckless discharge of a firearm, gun running, firearms trafficking, possession of a stolen firearm, and aggravated possession of a stolen firearm. And then I have just one other statement for legislative intent here. By law

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enforcement record, which as that term is defined as... as that term is in the Bill, it's our intent that this includes but is not limited to records of arrest, station adjustments, fingerprints, probation adjustments, the issuance of a notice to appear, or any other records or documents maintained by any law enforcement agency relating to a minor suspecting of committing an offense. It also includes any format or media such as electronic paper or carbon copy, et cetera. By records or documents relating to 'evidence of interaction with law enforcement' it is our intent that this relates to records or documents that relate to the minor being suspected of committing an offense and not related to the minor in other roles, such as being a possible victim, witness, or missing per... person... missing person. I'm really sorry that the President... I don't think the President's here. But would ask for your support on the concurrence Motion."

Speaker Lang: "Lady to moves to concur. Mr. Durkin is recognized."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Durkin: "Representative, I think you mentioned that the State Police were involved with this latest Amendment. Could you tell me whether that has removed their opposition and what has been ironed out with the Illinois State Police?"

Nekritz: "The... the Illinois State Police had two types of objections. One was procedural, how to get the automatic expungements done. The second was a list of crimes that they did not want subject to the... to the... the automatic expungement. We took care of those concerns before the Bill actually moved out of the House over to the Senate. Over in

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the Senate, it's my understanding that the Governor's Office had additional crimes that they wanted to see removed from the automatic expungement. So, the Senate Amendment reflects the Governor's requests."

Durkin: "Well, thank you very much. To the Bill. This is fine work. About a month ago I spoke to this Bill and I said that this is good legislation, something that we should embrace. Helping our youthful offenders, making sure that they're not going to go on a bad track on their life based on one or two bad decisions they made. So, my position hasn't changed. I will support your Bill and I'll encourage Members on our side of the aisle to help you out as well. Thank you."

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? Last call. Have all voted who wish? DeLuca. Mr. Clerk, please take the record. There are 71 voting 'yes', 43 voting 'no', and the House concurs in Senate Amendment #1 to House Bill 3817. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 16 of the Calendar under Concurrence, House Bill 2959, Representative Fine. Please proceed."

Fine: "Thank you, Mr. Speaker. I'd like to concur with Senate Floor Amendment #1 to House Bill 2959. All this Amendment does is clarify the language in the Bill and it specifies that when preexisting conditions are..."

Speaker Lang: "Representative Fine."

Fine: "...it specifies that when preexisting conditions are covered it does not apply to short term travel, disability income,

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long term care, accident only, or limited or specified disease policies."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

Andersson: "So, this is not a gut and replace? This is just an addition to what's in... what was in your original Bill?"

Fine: "Right. This was the original intention of the Bill. And this just clarifies it."

Andersson: "Okay. So, if you could back us up just a bit and tell us what the original Bill does? Cause I think, you know, we may have forgotten."

Fine: "Oh, sure. So, what the original Bill does is it puts in statute that health insurance policies sold in the State of Illinois need to cover preexisting conditions."

Andersson: "All policies need to... oh, wait a minute, right. I think I recall this now."

Fine: "Correct."

Andersson: "So, this is in response to the fear of what might happen at the Federal level, correct?"

Fine: "That is correct."

Andersson: "Got it. And what's the... do... did we have a fiscal impact? Did we know what the impact of this was going to be to the state?"

Fine: "None that I know of."

Andersson: "Okay. And it looks like insurance agencies, Blue Cross Blue Shield remain opposed? So, the Amendment did not address their concerns?"



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Fine: "My guess is no. But their concern was they would like this Amendment in the legislation to specify what the Bill does and does not cover."

Andersson: "The... I'm sorry, you said they did..."

Fine: "They wanted to make sure that we specified in the language, even though it was implied in the original underlying Bill, of what this would cover and what would not be covered under it."

Andersson: "I understand. So, it... while it doesn't sure their objection at least it made it a little better for them?"

Fine: "I... I... it might not clear their objection but I think it puts their minds to rest a little bit so they know what is actually covered and what is not. And this goes into our statute just like it does if your child is 26 years old, even if the Affordable Care Act is overturned in Illinois, you can still get coverage for your child until the age of 26."

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

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? Please record yourselves. It is May 31. Please record yourselves. Mr. Clerk, please take the record. On this question, there are 87 voting 'yes', 26 voting 'no', and the House concurs in Senate Amendment #1 to House Bill 2959. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions. And Members we are not adjourning."

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Clerk Hollman: "Agreed Resolutions. House Resolution 464, offered by Representative Turner. House Resolution 465, offered by Representative Wallace. House Resolution 466, offered by Representative Batinick. House Resolution 467, offered by Representative Davidsmeyer. House Resolution 468, offered by Representative Davidsmeyer. House Resolution 469, offered by Representative Harper. House Resolution 470, offered by Representative Jimenez. House Resolution 471, offered by Representative Soto. House Resolution 472, offered by Representative Hurley. House Resolution 474, offered by Representative Flowers. House Resolution 475, offered by Representative Swanson. House Resolution 476, offered by Representative Brady. House Resolution 477, offered by Representative Sims. House Resolution 478, offered by Representative DeLuca."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted. Mr. Davis for what reason do you rise, Sir?"

Davis, W.: "Mr. Speaker, can the record reflect that I wish to have been recorded as a 'yes' on Senate Bill 639."

Speaker Lang: "Record will reflect your intention. Mr. Clerk, Adjournment Resolution. And no, we're still adjourning, Members."

Clerk Hollman: "House Joint Resolution #65, offered by Representative Currie."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives

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adjourns on the 59th Legislative Day and the Senate adjourns on the 57th Legislative Day, the House shall remain in continuous Session and stands adjourned until the call of the Speaker, and the Senate shall remain in continuous Session and stands adjourned until the call of the President."

Speaker Lang: "Leader Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Adjournment Resolution is adopted. Page 15 of the Calendar, House Bill 2525, Mr. Hoffman. Mr. Demmer is recognized while we wait for Mr. Hoffman."

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

Speaker Lang: "The Republicans will caucus immediately in Room 118. The Democrats will caucus immediately in Room 114. The House will be in recess to the call of the Chair."

Speaker Turner: "The House will be in Order. On page 13 of the Calendar under Bills under Concurrence we have House Bill 155, Representative Sims. Mr. Clerk, please read the Bill. Representative Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with the Senate on House... on Senate Amendment #2 to House Bill 155. It changes the date for the application of a judgement to April 1 of the next calendar year after the second installment due date for tax years 2016 and thereafter."

Speaker Turner: "Seeing no debate... Representative Andersson is recognized."

Andersson: "That was a close one. Will the Sponsor yield?"

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Speaker Turner: "The Sponsor will yield."

Andersson: "Just want to verify with the... with the Amendment there is no opposition? This is agreed?"

Sims: "That is my understanding, Representative. Yes."

Andersson: "Thank you, Sir."

Speaker Turner: "The question is, 'Shall the House concur with Senate Amendment #2 to House Bill 155?' 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 93 voting 'yes', 14 voting 'no', and 0 voting 'present', the House does concur with the Senate Amendment #2 to House Bill 155. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar, we have Senate Bill 1353, Representative Sims. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1353, a Bill for an Act concerning public aid. This Bill was read a second time a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 1353."

Clerk Hollman: "Senate Bill 1353, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Turner: "Representative Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1353 increases a personal needs allowance from \$30 to \$60 per month for people residing in immediate care facilities for Developmentally Disabled, Center for the Integrated Living Arrangements, Specialized Mental Health

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Rehabilitation Facilities, and the Mental Health Complex for the Disabled... for the Developmentally Disabled Facilities. I'd ask for a favorable roll call."

Speaker Turner: "Chair recognizes Representative Andersson."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "Thank you. So, the personal needs allowance has been that \$30 for about as long as I can remember, is that correct?"

Sims: "That's correct."

Andersson: "So, what's the basis for increasing it now? And actually before I ask you that, what's generally the use of the \$30? What do people use the... the money for?"

Sims: "The... the money... the funds are used by individuals who live in the facilities, I outlined, to pay for their personal needs. Things such as toiletries, underwear, socks, things like that. The needs... the things that the need to live every day."

Andersson: "Haircuts?"

Sims: "So, it's part... haircuts, all... all those items. As we talked about during the committee, those individuals they're... oftentimes they... they don't have enough to live... to live their lives effectively. And they're asking us to increase the personal needs allowance to help them do that."

Andersson: "Understood. And according to my estimate the... the fiscal impact is \$6.2 million per year. Is that your understanding as well? Or approximate?"

Sims: "My estimate had it at about \$4 million, Representative."

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Andersson: "Okay. We had 3.2 for DHS and 3 million to HFS, I don't know if that dovetails with what you got?"

Sims: "No, I... my... I've got a... I've got a total of 4 million dollars for the combined... combined for both."

Andersson: "Okay. Thank you. Just briefly, to the Bill. I appreciate what the... the Sponsor's trying to do. The difficulty is the same answer I'll probably give for everything today, which is that we are broke. We don't have the money to add to this. So, we can't afford it. Thank you, Mr. Speaker."

Speaker Turner: "The Chair recognizes Leader Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. We had a lot of discussion on this in the committee, and it's certainly something that we would want to do if it was a year that we didn't have a budget crisis in it. It was \$30 to \$60 in our analysis. It is... and I see it's not the same as Representative Sims' but we had \$6 million. And so, we would hope that we would be able to take that up next year or when we had a real budget. Thank you very much."

Speaker Turner: "The question is, 'Shall Senate Bill 1353 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 65 voting 'yes', 49 voting 'no', 0 voting 'present', Senate Bill 1353, having received the Constitutional Majority, is hereby declared passed. House Bill 2525, on the Order of Concurrence we have Representative Hoffman."

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Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask that we concur in Senate Amendment #2. This is the Workers Compensation Legislation. It contains all of the items that were passed on House Bill 2525 and was also... were also passed last... the last General Assembly regarding our reform for Workers Compensation. It would require insurance rate review for the first time in Illinois, ensuring that... that when there are reduction costs to the system that actually is passed on to the employer. Safety and Return to Work Program incentives, causation, traveling employees, codification of Supreme Court rulings, repetitive cumulative injuries, hip and shoulder injuries, AMA guidelines, fraud... the fraud provisions are enhanced in the Bill and also unreasonable delay penalties. In addition, the Senate chose to add four different items. The first would be spinal injury offset. The Amendment adds language that would provide for offsetting a permanent, partial disability awards for subsequent back and neck injuries, emergency personnel language indicating that their temporary disability benefits would start from the date of the injury. It provides for the first time a medical fee schedule for ambulatory surgical treatment facilities and provides for our prescription drug formulary to help reduce costs to the system. I believe that this will reduc... result in significant reduction in costs to the employers of Illinois."

Speaker Turner: "Chair recognizes Representative Andersson."

Andersson: "Thank you, Mr. Speaker. Will the Sponsor... actually, I think I'll just speaker to the Bill. Ladies and Gentlemen, this Bill is substantially the same as what we debated a few

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weeks ago. There are a couple of important points I think it is important to remember. Number one, we are going backwards. And what I mean by backwards is we have an open competitive market for com... for workers compensation. We asked... I asked some insurance experts if they could give me a study on what the trend is and what's happening with this idea of having premium rate reviews in the United States. And they found me one, it's from 25 years ago. And I said, can't you get me something more current? And their answer is, there is nothing more current 'cause no state has ever gone this direction. The movement has been to an open competitive market in every state that has considered this issue. We're going exactly the wrong way. So number one, that's a huge problem with this Bill. We should not be trying to do this. The only argument I heard for why we should be doing this is because the profit margins of the insurance companies are too large, they're gouging instead of saving businesses money. However, when you look at the actual statistics over the last 5 years the average profit rating was... or profit margin was approximately 2.7 percent. Considering the amount of risk a business like this is involved in, 2.7 percent is not much of a profit margin. And by the way, it's substantially lower than most states' workers compensation profit margins. So, I think that this is a... this is just a false argument to make and it's not going to help, it's going to hurt. The other thing... the second thing and my only other point, is with regard to workers compensation causation standard. The statement's been made that it's cod... codifying existing law and I accepted that during the first debate. However, looking at it more closely



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it's far worse than that. It makes it worse than existing case law. Cause current case law establishes that you... that the injury has to arise out of the employment. And what that basically means is that of course if you're sitting at your job doing your work and your injured, if you're at a punch press and you hurt your hand, obviously you're covered. Or perhaps there's repetitive trauma like carpal tunnel, that's also covered. But would not... what would not be covered is a stroke, something entirely unrelated to the... to the work environment. But under the new, very broad language the only thing that is required to establish a causal connection is that the injury arises out of employment if you are at the time of the occurrence performing acts. So, if I'm at that punch press I talked about before but I don't injure my arm or my hand, I simply have a stroke that had nothing to do with the work I'm now covered. We are expanding the liability under workers compensation, not contracting it. Ladies and Gentlemen, this Bill does nothing to help business. It hurts business. I urge a 'no' vote."

Speaker Turner: "Chair recognizes Representative Batinick."

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

Speaker Turner: "The Sponsor will yield."

Batinick: "Representative Hoffman, I wanted to follow up just a little bit on what Representative Andersson spoke about just course of life events that happen at work. And how that's treated under this language?"

Hoffman: "The... the language is taken directly from the Supreme Court case of Sisbro. And that is the intent to codify the Supreme Court causation standards for the first time.

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Currently, causation standards aren't codified in the statute. This for the first time would codify that and make the law of Illinois and put it into statute. That's the intent."

Batinick: "I wasn't referring to the causation standards, I was referring to Representative Andersson just finished with. Which was the idea that regular cor... you know, you have a heart attack, you were going to have a heart attack whether you're sitting at home on the couch watching tv or sitting at work on your computer. And the language now reads as if sitting at the computer, if it happens to be at work you're going to be..."

Hoffman: "That... that... this does not change current law. Just being there is not enough. It has to arise out of the course of... of your employment. And if you can't prove that the stress at work in some way contributed to your heart attack then it would not be compensable."

Batinick: "Yeah, we were just reviewing the language before we spoke. I know we can say that on the floor but the language certainly leaves that open at least to interpretation. We know how interpretation falls in this state. Would you say that..."

Hoffman: "Well, I'm just telling you that's my intent."

Batinick: "Okay."

Hoffman: "So, if you want to..."

Batinick: "Thank you."

Hoffman: "...for the purpose of legislative intent, that's the intent."

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Batinick: "Thank you for that intent. Would you say that this adds... what... what does this... this legislation do to extract friction from the system?"

Hoffman: "Well, first of all, it puts... it'll put into place the... what I indicated, the causation elements. It also would provide for certain additional penalties if you commit fraud in the system. So, I would hope that people who have committed fraud will be deterred or thinking about committing fraud, a fraudulent injury or fraudulently providing... providing insurance that those individuals would be deterred from doing that; therefore, wouldn't even make it to the system. It also indicates that when it comes to the issue of... of hip and shoulder injuries that a hip would be part of the leg and the shoulder would be part of the arm. So, there wouldn't be litigation in that area. It also provides that there are Safety and Return to Work Program incentives so that you have an incentive to get people to return to work. And you will be compensated with an incentive if you have that... if you have that in the form of lower premiums. There's also the causation and traveling employees codification that I think will indicate for first time in statute what was going to make sure causation, traveling employees the law is... on the land regarding that."

Batinick: "Okay. I'm going to go quickly to the Bill. And thank you very much for your answers. I'm... I'm very concerned about this Bill that we're essentially codifying bad practices and... and expanding them actually making them worse. I appreciate your response on the record; however, this Bill isn't workers compensation. And I... a lot of people want to talk about that

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we're concerned about the businesses. We're concerned about the employees that those businesses employ, states that apply best practices. You know, my Legislative Assistant is up in the gallery and this is her last day, she's a new mom. And I'm concerned about her getting her next job and her son staying in the state and all those sorts of things. So, I strongly urge a 'no' vote. And I do thank my... my LA for her services. Thank you."

Speaker Turner: "Chair recognizes Leader Durkin."

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

Speaker Turner: "The Sponsor will yield."

Durkin: "Representative Hoffman, could we go through... there was some reference to something regarding the AMA guidelines, could you give me an explanation of what you've included in this Bill that refers to the AMA guidelines?"

Hoffman: "Yes. This Bill indicates that AMA guidelines and it clarifies that... clarifies that impairment report based on AMA guidelines must, it says must be considered in determining disability if they exist. So, the arbitrator will have to take them into account."

Durkin: "You're missing one word, 'optional'. It's an option... it must... it's optional. So, explain to me..."

Hoffman: "No. It says, if... of course. It says, if... the report is optional. You don't have to get an AMA guideline report. But if you do, the arbitrator will take that into account."

Durkin: "Why in the world would the petitioner's attorney ever agree to an AMA impairment report to be presented to the arbitrator?"

Hoffman: "They... they don't have to agree. If the..."

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Durkin: "Of course, and they won't cause this is... I'm just telling you, this is... there's nothing... there's nothing that's done... this... this means nothing. Because no plaintiff..."

Hoffman: "That... that's..."

Durkin: "...petitioning attorney that is ever... ever going to signoff and say that we're going to agree to this AMA impairment report to be used in deciding this case."

Hoffman: "That... this does not change current law. The defense attorney for the company can get an AMA guideline report. It doesn't have to be the... the plaintiff's attorney doesn't have to concede to that or agree to that. Now, under current law it's not clear whether the arbitrator has to take... has to take that into account. This clarifies if there is one... if there is such a report then the arbitrator must take it into account."

Durkin: "The way I read it, it says the AMA impairment report is optional but one... if one is admitted into evidence, it must be considered arbitrator. Representative Hoffman, there is not one petitioner's attorney in the State of Illinois that would ever agree to have this report placed into the record with that arbitrator. So, I'm not quite sure what we're accomplishing with this. Really nothing."

Hoffman: "Well, I think maybe... I'm not trying to be difficult. I think we're talking past each other. It does say, optional. But the option... it's already optional as to whether the defense attorney can get one. The plaintiff's attorney doesn't have to concede to allow one. If the defense attorney gets a report then it has to be considered by the arbitrator."

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Durkin: "I read it differently. But I will just stand on my... my thoughts that I believe that this is really... it does nothing to improve the system. And there is... the way I read it, if it's optional that means that both sides must agree to it. And it's just never going to happen. I want to get into the codification of the causation standard and also the traveling employee. And why do we need to have that placed within our statutes?"

Hoffman: "Well, with... I believe that it is important to place it in our statute because there could be another case in the courts that would change it and could make it more liverable... more liberal. So, the interpretation... the Supreme Court's interpretation arising out of and in the course of employment and the traveling employee doctrine for the purpose of workers compensation would be codified, set in stone. So that, we know whether an injury is compensable or not..."

Durkin: "So..."

Hoffman: "...in the statute."

Durkin: "...so, when you say it's more liberal, I look at that as one that's being more fair to the employer. So, we want to make sure that this lopsided system which we have regarding causation and also traveling employees against the employer will be our law on the books in perpetuity despite what the courts at some point may say. And I think it's the wrong policy for us to do that. I think having us locked into a standard of what our business... the business community has stated under traveling employee and also causation is what it has the... created the greatest angst. And also the costs within the business community. So, I would just say... I'm not asking

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for a response. But I think that this is improper to have this incorporated into the law. Because we will have to live with this forever no matter what our courts determine should be a proper... proper guidance that they'll give on this issue. Now, I think you said in your speech that this is a Bill that is going to give relief and savings to our employers, correct?"

Hoffman: "That's our belief, yes. Significant."

Durkin: "Okay. Well, right now I'm looking at the list of opponents. And for starters, the Illinois Manufacturer's Association, CAT, Caterpillar, Illinois Retail Merchants Association, Illinois Chamber of Commerce, NFIB, Illinois Coal Association, American Insurance Association, Illinois Insurance Association, Tech & Manufacturing Association, Associated Builders and Contractors, Illinois Trucking Association, Chemical Industry Council of Illinois for starters. If this is something that's going to help our employers and create savings then why have all of them opposing this Bill?"

Hoffman: "First of all..."

Speaker Turner: "Respectfully, we are on a five minute timer, Leader. It's... finish your remarks."

Hoffman: "...and you know, if someone else wants to yield to the Leader, I don't think we should put the Leader on a... so. So, the question regarding why do I believe this would reduce premiums? I think it's very clear. In 2011 this Body took the... took the step of having significant workers compensation reforms. NCCI which is the rating agency for insurance premiums on workers compensation throughout the nation has

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indicated to our Department of Insurance that there's a 30 percent reduction in the costs in the system. And there should be a corresponding over 31 percent reduction in rates. When I talked to those employers that you mentioned, they're not seeing a reduction... they're not seeing a reduction in their premiums. My mind those cost savings are not being passed on in the form of reduced premiums. Let me give you one further statistic. Way back... back in 2011 for every dollar that was paid out in premiums in the high seventies... I think it was 78 cents was paid out in claims or costs. Right? So, there was a... there was a delta... a delta of about 21, 22 cents per dollar premium. Now because of those reforms for every dollar that's brought in the low fifties, I think 52 cents is paid out. So, there has been a savings in the system. And the insurance companies that write this insurance, they don't want to see changes because of that delta. They're making more on every dollar brought in. Fine. I'm saying, if we had rate review like 39 other states then we would make sure that these premiums aren't onerous. And that the savings because of the 2011 changes and these subsequent changes would be passed on to the employer."

Durkin: "Almost persuasive. But I... I'm not quite sure what you mean by delta? Both of us went to Illinois State University in the 1980's and I'm not quite sure exactly what the delta means. But back to the point. Representative Hoffman, I... I appreciate your advocacy. And you are a very persuasive person at times, but I'm not persuaded that this is a Bill that is supported nor that the business community can accept. I trust their instincts, their ability to analyze the workman's



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compensation system frontwards and back and every one of these individuals is not just opposed but they are really opposed to this Bill. And it's just not going to get the job done. But let me just say this, I think it's a very, very dangerous precedent for us to continue and say, we're just going to codify something into law. Never mind what the courts may say at some point later. It's a wrong thing to do. This is not going to create any savings for our employers. This is not reform. I respectfully request a 'no' vote."

Speaker Turner: "Chair recognizes Representative Keith Wheeler."

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

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

Wheeler, K.: "Jay, I got a couple quick questions to get out of the way before we get into the meat of the Bill. The first one is, I want to follow up on what two prior speakers mentioned regarding the causation standard as proposed. The way we read the language it... it exposes workers compen... compensability to a larger range of situations. Is it your legislative intent to not expand that further but rather to just to codify what you believe the current law is now?"

Hoffman: "It... it is certainly my intent to codify the Supreme Court decisions regarding causation and traveling employee."

Wheeler, K.: "And then the second thing, Jay, is... is the closed drug formulary that's part of the second Senate Amendment, is that language intended to compromise or diminish in any way the care for injured workers?"

Hoffman: "No, that's not the intent. So far as the formula is promulgated the Commission shall work with and seek recommendations from the Workers Compensation Medical Fee

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Advisory Board to ensure injured workers are in no way restricted from receiving medication they need and the care that they deserve. I might add that that closed formulary language was supported by the Repub... Republicans and many people on your side of the aisle. So, that was added as well as these other provisions from the Senate are generally, I think all three of the four of them are Republican proposals."

Wheeler, K.: "Thank you for your answers there, Jay. Going to go quick through this because we don't have a lot of time and I know we've taken plenty of time on other Bills this morning already. There are 10 items in the original Bill. Many of them have to do with codifying the current situation. If we're codifying what we're already doing, and you've mentioned this maybe I want to say probably six maybe seven times already in the debate so far, it's really hard for anybody here to realize how those elements can be considered reform when we're codifying what we already do right now in practice."

Hoffman: "Well, insurance rate review is not in current law. Safety and Return to Work Program incentives aren't in current law. Repetitive Accumulative Injury protection for employers isn't. The hip and shoulder injury issue, increasing the fraud standards so that people who are committing fraud will be held accountable, they're not in current law, or the formulary that is being added, or the spinal injury offset, or the ambulatory care for the medical fee schedule."

Wheeler, K.: "Okay. Then that means everything else in this Bill does what you just said, it codifies existing law. There's no substantial change. There will be no reform from those things. I mean, look at the other parts of this Bill, Ladies and

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Gentlemen, they have to do with the prefiling of insurance. That's not going to drive down costs, it's probably going to drive up costs before we're said and done. We have the most competitive marketplace in the country for work comp insurance in the State of Illinois right now. We have a situation where the Return to Work Program and Safety, every company that deals with work comp in a... in a serious fashion already employs every safety tactic they can find to lower their work comp premiums right now. I have real concerns about the section here that the Representative mentioned regarding the repetitive injuries. That is going to probably drive up the costs of workers comp insurance because insurance companies are going to have to keep exposure available longer and wider for the purpose that they can come back and be hit later on for a worker that doesn't even work for the company anymore. Ladies and Gentlemen, to the Bill. There's not savings in this Bill. Realistically, if you balance out everything in this Bill it's not going to come off to be any real savings. We already have the highest workers comp costs in the country. And those are placed on every single employee in this state, whether they work in the private sector, they work in government, they work for non-for-profit. I sincerely hope we take real note of the impact that work comp costs have on our social service providers. These people... we've not given them any relief in the form of reimbursement increases but yet we drive up their workers comp costs and never bring them back down again. That is squeezing them very hard. These are people that care for the most vulnerable people in our

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state. What you're hearing today is a lot of talk, little results. Vote 'no'."

Speaker Turner: "Chair recognizes... Chair recognizes Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Moeller and Sims are excused for the remainder of the day."

Speaker Turner: "Thank you, Representative. Representative Ives is recognized."

Ives: "Thank you, Mr. Speaker. To the Bill. So, here we are it's May 31, it's past 3:30 in the afternoon, we're discussing a Work Comp Bill that started back in January in the Senate with a comprehensive proposal where the Senate was very close to a deal between the House/Senate Republicans and the... I mean the Senate Republicans and the Senate Democrats. You also... you had business involved in that discussion. You had people at the table making real compromises on what to do with work comp... compensation. But here we are May 31, no Bill..."

Speaker Turner: "Apologizes, Representative. I didn't reset the timer. Please continue."

Ives: "Thank you very much. The point is is that you all know that the Governor is going veto this Bill. So, why are we even working on this Bill? You all know that the Governor... that the businesses community largely opposes this Bill. They don't see this as a reform. Here we are last day of Session, businesses are looking at what we're going to do. We've done nothing on the budget today. We've done nothing on real reform. We've done nothing on property taxes, nothing on

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pension reform. We... and here we sit with a Work Comp Bill that is wholly going to... it's not just inadequate, it's actually going to make things worse in the State of Illinois. Worse. So, this is all one big show. I don't why we're going through this. Business is opposed. We ought to just vote... you know what, maybe we pass this. Maybe we ought to just vote this in, vote all of the garbage in. Let's see how... what happens after that. Let's watch the businesses flee. Let's continue to just make it worse for business. At what point will you guys wake up and listen to what's happening on the ground, listen to what the business community is telling you. They're not lying about what's happening. We have the highest work comp costs in the region. We have the highest work comp costs when it comes to steel. The highest when it comes to trucking. The highest when it comes to manufacturing. That's the problem here. We're bleeding middle-class jobs all the time over this issue alone. Hoist liftruck moves across the state line to Indiana, saves a million dollars in work comp year one. So, you guys need... go through this charade, debate the Bill on its merits, but when the businesses oppose, trust me, they're... they're just going to look at what we're doing here on the last day of Session and say, nobody is for us. Nobody is for us. They don't want... they don't care about our interests. They don't care about jobs. They don't care about the people of Illinois."

Speaker Turner: "Chair recognizes Representative Willis."

Willis: "So Representative... will the Sponsor yield, please?"

Speaker Turner: "The Sponsor will yield."

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Willis: "So, the... could you please go through the concurrences?  
I think we debated the basic Bill enough previously. But can you just explain to me the changes that the Senate would like to see us put forward?"

Hoffman: "Yes. So, there are four things that the Senate added. And incidentally, to the previous speaker, it's... it's ridiculous to say that this would in any way increase the costs of workers compensation. We are trying and we are making a valid attempt to decrease the costs. Every single state around us... when you point to Indiana, you point to Wisconsin, you point to Iowa, you point to Missouri, you point to Kentucky, every single state around us has prior rate approval of the insurance rates. Why is the cost going down by 30 percent since 2011 and not reflected in a reduced premiums to the employer? Because they... the insurance companies are reaping the benefits of that cost reduction. Plain and simple. It's that easy. Now, the four things that were added will even go further to reduce the costs. The first, it would indicate that on spinal injury offsets the Amendment would say that for offsetting a permanent partial disability awards for subsequent back and neck injuries, if the same part of the spine is injured, you will offset the amount that you'd already gotten. Emergency personnel would be able to get their temporary total disability benefits from the date of the injury. Medical fee schedule will include ambulatory... ambulatory treatment facilities so that we're reducing the amount of... of reimbursement that they could receive. And finally, there would be a prescription drug formulary that

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would actually ensure that the proper drugs are being administered at the proper costs in... to injured workers."

Willis: "So, let me go through a couple of them that I actually have familiarity with. So, the emergency personnel... I think this is a great thing because instead of waiting for three working days and many fire departments go on 24/48 and if we had to wait until they were off of work, three working days before it would count to get any type of coverage or anything like that it could be over a week's time before they would actually have that. We wouldn't expect a standard worker to have to deal with that. The medical fee schedule... I think that, again, it... it's speeding it up. It's making it go a little bit quicker. Certainly going into ambulatory care units as we're working harder and harder to have people to be able to get treated and get back to work. I mean that's what we're trying to do. We're not trying to keep people home getting workman's comp pay. We're asking them to get treated, get better, and get back to work. And... and hopefully be able to continue to work for their employer or work for the community if they are a community worker that's a great thing to do. Last summer or maybe it was the summer before, Representative, didn't we have an awful lot of out-of-state workers comp claim people come through and explain to us why some of the drastic changes that the Governor wanted to do were not necessarily good for both the state and for the worker? Because it would be putting people on for state treatments or having to get other funds through the state because they were not being adequately taken care of by the workman's comp claim. Is that not correct?"

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Hoffman: "Yes. We held a Committee of the Whole in front of the entire Body where individuals who had been injured and denied coverage, even though it was clear that they were seriously injured at work and ended... eventually ended up on the public aide rolls and could not work and were not adequately compensated, they came and testified. We had injured workers from Missouri, Indiana, Iowa all with the same result."

Willis: "Right. And I think... I can tell you even from my own experience, my husband was injured on the job one time, and it took 18 months before he got clearance to get a procedure that once he got the procedure he was actually being... able to get back to work within 6 weeks. So, this is a thing that is actually pro-worker and pro-business. Because we're going to get people back to work, able to do what they're trained to do, and be able to keep businesses moving. I think one of the most important things we've been able to prove is that while the number of claims are going down, why aren't we saving money? Well, it's obviously the insurance company is not going and passing on those savings to the workmen comp employers. And that's where we need to really look at I think. So, thank you very much, Representative. I urge everyone to concur with this."

Speaker Turner: "Representative Arroyo is recognized."

Arroyo: "Thank you, Leader. Can we move the previous question please?"

Speaker Turner: "Gentleman motions that we move the previous question. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the previous question is put. Representative Hoffman to close."



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Hoffman: "Yes... yes... just real briefly. I... I think we've debate this. We know what we believe is we're going to reduce significantly the costs and eat into some of the insurance companies' profits. That's the idea. That's the intent. And to make sure injured workers are adequately compensated at the same time. I ask if we could concur in the Senate Amendment #2."

Speaker Turner: "The question is, 'Shall the House concur with Senate Amendment #2 to House Bill 2525?' 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 64 voting 'yes', 51 voting 'no', 0 voting 'present', the House concurs in Senate Amendment #2 to House Bill 2525. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ford, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed."

Ford: "Mr. Speaker and Members of the House, we have guests, Revan Fellows and Mama Dee, representatives for the International Black Wall Street and the Illinois Black Wall Street District, here to raise the awareness about the need to grow black businesses in Illinois. And to raise the employment for African Americans in the State of Illinois. And to remind us of the Tulsa, Oklahoma bombing that took place May 31 through June 1 in 1921... 96 years ago today. Please join me in welcoming Revan Fellows and Mama Dee in the balcony right

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there. They may have left... Mama Dee is there. Thank you, Mama Dee."

Speaker Turner: "Thank you and welcome to your Capitol. Representative Wehrli for what reason do you see recognition?"

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

Speaker Turner: "Please proceed, Rep."

Wehrli: "So, I actually pressed my speak button to talk on the last Bill. And I would just like to remind the Body that for the first time in the history that most people can remember around here, we actually took a week off in May. So, we were in no hurry earlier in this session and now we get to today and all of the sudden it's... we're on timed debate and we're moving previous questions and we're... we're shortening debate. So, I'd just like to remind the Chair that a lack of planning on your part doesn't constitute an emergency on my part."

Speaker Turner: "Representative Hays is recognized."

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

Speaker Turner: "Please proceed, Sir."

Hays: "You know on the last Bill I didn't have an opportunity to speak but I think it... this story speaks to the consequences of this Chamber not getting anything done. You know it's become a common tale that good people get together, they talk, they almost were at a deal but yet again, nothing happens. The Bill that we just took a vote on, everybody knows what we vetoed. Again, no progress will be made as it relates to workmen's compensation. Some in this Chamber have been working on it for many, many, many years. I have a company that was formally in my district that... the kind of company

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that I hear many talk about we need employers that will give somebody a second chance or a third chance. A young person who's made a mistake in life, far too few employers will take a chance on those kind of individuals but this employer did. Freight Car International, they made freight cars for the railroad industry. And they would engage individuals that many other companies would not. They would take them in, they would train them. They would pay them a living wage. Hundreds of jobs are no longer in Danville, Illinois from an employer who would do just that willingly. Why? Because we can't get off the snide on work comp. Because our sister company in Pennsylvania was paying one-fifth of the work comp premium that they were paying here in Illinois. The president of the company, the board of directors talked to me on many occasions, is your state serious about work comp? This is killing us. This is going to drive us out of your state. It finally happened. They pulled up stakes. Several hundred employees no longer employed. Employees that are difficult to place. Employees who got that second or third chance with this generate and compassionate employee... employer. These matters are important. We have to get off the snide. Taking these nonsense votes and we're going to continue to do it on many other votes today that everybody in this chamber knows are going nowhere, is a disservice to the citizenry of this state. And it's a significant disservice to those 400 people that are now on the unemployment line because we couldn't get it done. Thank you."

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Speaker Turner: "Members, on page 7 of the Calendar we have Senate Bill 453, Representative Welch. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 453, a Bill for an Act concerning education. Second... this Bill was read a second time previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Representative Welch. Third Reading. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 453, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Welch."

Welch: "Thank you, Mr. Speaker. Senate Bill 453 is an initiative of Voices of Youth in Chicago. The Voice Organization... you've seen the youngsters around, they've been active the last couple of days coming and talking to all the Members. Here's what their goal is: their goal is trying to keep kids in school and to reduce the school-to-prison pipeline. This is a very good Bill. It's similar to a Bill that was... Senate Bill 704 that Senator Lightford initially sponsored. There was a lot of opposition to that Bill. Language that was very problematic regarding arrests was taken out of this particular Bill. And we agreed to work on a trailer Bill language later. This Bill is now... ISBE is a strong proponent of this Bill. And we are... our goal is to keep kids in school, provide them the services they need, and help them get on to a good life headed toward a career. I would ask for an 'aye' vote on Senate Bill 453."

Speaker Turner: "Representative Andersson is recognized."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "Chris, you kind of outlined the... the intentions and the goals, but I don't quite what the Bill actually does? What are we... what are we doing with the Bill?"

Welch: "Well, it amends the School Code and creates the Safe School and Healthy Learning Environmental Program."

Andersson: "Okay."

Welch: "It's subject to appropriation, I want to make sure that's clear."

Andersson: "Thank you. I always appreciate that."

Welch: "It's subject to appropriation. It creates a grant program where schools can use the funds to create Restorative Justice Programs, increase use of school psychologists, social workers and other mental behavioral health specialists, drug treatment programs, wrap around services. A lot of these funds are currently used exclusively to hire law enforcement officers. What this Bill does is gives them discretion to use these grant funds for some of these... these services that I've just outlined."

Andersson: "Okay. So, that all sounds good. My... I guess my analysis is confusing me which is not unusual with me lately. But it looks like it's... it's some sort of limitation on the use of police officers, law enforcement in schools? Can you elaborate or explain what that is?"

Welch: "Well, the goal is... the goal is to eventually use law enforcement officers less."

Andersson: "Okay."

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Welch: "The goal is to use people who will provide services to these students like mental health services, talk to them about drugs and the... you know..."

Andersson: "Sure."

Welch: "...those types of things. We... we want to use Restorative Justice Programs more than law enforcement. But what the Bill does..."

Andersson: "Right. So..."

Welch: "...it gives them discretion. It allows them to hire law enforcement if a school district wants it or they can use those funds for these particular purposes."

Andersson: "Okay. So, maybe... maybe we're getting to it. So, do we have a current grant program that's says you can only use it for law enforcement? And you're widening that to allow it to be used for these other laudatory reasons?"

Welch: "Correct."

Andersson: "That's what we're doing?"

Welch: "Correct."

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

Speaker Turner: "The Chair recognizes Representative Pritchard."

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

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

Pritchard: "Representative, can you explain for the Body why we have opposition from the School Management Alliance and the Chiefs of Police?"

Welch: "You know, School Management Alliance, I'm not quite sure what... why the... their opposition remains because initially they were concerned about the language regarding arrests which was taken out of the Bill in the Senate. And we agreed

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to work on that at a later date. Law enforcement I have talked to, their concern is that we have made the language discretionary to allow school districts to either use it for these types of services that we're talking about or for law enforcement. They would like it to remain strictly used for law enforcement. And I think, you know, you guys love local control we should allow local school districts to use these funds for what they deem best for their school district. Some districts may still choose to hire law enforcement officers. Others may choose to hire more school social workers."

Pritchard: "So, aren't school districts already using local funds to hire their local security officers?"

Welch: "Many of them do, yes."

Pritchard: "So, they must think that that's an important provision of services for their students, correct?"

Welch: "They do. And they may continue to make that decision under this law."

Pritchard: "And they can already, if they chose, instead of hiring a security officer, hire the counselors, or the nurses, or the others that you had indicated in this Bill. Is that correct?"

Welch: "That's correct. But if... if, subject to appropriation, more funds are directed to these grants, schools would have more dollars eligible for these types of programs."

Pritchard: "And... and I know that you may not be abreast of the school funding formula that Representative Davis is promoting here in the Body, but doesn't that provide for the kind of individual that you're saying is needed here? More

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counselors, psychologists, nurses, others that are important in helping the child feel safe and secure in the school?"

Welch: "You know, I've been following Senate Bill 1 very closely and I think you and Representative Davis have done a remarkable job on that. But I think Senate Bill 453 only supplements those efforts that you guys have been working on."

Pritchard: "But I think there's an understanding that this Bill would require the school districts that are in this program to get rid of their security officers. And that's why there may be a concern from the Chiefs of Police or the School Management Alliance that there would be concern over the safety of individuals. Because we know there are some students that aren't going to school with the intent purpose of learning."

Welch: "Well, there is language on page 7 of the Bill that says, nothing in this Section shall prohibit school districts from involving law enforcement personnel when necessary and allowed by law. That's specifically written on page 7, lines 1 through 3. And what was specifically included in this Bill because law enforcement had those concerns."

Pritchard: "So, the way we would look at the Bill that is says that these selected schools have to reduce their law enforcement. And that's the concern that we have and a number of others have in why we would not be voting for this Bill."

Speaker Turner: "The Chair recognizes Representative Stratton."

Stratton: "Thank you, Mr. Speaker. To the Bill. I have worked in the area of juvenile and criminal justice reform for a number of years and I just want to say to my fellow colleagues that



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one of the things that we, I think, can agree upon is that what we want to try to do with our young people, is to give them an opportunity to matriculate through school, to have opportunities, to be able to get jobs, to be able to be productive citizens in our communities and with their families. Unfortunately, for too many of the young people we have not gotten to a society where we have put so many police and law... other aspects of law enforcement into the school system that when there are disciplinary issues young people often end up having contact with police and ending up in the pipeline to prison. We all, I believe, could agree that that is not the best outcome for our students. So, what this Bill does, it just simply says to the school system, there are other alternatives. I've been a restorative justice practitioner for almost 20 years. And restorative justice looks at, how do we address the needs of the victim? How do we address the needs of the perpetrator? And how do we address the outcome to the entire school community? It does not say that you cannot have law enforcement in your school. And in fact, there may be some ways to make sure that any law enforcement that's in the school can actually work to create a better environment if the school so decides to do so. But I think this is a great piece of... a great Bill, a great opportunity for all of us who talk so often about how much we care about young people and want to give them an opportunity. This is a great opportunity to say, let's find some other alternatives in disciplinary... in disciplining our students. There's nothing in this Bill that prevents school resource officers. It only says to the school, you can look at other

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options to discipline. It doesn't have to be contact with police. Too often, particularly in communities of color, as I mentioned there's a school-to-prison pipeline that students come in contact with law enforcement for the first time not necessarily in their communities but sometimes in their very school buildings. And this is an opportunity to say, let's look at some other opportunities for discipline. Let's find some ways to restore the students back to their school community and recognize that their brains are still developing, that they need other approaches rather than just saying, you need to be out of the school. We want to welcome students into the community. And I think this is an excellent opportunity to do so. So, I encourage an 'aye' vote."

Speaker Turner: "Representative Welter is recognized."

Welter: "Mr. Speaker, I yield my time to Representative Andersson."

Speaker Turner: "Representative Andersson is recognized."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "Chris, I apologize for having to come back online.

But as you described it to me I rather liked the Bill because you had explained it as discretionary. That we're adding a couple of options but we weren't removing the option of law enforcement being subject to the grant. But then when I looked at the description you gave me, this is what I read. It says, grant... and this is on page 6 at the bottom. Grant funds shall be used only to fund alternatives to school based arrests and law enforcement presence in schools shall only be used for that. Grant funds shall not be used to increase the use of school based security personnel. So, we are transitioning

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down. And I understand you pointed out on page 7 that there's a section that says, nothing in this Section shall prohibit school districts from involving law enforcement personnel when necessary and allowed by law. I get that. That means they can be in the school. But that does not say that they qualify for the grant. So, I think the way I read this we are taking the option away from the school of using grant money to fund law enforcement. So, this wasn't an expansion, it's a real change. We're shifting from law enforcement only to not law enforcement and instead to these other programs. Which by the way, so we're clear, I like the other programs. But I liked the Bill better when it... when you explained it to begin with. That's not how it reads."

Welch: "Well, I... I think we're reading a lot of the same language and interpreting it differently. Clearly, what we are trying to do is create a program working closely with ISBE to identify school districts that have high ratios of arrests and student expulsions and work with those specific schools and have those students... schools do more restorative justice type programs and keep those kids in school. We don't want to keep putting kids into the prison system."

Andersson: "Yep. I..."

Welch: "We want to get them..."

Andersson: "...I'm going to run out of time."

Welch: "...and make them productive citizens. That's the goal and ISBE agrees with this."

Andersson: "I... I'm... I am 100 percent with you on the goal. I'm just... I don't think the language is vague. I think the language is clear and I think that language as drafted is

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eliminating an option for the school districts to utilize law enforcement personnel under the grant."

Welch: "The language says, don't increase law enforcement. It says, use the grant funds to do some of these wrap around programs, restorative justice programs."

Andersson: "It says, the grant funds shall only be used to fund alternatives. Only. Only."

Welch: "And not increase law enforcement. It doesn't say eliminate law enforcement."

Andersson: "No, but when you can only use them for alternatives that might... that's de facto eliminating. If all you can... if the only think you can use them for is alternatives, ipso facto you cannot use them for law enforcement."

Welch: "These particular funds."

Andersson: "Right."

Welch: "School districts have other sources of funds."

Andersson: "That's where we're at. Okay. Now, we agree. So, it's clear to me that yes the schools can... under your Bill they can have law enforcement personnel."

Welch: "Correct."

Andersson: "But what we've done is instead of creating within this grant fund, two choices, where right now there's only one, law enforcement right?"

Welch: "Right."

Andersson: "I thought the idea was we were going to create two buckets in this grant fund. We're really not. We're shifting the bucket. So, we're saying now, this bucket... this grant fund is only for the alternatives. And now the schools will

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use law enforcement, they're going to have to find money in other buckets. Is that right? I think it's fair. Right?"

Welch: "Yeah, that's correct."

Andersson: "Thank you. I appreciate the explanation."

Speaker Turner: "Representative Welch to close."

Welch: "I think the General Assembly should set this policy as the policy of the state, trying to keep our kids in school and out of the prison pipeline is a goal that we all should have. I would ask for an 'aye' vote on Senate Bill 453. And let's set some positive policy here today."

Speaker Turner: "The question is, 'Shall Senate Bill 453 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. With 51 voting 'yes', 59 voting 'no', and 0 voting 'present', Representative Welch would like to move this Bill to the Order of Postponed Consideration. Thank you. Representative Brady, for what reason do you seek recognition?"

Brady: "Point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Brady: "Mr. Speaker, to the previous Bill we debated House Bill 2525, the opportunity that was not afforded to me when my light was on through that entire discussion as well as behind Representative Hays as well. I wish I would have had the opportunity to speak before the previous question was called. I've been part of every Workers Comp Rewrite Task Force since 2005 on behalf of the House Republicans. And while I certainly don't proclaim to be an expert on workers comp, I've had the opportunity to listen to a lot who are and those who think

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they are. And I would have liked to have had the opportunity to represent the 105th District of the people and speak on their behalf. So, I'd ask for your consideration in the future on points where people call for previous question. I'd also like to introduce my Page for the day, if I could, from Bloomington. Please give him a nice Springfield welcome, Henry Wissmiller. Henry will be an incoming senior at Normal Community... excuse me, University High School in Normal. Please give him a nice Springfield welcome. Thank you."

Speaker Turner: "Thank you, Representative. And welcome to your Capitol. Representative Phillips, for what reason do you seek recognition?"

Phillips: "Point of personal privilege, Sir."

Speaker Turner: "Please proceed, Sir."

Phillips: "So, I wanted to echo the same thing that my colleague said over there from Bloomington on House Bill 2525. It was one of the main reasons that I came up here, Sir. And I pushed my button way before my seatmate did. And she was called over me. And I'm not sure how you operate up there but seems like to me I should have been ask... given the opportunity to speak. Since it's very important to me... since it's one of the strongest reasons why I came here because of the dollars that we actually spend on our companies in the State of Illinois. And I represent a lot of other business people that have sent me up here for this very reason, too. It's not like we were asking for a lot from the State of Illinois. This one simple thing that the business community of our state could get was workers compensation reform, here the opportunity. We listened to all of the stuff that we were going on... and I sat

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in those labor rooms. We never heard from the business community. We didn't hear from the insurance companies. Nobody got their opportunity to speak to it, except what the Leader... your Leader decided was to speak to it. So, it wasn't a fair and balanced debate. It was one sided. And here we are with another Bill that doesn't work for the State of Illinois or the business people of Illinois. So, it's very sad, Sir. And I just wanted to let you know that. Thank you."

Speaker Turner: "Members we will be moving to a strict interpretation of the short and standard debate rules. The rules are as follows: on Short Debate you have two minutes, one person will speak in opposition after the Sponsor presents. On Standard Debate: you are offered five minutes, two proponents and three in opposition and the Sponsor to close. Senate Bill 646, Representative Feigenholtz. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 646, a Bill for an Act concerning children. The Bill was read for a second time previously. Amendment #1 was adopted in committee. Floor Amendment #3 is offered by Representative Feigenholtz."

Speaker Turner: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Amendment #3 to Senate Bill 646 is a... an Amendment that corrects a drafting error which inadvertently altered current law. This Amendment reinstates current law."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #3 to Senate Bill 646. 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."

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

Speaker Turner: "Third Reading. Mr. Clerk, please read Senate Bill 646."

Clerk Bolin: "Senate Bill 646, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Turner: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. This is a Bill about a five-year pilot program. And it addresses the issue of domestic violence which presently plagues the majority of families who are in or about to go into the system at DCFS. This collaboration between specialists and the department will hopefully have better outcomes. I'd appreciate an 'aye' vote."

Speaker Turner: "Representative Andersson is recognized. This Bill is on the Order of Short Debate."

Andersson: "Actually, Mr. Speaker, we're... we're having a technical problem. We've all lost our... our computers. We have no analysis, we have nothing."

Speaker Turner: "We'll get somebody right over, Representative."

Andersson: "Thank you. Can we suspend this?"

Speaker Turner: "We'll wait until they get the... the computers right."

Andersson: "Thank you, Sir."

Speaker Turner: "We're going to proceed with debate... debate. Representative Andersson is recognized for two minutes."

Andersson: "Thank you. And it appears the breakdown with our computers is only on this Bill. So, hopefully we'll be able to continue. Representative, just to be clear, this is just a technical cleanup based on some previous legislation we



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passed this session? We missed a couple of things, you're fixing that, correct?"

Feigenholtz: "Correct."

Andersson: "Thank you."

Speaker Turner: "Representative Feigenholtz to close. We had one... we had one person speak in opposition of the Bill. And according to Stand... Short Debate rules, that's it. Representative Feigenholtz to close."

Feigenholtz: "Thank you, Mr. Speaker. I just want for legislative intent to say that this effort... this pilot program is not meant to displace current workers at the department, just to work in collaboration with them. There is no intent. We just want better outcomes. And I'd appreciate an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 646 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 108 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 646, having received the Constitutional Majority, is hereby declared passed. Senate Bill 652, Leader Lang. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 652, a Bill for an Act concerning revenue. The Bill was read for a second time previously. Amendment #4 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 652. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 652, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

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Speaker Turner: "Leader Lang."

Lang: "Thank you, Mr. Speaker. This Bill would extend the New Markets Tax Credit to 2021. It has a series of other changes, including transparency, requiring those who invest to put 100 percent of their funds in before they get federal dollar. Every dollar raised here gets invested in low income communities in Illinois. This law previously has created 7 or 8 thousand jobs in the State of Illinois. And we're simply... we're not... we're not increasing the size of the program we're just extending it 4 years. Ask your support."

Speaker Turner: "This Bill's on the Order of Short Debate. Representative Harris is recognized for two minutes."

Harris, D.: "Question of the Sponsor please."

Speaker Turner: "The Sponsor will yield."

Harris, D.: "Representative, did you say that the... you're not increasing the size of the... I apologize, I've just been informed by staff that there was a staff error. So, I will withdraw my question."

Lang: "That happens? Not on the..."

Speaker Turner: "The question is, 'Shall Senate Bill 652 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 111 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 652, having received the Constitutional Majority, is hereby declared passed. Senate Bill 702, Representative Conroy. Mr. Clerk, please read the Bill."

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Clerk Bolin: "Senate Bill 702, a Bill for an Act concerning criminal law. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 702. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 702, a Bill for an Act concerning criminal law. Third..."

Speaker Turner: "Mr. Clerk, please take this Bill out of the record. Senate Bill 734, Leader Lang. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 734, a Bill for an Act concerning local government. The Bill was read for a second time previously. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 734, please read the Bill."

Clerk Bolin: "Senate Bill 734, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Leader Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. As this Bill is now it simply allows people who are members of the Pier & Exposition Authority Board to serve three years instead of a maximum of two. I know of no opposition to the Bill."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 734 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 63 voting 'yes', 45 voting

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'no', 0 voting 'present', Senate Bill 734, having received the Constitutional Majority, is hereby declared passed. Senate Bill 867, Representative Senate. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 867, a Bill for an Act concerning business. The Bill was read for a second time previously. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 867, Representative Senate. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 867, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Turner: "Representative Sente."

Sente: "Thank you. Senate Bill 867 is an LLC filing fee reduction. This language is an initiative of the Small Business Advocacy Council and remains one of the top priorities for small business owners. I've been working on this in the past three years. The Bill makes reasonable reductions to the initial fee for the articles of organization as well as the annual report and other LLC fees so that we are in line with surrounding states. There are no opponents. I ask for an 'aye' vote."

Speaker Turner: "This Bill is on the Order of Short Debate. Representative Andersson is recognized for two minutes."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "So, this is a... this is a standalone Bill unlike the... the earlier Bill where we debated every different kind of credit on the planet, correct?"

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Sente: "This is a standalone Bill. You are correct."

Andersson: "And it only deals with the LLC fees? And we're bringing them down, correct?"

Sente: "Correct."

Andersson: "All right. Excellent. I... I appreciate the effort on something like this. It's very well defined, it's narrow. And I think it's appropriate. I fully support your Bill."

Sente: "Thank you."

Speaker Turner: "Representative Ives, do you rise in opposition to this Bill?"

Ives: "Yes, I do."

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

Ives: "I... I'm just... Mr. Speaker, to the Bill. So, here you go, as the Sponsor said we're just doing this to bring us in line with what's happening around... in the surrounding states. Oh, sure let's do it for some LLC fees, which apparently are a problem, but they're certainly not the million dollar problems that we have with worker compensation. Let's not bring ourselves in line with what's going on in other states that way or in other ways that affect business. So, here you go, this was part of another packet that we already reformed, apparently under Mr. Zalewski's Bill. But now we have a standalone Bill for this because we're just wasting time here. That's all we're doing. We're wasting time this afternoon. We're not doing anything real. We're not doing budget work. We're just playing around here on the House Floor. I don't know how long we're going to be here tonight. But I think the... the listening audience should know that we're not going

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to get anything significant done today. We're just going to play this out until past the 10 o'clock news tonight so that nobody can say ahead of time that we actually got nothing done on the last day of session. This is... this is the problem here. We're not talking about real stuff."

Speaker Turner: "Representative Sente to close."

Sente: "On the contrary, I believe this is an extremely important initiative to both sides of the aisle. Many Members have been doing a lot of work in this area. This, again, remains the number one priority of small business owners. It is something that the Governor is indicated he is very supportive of. And I ask for your 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 867 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', 0 voting 'no', 1 voting 'present', Senate Bill 867, having received the Constitutional Majority, is hereby declared passed. Representative Severin, for what reason do you seek recognition?"

Severin: "Mr. Speaker, point of personal preference, please."

Speaker Turner: "Please proceed."

Severin: "So, the last vote I voted 'present' due to a possible conflict of interest. Thank you."

Speaker Turner: "Senate Bill 1312, Representative Kifowit. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1312, a Bill for an Act concerning criminal law. The Bill was read for a second time previously."

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

Speaker Turner: "Third Reading. Senate Bill 1312, Representative Kifowit. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1312, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Kifowit."

Kifowit: "Thank you, Mr. Speaker. Senate Bill 1312 makes slight changes to individuals who may be eligible for treatment in veterans and service members court and mental health court."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1312 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 108 voting 'yes', 3 voting 'no', 0 voting 'present', Senate Bill 1312, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1321, Representative Breen. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1321, a Bill for an Act concerning criminal law. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 1321, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Breen."

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Breen: "Thank you, Mr. Speaker. This is a very important Bill to close a loophole possibly in our statute involving grooming and traveling to meet a child in the case of a sex offense. And so, we are adding a very important definition there to ensure that child is defined because currently it is not in the statute. It's an initiative of the DuPage County State's Attorney and I know of no opposition."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1321 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 110 voting 'yes', 0 voting 'no', 1 voting 'present', Senate Bill 1321, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1351, Representative Guzzardi. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1351, a Bill for an Act concerning education. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. But a balanced budget note has been requested on the Bill and has not been filed."

Speaker Turner: "Mr. Clerk, please hold this Bill on the Order of Second... excuse me, Representative Guzzardi."

Guzzardi: "Mr. Speaker, that note was filed by me. I ask to withdraw the note."

Speaker Turner: "Mr. Clerk, please withdraw that note. Third Reading. Mr. Clerk, Senate Bill 1351. Please read the Bill."

Clerk Bolin: "Senate Bill 1351, a Bill for an Act concerning education. Third Reading of this Senate Bill."



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Speaker Turner: "Representative Guzzardi."

Guzzardi: "Thank you, Mr. Speaker, Members of the House. This is the Student Loan Bill of Rights. This is a Bill to protect student lenders from abusive practices in the student loan servicing industry. I ask the Members for a favorable roll call."

Speaker Turner: "This Bill is on the Order of Short Debate. Representative Andersson is recognized for two minutes."

Andersson: "Thank you, Mr. Speaker. Can we please move this to Standard Debate?"

Speaker Turner: "This Bill will be moved to the Order of Standard Debate. Representative Andersson for five minutes."

Andersson: "Thank you very much. Will, you said that it's designed to avoid abuse but you didn't tell us how. So, what's it going to do?"

Guzzardi: "Are we on? Okay."

Andersson: "I'm on."

Guzzardi: "The... I'm on, too, now. Here we go."

Andersson: "All right, man."

Guzzardi: "The... there's a lot of consumer protections that are built into this Bill. I would say the most important one and probably the most frequently discussed one involves students who call up these servicers and say, hey I can't make my payment this month. And what the Attorney General has found, they filed a lawsuit against Navient, which is one of the biggest ones of these servicers. And they listened to hundreds of these tapes of phone calls when students would call the borrowers. And what they found is that consistently the folks on the other end of the phone pushed the students into

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forbearance. They said, they thing you should do is go into  
forbearance, which is really bad for the..."

Andersson: "And... and..."

Guzzardi: "...borrowers."

Andersson: "...forbearance, let's be clear about what that is.  
That's where they stop paying for a while because they can't  
afford to pay?"

Guzzardi: "Yeah, but the interest accrues, right."

Andersson: "Sure."

Guzzardi: "The interest continues to build up. So in fact, usually  
the best option for the borrower is what's called IBR, Income  
Based Repayment. So, that's based on how much money you're  
making. They can change the payment schedule so you can  
continue keeping your payments going based on your income."

Andersson: "Sure. So... all right. So, if that's the abuse that  
we're trying to avoid, how does this do that? How... how do...  
how do we get past this forbearance issue?"

Guzzardi: "This Bill requires that all servicers have to provide  
students the full range of options. When they call in, that  
servicer has to been trained and required... held to certain  
standards to explain to students, to borrowers, all of their  
payment options available to them instead of just shunting  
them in forbearance."

Andersson: "So, when they call... when I call and I say, I'm having  
problems making my payments, they're going to give me  
forbearance and then a couple... and then whatever the other  
payment options are?"

Guzzardi: "Exactly, including IBR for all those people who are  
eligible for it."

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Andersson: "Okay. It looks like IDPFR and the Student Loans Servicing Alliance are opposed. I guess I can probably figure out why the Student Loans Servicing Alliance is opposed. But tell me about IDPFR, why are they opposed?"

Guzzardi: "Sure. IDPFR's concern was that, as far as I could tell that they... they just generally don't like to have new things to regulate. One... one piece of this Bill is that IDPFR would issue licenses to the student loan servicers to make sure that they are in compliance and then they could pull the license if someone was acting badly. There is a very small cost associated with this Bill, but it also is written into the statute that any expenses of administering the Act, including investigations and examinations shall be borne by and assessed against entities regulated in the Act, so the servicers are going to pay the fees to cover the cost of the Bill."

Andersson: "So, the... and I think our analysis shows that that cost is approximately three hundred grand per year?"

Guzzardi: "Correct. And that'll be recouped from the servicers. So, it'll be no cost to the agency."

Andersson: "No cost to the agency..."

Guzzardi: "Correct."

Andersson: "...but costs to the servicer? So, we're really... we're creating a new fee or a new licensing..."

Guzzardi: "Exactly."

Andersson: "...licensing system?"

Guzzardi: "That's exactly right."

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

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Guzzardi: "Thank you, Sir."

Speaker Turner: "Representative Sosnowski is recognized for..."

Sosnowski: "Thank you. Would the Sponsor yield?"

Speaker Turner: "...the Sponsor will yield."

Sosnowski: "Representative, we had a hearty debate in committee about this. Who enters into contracts with these service providers?"

Guzzardi: "So, this is... these are typically federal loans. The vast majority of these are federal loans. The federal government issues a loan to the student and then contracts with the servicers to provide the... to service the loan."

Sosnowski: "So, the loan is from the federal government. They contract with these individuals simply to service the loan, send out bills, call, and collect. Is there anything else that they do under that federal contract?"

Guzzardi: "Yeah. Well, so the sort of crucial thing that they do in terms of what this Bill is attempting to do is they field the calls from the borrowers who can't make the payments. Right. So, that's the crucial... that's the crux of what this Bill is trying to address. And I know that there are... there are issues with student lending and college debt that go all the way up the chain, from the federal government all the way on down. This Bill specific... and as I mentioned earlier in the week, we've been trying to work on some of those issues as well. This Bill is specifically focused on the problems between the servicer and the borrower."

Sosnowski: "Okay. And I just want to focus on one area in particular. You talked about forbearance in the previous question. Your statement was that the service providers are

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pushing students or recommending they go into forbearance? Did I... is that accurate? I don't want to put words in your mouth."

Guzzardi: "That's... that's correct. Yeah. And not explaining any of the other, better options."

Sosnowski: "Okay. Are you familiar with any data or information in which they do offer other services? I... my understanding is they send mailings out regularly that offer a slate of other options. Are... are you familiar with any of those? Does that happen?"

Guzzardi: "I'm sure it does. What we're talking about is the case when I the borrower call up the servicer and say, hey I can't make my payment this month. What happens in that moment? Do you tell me, here are the nine different options you have, here are the three different options you have? Or do you say, hey the thing you should do is go into forbearance, here's how that works? That's... we have tapes and the Attorney General can tell you that, hundreds of tapes of them doing exactly that. And that's what we're trying to fix."

Sosnowski: "All right. Now, here's an interesting question. We talked about it in committee. These service providers get paid for working on these loans, right?"

Guzzardi: "Yes, that's correct."

Sosnowski: "And they get paid per month, per loan? Is that correct?"

Guzzardi: "That is one way in which they're compensated, yes."

Sosnowski: "Okay. And I don't... I don't remember it explicitly but I thought it was over \$2.50 per loan, per month is kind of the government contract? Is that right?"

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Guzzardi: "So, it depends based on the status of the loan. Loans that are current get paid the highest rate and loans that are pretty far... far from current get paid lower rates."

Sosnowski: "Okay. What happens to that payment when they go into forbearance? How much do they get less than when it's in good standing?"

Guzzardi: "So, they get a lower rate than when it's current. But of course, people who are going into forbearance aren't current, right? If you are current on your loan, you wouldn't move from current to forbearance, right? These are people who are behind on their loans already. So, they're already in these lower reimbursement tiers. So, moving to forbearance in some cases is in the fiscal benefit of the student loan servicer."

Sosnowski: "Okay."

Guzzardi: "You're taking a loan from the very bottom tier and moving them into the forbearance tier."

Sosnowski: "Okay. To the Bill. That I believe is an inaccurate statement by the Sponsor. What the Sponsor is talking is about a private company that's been hired by the federal government and now the state is going to try to implement... inplique... put themselves into this in a way that really other state in the nation does. And the problem is, it doesn't make any sense. Because a loan in good standing, these companies are paid at a high rate, \$2.50 or \$2.85. When they go into forbearance they actually receive fifty percent of that money from the federal government. So, there is no benefit for these service providers to move students, previous students or loan applicants into forbearance 'cause they actually lose money

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when they put them into forbearance. So, what would they rather do? They would rather move them into an income-based program that would keep them in good standing. So, they work with the students, they help the students and there was information that was shared in committee that we've gone from 1.5 million to 6 million individuals have taken advantage of these programs. They... their loans stay in good standing, it helps them out. It's working. The federal process is working. There's a lot of programs. They're offering these programs. There's letters that they send out regularly to people who are having troubles. If we really want to address problems of student loans, we need to look at it at the federal level. How much we give them in money? And we also need to address it at the university and the college level. How much are they actually giving to the students in loans? Cause that loan at the beginning is the biggest problem. They'll give the max, as much money as they want. And then now, we're going to pick on the service providers who are really just sending out paperwork and asking for loans to be paid. And then when it becomes a problem, they're moving them into other programs. This is just a way to penalize them that doesn't make any sense. I would urge the Body to reconsider..."

Speaker Turner: "Please make your final comment, Representative."

Sosnowski: "...just urge the Body to reconsider any support for this. And let's really get to the crux of the Student Loan Program. This is really picking on somebody who is working under a federal contract. And they really are doing their job. Thank you."

Speaker Turner: "Chair recognizes Representative Nekritz."

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

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

Nekritz: "Representative, does this... does this create an ombudsman office within the Attorney General's Office?"

Guzzardi: "Yes, it does."

Nekritz: "Well, Representative, I want to applaud you in your skill as a Legislator. I tried for seven years to seek an ombudsman office in the Attorney General's Office. And I was declined at every turn. So, I... I... you must be a really excellent Legislator. So, thank you."

Guzzardi: "Thank you, Representative."

Speaker Turner: "Representative Manley is recognized."

Manley: "I apologize. Will the Sponsor yield?"

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

Manley: "So, we... it's not been so long ago that we experienced the Mortgage Crisis of 2008. And one of the things that people talked about was that they were talked into or led to believe they could take on more debt from a mortgage than they really could. They weren't given the right information or enough information to make informed decisions. And what I'm hearing from you and maybe you could clarify this, Representative, is this... is this... will this... this law help give young people especially all the information so that they can make an informed decision?"

Guzzardi: "That's precisely what this does. This doesn't punish the servicers, this isn't a punitive measure as the previous speaker implied. All this does is require them to explain the options to the students. It's... I don't think it's so crazy.



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And other states have in fact also passed legislation just like this to clear the record up."

Manley: "And I even think about when I was very young, college age, seems like just yesterday. But maybe I wouldn't have understood some of the ramifications or some of the terminology or some of the options and what they meant for my future. But having that information I could go and consult with a parent or another person who might be more well versed. This is just giving them the information so they can make their own decisions, correct?"

Guzzardi: "That's precisely what it is, Representative."

Manley: "They're going to own the debt, they better know what they're getting into, correct?"

Guzzardi: "Exactly. And we want them to have it on the best possible terms so that they can pay it off and not have it, you know, saddle them for the rest of their lives."

Manley: "This is a great Bill. Please vote 'yes'."

Guzzardi: "Thank you."

Speaker Turner: "Representative Guzzardi to close."

Guzzardi: "Thank you, Mr. Speaker. There's been a lot of discussion, I appreciate the questions. This Bill is simple consumer protections. We're not trying to punish anybody or run anybody out of business. All we're asking is that when students are having trouble paying their student loans, they get explained the best options that are available to them. And not simply shunted into the worst option. There's other consumer protections built into this Bill. It's a very good Bill for student lenders. I would urge the Body not to side with out-of-state corporate interests that have hired

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expensive lobbyists down here in Springfield. But instead, to take the side of the students, in your districts and mine, who have debt and need help. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1351 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 63 voting 'yes', 48 voting 'no', 1 voting 'present', Senate Bill 1351, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Hollman: "Rules Report. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2017: recommends be adopted referred to the floor is Floor Amendment #5 to Senate Bill 1839."

Speaker Turner: "Senate... Senate Bill 941, Representative Zalewski. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 941, a Bill for an Act concerning liquor. This Bill was read a second time previous day. Amendment 1 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Please read Senate Bill 941."

Clerk Hollman: "Senate Bill 941, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Turner: "Representative Zalewski."

Zalewski: "Mr. Speaker, was the Amendment adopted in committee?"

Speaker Turner: "Mr. Clerk."

Clerk Hollman: "Amendment #1 was adopted in committee."

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Zalewski: "Thank you, Mr. Speaker. Senate Bill 941 is an initiative of the... the Distributors of Illinois that defines third-party shipping. It also includes the language that was sent over from the Senate as it relates to special event retailers. I'd ask for an 'aye' vote."

Speaker Turner: "This Bill is on the Order of Short Debate. Representative Breen is recognized for two minutes."

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

Speaker Turner: "The Sponsor will yield."

Breen: "Representative, are there any opponents to this... this piece of legislation?"

Zalewski: "I would imagine the Illinois Church Action on Alcohol and Addiction Problems Coalition is opposed to this."

Breen: "Yeah, is... is there objection kind of their more general objection to alcohol? Or is... is there anything specific that they were objecting to?"

Zalewski: "Representative Breen, I wouldn't deign to speak for them, but I would imagine that that's the case."

Breen: "But all of the distributors of all the various wines, spirits, and beer are supportive of the... of the measure..."

Zalewski: "Yes."

Breen: "...or neutral?"

Zalewski: "There's no opposition other than the... the one we just mentioned."

Breen: "Okay. And then just... just clearly, the third-party issue, what is that about? What is... what's the problem we're trying to address there?"

Zalewski: "So, we don't know what third-party shippers are in Illinois. They... they... last year the Gentleman from

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Collinsville did a Bill that required the department to enforce this issue in a way that was unclear. It was clear we needed a different... we needed a trailer Bill. In part, this is... this effort is reflective of that need."

Breen: "Fair enough. Thank you for the answers to the questions."

Speaker Turner: "Representative Zalewski to close."

Zalewski: "Please vote 'aye'."

Speaker Turner: "The question is, 'Shall Senate Bill 941 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 112 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 941, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1422, Representative Breen. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1422, a Bill for an Act concerning criminal law. This Bill was read a second time previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Please read the Bill again, Mr. Clerk."

Clerk Hollman: "Senate Bill 1422, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Breen."

Breen: "Thank you, Mr. Speaker. This... Senate Bill 1422 is a bit of a cleanup measure based on problems that we're having in terms of ensuring that issues of extended statutes of limitations in criminal cases are handled in a way that... that

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flags the issue ensures a prompt determination on behalf... by... by the court of the particular measure. We're going to do that pre-trial, make sure it gets properly fleshed out early before having to go through a full-dressed jury trial. There are no opponents. This is another initiative of the DuPage County State's Attorney. I'd be glad to answer any questions."

Speaker Turner: "This Bill is on the Order of Short Debate. Representative Drury is recognized for two minutes."

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

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

Drury: "Why are we doing this?"

Breen: "There is... what we're trying to do is ensure that this issue is raised and dealt with prior to going through a full-dressed jury trial, which of course is a lengthy preceding. And one that, you know, that if you've got an issue with the statute of limitations you can get it taken care of right away and as well as, I mean, as you certainly know the statute of limitations extension is not a... it's not something that is subject to a beyond a reasonable doubt standard. It's just a preponderance. It really is one of those where it's either is or it isn't."

Drury: "Isn't statute of limitations a question of fact, historically?"

Breen: "Statute is... is normally a question of fact. But this is a... a different... is the extension on a statute. So, it's... it's where a prosecutor has to specially plead it..."

Drury: "So, why wouldn't that be a question of fact for a jury to decide?"

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Breen: "...I... it... actually it is not necessarily a jury triable issue. So, it is something that the judge can decide on a... on a fact motion. What we'd be doing is ensuring that it is put forward kind of the same way that venue is dealt with. The extension is that... that's what we'd be flagging here."

Drury: "To the Bill. This Bill is actually pretty important for anyone who cares about criminal justice reform. This gives the prosecution a chance to take away from a jury the issue of whether or not someone... the prosecution blew a statute of limitations. So, while they're representing this is a ho hum sort of Bill this is... this is a fundamental change in what we do with statute of limitations. Normally, you... that is a triable issue you can present to a jury. We're taking this out of the hands of the jury and saying that you have to do this pre-trial. If a judge doesn't like it, you're going to trial and no one's ever going to decide it. So, I strongly encourage that everyone at least on this side of the aisle or on both sides of the aisle vote 'no' on this. Thank you."

Speaker Turner: "Representative Breen to close."

Breen: "Thank you, Mr. Speaker. Again, there are no opponents to this Bill. It's something that will help us to... to clarify this issue, get it out of the way before we have to go through the full... a full dress jury trial. And the issue is that is properly presented to a judge. So, I would urge an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1422 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 96 voting 'yes', 6 voting 'no', 3 voting 'present', Senate Bill 1422, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1417. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1417, a Bill for an Act concerning safety. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 1417, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Turner: "Representative Manley."

Manley: "Thank you, Mr. Speaker. Senate Bill 1417 creates the Consumer Electronic Recycling Act. In Illinois, as you know has faced tremendous challenges in recent years. Our program to divert waste from landfills and beneficially reuse components of electronics is based upon weight goals. Manufacturer responsibility is a portion based on sales percentage. The newer devices sold today are lighter than the devices that are being recycled. As a result, programs are closing early in the year leaving our residents without an opportunity to responsibly dispose of electronic items. And in many cases increasing instances of illegal dumping at great expense to local government, our environment, and public health. 1417 is an agreed Bill and it represents hours of negotiation from all stakeholders since 2013. I'll take any questions."

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Speaker Turner: "This Bill is on the Order of Short Debate. Recognize... Representative Andersson is recognized for two minutes."

Andersson: "Thank you, Mr. Speaker. I move this to Standard Debate, please?"

Speaker Turner: "The Bill will be moved to the Order of Standard Debate. You're recognized for five minutes."

Andersson: "Thank you. And I yield the remainder of my time to Representative Fortner."

Speaker Turner: "Representative Fortner is recognized."

Fortner: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1417 is in fact the work of a lot of negotiation over the last few years to try to really modernize our handling of electronic waste. One of the things that is often the case when we have so many different stakeholders involved is trying to get all the pieces together at the same time. In this case, this Bill wasn't able to do it. This Bill has many, many of the important pieces that we need to get done. However, the Bill as it stands could not be implemented by the Illinois EPA. There's some pieces they need in order to do the implementation. Senator Althoff who has worked for the last few years on this Bill is also providing a trailer. She is giving me her assurances that a trail will come across with the changes needed so that we can implement this. And we will then truly have a Bill agreed by all parties. I will be supporting that because with that trailer these two Bills together, the Bill we have before us today and the trailer that the Senate is preparing, will put us in a position to be able to keep our county, E-Waste Collection Centers running,



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make sure the manufacturers have clear goals and know what their role is as we go forward. In fact, one of the important things that also, besides the EPA procedures that we need to pin down in the trailer Bill, there are some manufacturers that also need to make sure there is clarity in how they get to proceed. So, that's what the trailer is for. It's to cleanup those remaining things. We don't want to leave those things floating up in the air while we do only part of the Bill. So, we need to pass this Bill today and then pass the trailer when it comes across. Because time is also important. The County Collection Agencies are faced, many of them, with a shortage of funds being able to go forward. This gets them going, this gets other pieces started so that groups like the manufacturers can start putting together what's called a clearing house that then the EPA will be to operate. Representative, I think I... have I covered everything? Is there anything else that..."

Manley: "I wish... I wish Representative Fortner could help me on all my Bills. That was excellent. Thank you. I want to also thank him for his willingness and his bipartisanship and really being a man of his word. And I... I want to compliment him. It's been great working with him."

Fortner: "Thank you, Representative. And I... I'm going to be voting 'aye'. And if you can agree with me that that trailer, which as I say I have the Senator... I have Senator Althoff's assurance that that trailer is coming over, there's even a vehicle Bill established, that I would ask you to join me. Thank you."

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Speaker Turner: "The question is, 'Shall Senate Bill 1417 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 80 voting 'yes', 23 voting 'no', 0 voting 'present', Senate Bill 1417, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1451, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1451, a Bill for an Act concerning local government. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. Notes have been requested on the Bill and have not been filed."

Speaker Turner: "Representative Phelps, there are notes that are still not received, would you like to deem them inapplicable?"

Phelps: "I would like to make a motion that the fiscal notes be ruled inapplicable, please."

Speaker Turner: "Representative Fortner."

Fortner: "I object to the motion. I think there are certainly fiscal implications, potentially from both the state as well as for local communities related to this. And are these... there are multiple... Mr. Speaker... Speaker, are we only dealing with one note being deemed inapplicable? Or are there multiple notes?"

Speaker Turner: "Right now, the question is on both notes, Representative."

Fortner: "Excuse me? Just... we're just doing one?"

Speaker Turner: "On both notes."

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Fortner: "Both notes? Then I... at that point, I would like to ask... ask that there be a recorded vote on the on both notes."

Speaker Turner: "Representative Phelps."

Phelps: "I think I filed the notes and I would like to withdraw my own notes, please."

Speaker Turner: "We will take two roll call votes on the... on the notes. First note is a Home Rule note. 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 60 voting 'yes', 44 voting 'no', 0 voting 'present', the Home Rule note is deemed inapplicable and the Motion carries. Mr. Clerk."

Clerk Bolin: "The next note is the state mandates note."

Speaker Turner: "Representative Phelps move that the state mandates note be deemed inapplicable. All in favor vote 'aye'; all opposed vote 'nay'. In the opinion... 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 61 voting 'yes', 40 voting 'no', 0 voting 'present', the mandates note is deemed inapplicable and the Motion carries. Mr. Clerk."

Clerk Bolin: "No further note requests. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 1451. Please read the Bill."

Clerk Bolin: "Senate Bill 1451, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Phelps."

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Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1451 is usually referred to the Small Cell Bill sets the table for wireless carriers to invest \$2.5 billion across Illinois in the next 5 to 7 years. It's going to improve 4G, it's going to bring new 5G technology. And let me say this, we've all been involved in the 11th hour movements. We've been negotiating this Bill for a year and a half and I have never heard from some of these groups until the last day or so. So, out of respect, I... I'm not saying that's why you should vote for this Bill. This... this Bill brings Illinois as one of the leaders in new technology and 5G. We have all constituents that are on Netflix and Hulu and do everything on their mobile devices, this is going to make that technology even better for us. It's going to get Illinois as one of the leaders for our businesses. And I just ask for its passage."

Speaker Turner: "This Bill is on the Order of Short Debate. Representative Andersson is recognized for two minutes."

Andersson: "Thank you, Mr. Speaker. Can we move that to Standard Debate, please?"

Speaker Turner: "This Bill will be moved to the Order of Standard Debate."

Andersson: "Thank you. Representative, so this is... this is a pretty dramatic change to existing land use law in Illinois regarding the use of the right-of-way. What... yes, Sir? You were going to say something? Oh, okay. So, as I understand the Bill unlike now where the right-of-way is reasonably controlled by the municipality, at this point should this Bill pass, every... every utility pole that's owned by a

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municipality, every light pole that's owned by a municipality that's in the right-of-way will be... will be effectively required to permit small cell wireless upon it, correct? I can't hear you, Sir."

Phelps: "Represen..."

Speaker Turner: "Members, please bring the noise level down in the chamber. Thank you."

Phelps: "Representative Andersson, that's not entirely true. It's not required. The city and the... gets to... we've got to do the permit process. This is what this Bill does. But the city can say 'yay' or 'nay'."

Andersson: "But the city's discretion in saying 'yay' is... is exceedingly limited. The stand..."

Phelps: "Well..."

Andersson: "...the standards are... I mean, they can't do a horizontal exclusion where you can say every thousand feet. That's prohibited. You can't... it's basically, does it structurally fit? Is it safe? I mean you've been very specific in the Bill. The limits of the ability to say no are very circumscribed."

Phelps: "I would just say that's kind of a matter of opinion because we made sure this was negotiated... as a compromise, Representative Andersson, and you do it very well, sometimes you don't get everything you get and we didn't get everything we wanted as well."

Andersson: "Okay."

Phelps: "And like I said, this has been going on for a year and a half so this is nothing new, Representative Andersson, I'm just being honest."

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Andersson: "Okay. Well, I appreciate that. I... I think it's very new. I think it's very different. I've never seen a Bill come out of this chamber that mandates that something have a particular zoning like this does but I just have a couple of questions for you. One is, apparently it was claimed in committee that this Bill would harm some communities and help others. Of the 1299 municipalities in Illinois, are you aware of any that support this legislation? Any?"

Phelps: "Yeah. Absolutely."

Andersson: "Oh."

Phelps: "I... I've not heard... Representative Andersson, I've not heard from one municipality. Not one."

Andersson: "Well, are you aware of..."

Phelps: "In favor or opposed."

Andersson: "Okay. So, the answer to my question would be, 'no'. Because I asked, are you aware of any supporting it?"

Phelps: "Yeah. I mean, I've got communities that will support it because they just want the... the discretion to get this 5G technology, which I kind of want to move Illinois forward. We're always complaining Illinois takes a backseat. I'm trying to move them to one of the first states to get... to get this done."

Andersson: "All right. And I understand the communities that currently use it actually have a leasing arrangement where they're... where they're... they make money off of it?"

Phelps: "Well..."

Andersson: "That would be precluded by this?"

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Phelps: "Now, Representative, that's the problem. So, let's just get to the crux of what I think all the municipalities are worried about. It's all about the revenue."

Andersson: "Well, I think it's all about the..."

Phelps: "They're... they're..."

Andersson: "...revenue and the control."

Phelps: "Well, they're thinking about the macro towers which they get so much a month. This is just limited to \$200 minimum a year. But if... if the city doesn't think 200 is enough then they can go the ICC and petition them and try to get more money."

Andersson: "But the money is based only on the actual expenses of reviewing the permit, correct?"

Phelps: "It's... it's for each small cell wherever they want to put it and try to get the permit process."

Andersson: "Right. So..."

Phelps: "Where the city can say, 'yes' or 'no'."

Andersson: "Right. Again, very circumscribed ability to say 'yes' or 'no'. I also understand that the Bill has a 2-year sunset, is that correct?"

Phelps: "Yeah, it... Representative Andersson that's why I did that. We did the 2-year sunset because we thought this is a new program and I... I try to run a pretty good ship over at Public Utilities, my committee, and I thought 2 years would be adequate. And if there's any bugs or fixes that we need to do I'll be glad to do a trailer Bill."

Andersson: "Although I would note that on page 15, line 1, it explicitly states that the permits are for not less than 10

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years. So, anybody who gets in in that first 2 years is going to get a 10-year permit, correct?"

Speaker Turner: "Excuse me. Excuse me. Excuse me. Members, shhhh."

Phelps: "Yes, you are correct, Representative. You are correct, Representative."

Andersson: "All right. Thank you for that. By the way, how was the 200 dollar fee cap established?"

Phelps: "Well, that was something in negotiations that we did, \$200 is the minimum, \$200 is the minimum. And then like I said, if the city thinks that that small cell needs... is on one of their better utility poles so to speak then they can petition to get more money from that."

Andersson: "Okay. Another question..."

Phelps: "Yes."

Andersson: "On... on... at times municipalities decide to underground utilities... if that were to happen, my understanding under this Bill is they must offer to sell the poles to the small cell wireless. Is that correct?"

Phelps: "That is correct, yes. I'm sorry, I was reading the underground..."

Andersson: "No. No. It's..."

Phelps: "...but yes, that's correct."

Andersson: "...it's perfectly okay. So, in that case then the effect of, you know, because a lot of times the undergrounding of the utilities there's two reasons. One, safety because it makes the... the lines safe. But two, is esthetics. Suddenly we've defeated the esthetics argument entirely because now the poles have to stay up. I'm running out of time. I'd appreciate if someone would yield me their time?"



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Speaker Turner: "Representative Breen, do you rise in opposition or as a proponent of this Bill?"

Breen: "A proponent."

Speaker Turner: "Please proceed, Sir."

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

Speaker Turner: "The Sponsor will yield."

Breen: "Thank you. Representative, I was not entirely supportive of your legislation when this process started, correct?"

Phelps: "Yeah, and Representative Breen, I want everybody to know. I want to thank you for watching your Leadership. You definitely know about telecomm and I one appreciate your work that you did with me on this."

Breen: "Thank you, Representative. I'm... you know I'm also... I was an acting mayor, I was also a village board member. So, I've got a really strong municipal background. And I... I just want to point out, the Illinois Municipal League negotiated this Bill, right?"

Phelps: "They did negotiate this Bill, Representative Breen, for over a year and a half. And with some of the Amendments we got them to be neutral. So, I... I was kind of surprised about all the opposition I got here in the last few days, to be honest with you."

Breen: "And... and frankly, the IML drove a hard bargain. As I understand it, these fees in this Bill for municipalities are the highest fees in the country. So, the wireless providers we pretty much took them for everything they've got."

Phelps: "We... we did. They were very upset about that."

Breen: "Okay. Well, and... and... I mean, I have a chart here showing the wireless providers are going to put 2.7 billion with a

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'b' dollars into our communities in a very short period of time here. Is that correct?"

Phelps: "In a... yes, in a very short period of time and almost 50 thousands jobs too, Representative Breen."

Breen: "Thank you. Now, just for the purposes of legislative intent and this is kind of... a little bit of lawyering and it is in part to help me to get where I am in supporting and being a chief cosponsor here. Just very clearly, this Bill makes a clear delineation between small wireless facilities and utility poles and wireless support structures on the other, correct?"

Phelps: "Yes."

Breen: "In fact, in Section 20 of this Bill, they expressly retain the authority of municipalities to enact zoning, land use, and planning ordinances, correct?"

Phelps: "Yes."

Breen: "And in Section 15 that's entitled, 'Regulation of small wireless facilities' and not titled regulation of small wireless facilities, utility poles, and wireless support structures, correct?"

Phelps: "Yes."

Breen: "Even more, subsection c of Section 15 states that small wireless facilities are 'permitted uses and not subject to zoning approval' but it doesn't say the same thing about utility poles and wireless support structures, right?"

Phelps: "Yes, right."

Breen: "And then, instead there's nothing requiring that utility poles and wireless support structures be permitted uses on the right-of-way, correct?"

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Phelps: "That is correct."

Breen: "And then, there's nothing exempting utility poles and wireless support structures from the municipality zoning ordinance and zoning approval process?"

Phelps: "That is correct."

Breen: "Now, I further want to clarify this in... in connection with subsection d of Section 15, subsection d limits the permit process for small wireless facilities and not for utility poles and wireless support structures, correct?"

Phelps: "That is right."

Breen: "All right. And to that end, I want to ensure we're clear about the meaning of paragraph 5 of subsection d of Section 15, which refers to a 45 foot height for new or replacement utility poles and wireless support structures in connection with a permit application to collocate a small wireless facility. Paragraph 5 specifically makes that height subject to the requirements of the municipalities zoning ordinance, correct?"

Phelps: "Yes."

Breen: "So again, so that everyone's clear for municipal zoning ordinance limits the height of a utility pole or wireless support structure to less than 45 feet in a particular location. The zoning ordinance prevails, right?"

Phelps: "It does."

Breen: "And it doesn't matter whether that utility pole or wireless support structure is in or out of the right-of-way, correct?"

Phelps: "That is correct."

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Breen: "And if the municipal zoning board ordinance prohibits utility poles or wireless work structures in a particular location, for instance due to undergrounding, then the zoning ordinance prevails, correct?"

Phelps: "Yep. That's it, right."

Breen: "And again, it doesn't matter whether that utility pole or wireless support structure is in or out of the right-of-way, correct?"

Phelps: "Correct."

Breen: "To the Bill. Folks, this thing protects all the local municipal rights. They can do what they need to do with the utility poles and with the support structures but what it does it ensures they're going to put 5G in your community. Your people are going to be happier than pigs in slop. It's going to be great. They're going to be happier than folks that walk 200 miles from Chicago to Springfield. You know, look... I mean, this is a huge, huge improvement to our folks. I mean, folks, 5G... that means your cell phone is faster than your... than your in home high-speed wireless. This is going to be the fastest thing going. And the municipal folks, I mean they've had their concerns addressed. And so, I would just... again, I've looked over this Bill backwards, forwards, up and down. This is a good Bill. We've cleaned up any of the questions. You're looking at billions and billions of dollars that gets spent here at home with Illinoisans employed. And so, I, again, would urge and... urge the folks, especially on my side of the aisle, please support this Bill. Support the jobs. Let's come together on this one. Thank you."

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Speaker Turner: "Representative Thapedi, do you rise in support or opposition of this measure?"

Thapedi: "Support, Mr. Speaker."

Speaker Turner: "You're the second and final person in support of this measure. Please proceed, Sir."

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

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

Thapedi: "Brandon, we had a long discussion about this topic in Public Utilities Committee this week. Do you recall all of that?"

Phelps: "I... I do. And I appreciate your chairing that and your Leadership."

Thapedi: "At the time that we were there and we heard the testimony we pretty much find out that the micro... the macro network is completely overburdened. Isn't that right?"

Phelps: "That is correct."

Thapedi: "And then we also found out that with these small wireless devices that that's actually going to eliminate the need for having these big huge towers that all of our constituents are complaining about, correct?"

Phelps: "That is right."

Thapedi: "All right. And also, we also found out that at least 10 other states have these deployment plans already in place, correct?"

Phelps: "That is correct."

Thapedi: "To the Bill, Mr. Speaker. This is a detailed permitting plan for installing small wireless devices instead of the unsightly towers that our constituents constantly complain about. Technology changes every day with devices becoming

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smaller and smaller. The current macro network is overburdened and needs much relief. We're moving into the world of 5G. The 4th generation, 4G mobile network is coming to an end. The long term evolution standard LTE that we see on our phones is coming to an end. Ten other states have developed a roll out plan. We're the fifth largest state as far as population. We're the fifth largest state as far as GDP. Here's our plan to get this done. I urge an 'aye' vote."

Speaker Turner: "Leader Lang in the Chair."

Speaker Lang: "Mr. Crespo, do you speak in favor or opposed to the Bill. You've... five minutes."

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

Speaker Lang: "Sponsor yields."

Crespo: "Representative Phelps, the Illinois Municipal League... did they take a position on this Bill?"

Phelps: "I'm sorry, I couldn't hear that?"

Crespo: "The Illinois Municipal League... are they neutral? Are they..."

Phelps: "They... they are neutral with the negotiations that we did and the Amendments that we filed, yes."

Crespo: "Okay. I know they testified before committee just this week. And they did mention during committee that they were aware that some of the municipalities would be winners and some would be losers. Some would benefit, some would not. And I have to give you credit, Representative Phelps, cause I know you're a standup guy, you try to work with all parties. You try to make a consensus and always try to reach some type of agreement. However, we learned in committee that when this Bill was over at the Senate the Northwest Municipal Conference

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did ask to be part of the negotiations and they were turned down."

Phelps: "I... and Representative Crespo, that's just what I heard."

Crespo: "Right."

Phelps: "I... you know I don't... I can't control the Senate Amendment. So, I apologize. But that's what I... that's what they told me."

Crespo: "So... so, just for the record, Northwest Municipal Conference represents 44 municipalities in the one township, 300 square miles. The counties of Cook, DuPage, Kane, Lake, McHenry, and they represent a 1.3 million people. And when this was being negotiated at the Senate, they were left out. They're in opposition. I know 4 of my 6 towns are in opposition as well because they did not get a chance to be part of this. And to the Bill. Listen, this is an important thing. I know we all want 5G. We want the technology, we want to move from the Flintston... Flintstone era over to the Jetson era. But I also know that when I was a trustee in Hoffman Estates and these issues would come up that they all wanted the technology but they did not want this in their backyard. It's always a sensitive issue. And that's what I heard from my... my municipalities. So, it's unfortunate that my towns, the Northwest Municipal Conference, did not get a chance to negotiate this and represent all the people in those towns over at the Senate. Again, I give you credit. I wish that the Senate side... they would have done the same thing that you normally do. So, I'm in opposition. And... and I want to yield time to Representative Butler... the rest of my time."

Speaker Lang: "Mr. Butler, you have two minutes and 32 seconds."

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Butler: "Thank you, Mr. Speaker. Does the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Butler: "Brandon, I... you know, we had this discussion in committee and I appreciate the way you operate and you try to do things in a bipartisan manner. I will say though, you said no municipalities had approached you. I had my municipality testify in that committee. So, you did hear from municipalities because they testified in that committee in opposition to this. I filed an Amendment to this Bill that was held up in Rules, was not able to get out of it. My community along with many around the state are solidly opposed to this. The IML is not in support of this legislation. They are neutral on this legislation. And a lot of their members are opposed to this legislation. So, I... I... I certainly, you know, all of us want to see and I'm getting to a question. All of us want to see 5G come on board, but I respect the rights of the citizens of Springfield, what they pay for these utilities to go up and the tax dollars that they use to support our municipal government, our utility. And so, my... my question to you is, who is exempted from this Bill?"

Phelps: "Exempted from this Bill are..."

Butler: "What... what... what municipality is exempted from this Bill?"

Phelps: "There's not... there's not community. It's just a public utilities that we did."

Butler: "Is Chicago..."

Phelps: "We exempted them."

Butler: "...exempted from this Bill?"

Phelps: "Oh, and Chicago is exempted. Because they're getting..."



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Butler: "Chicago is a big municipality."

Phelps: "Yeah, because... they did that because they're getting ready to replace all the utility poles, it's \$160 million. So, we exempted Chicago."

Butler: "But Chicago is exempted. Nobody else. My... my community asked to be exempted and they're not being exempted. A lot of other communities would like to be exempted, I'm sure, but once again we're exempting Chicago while the rest of us don't have to... aren't afforded that same responsibility. So, you know, I... I truly appreciate where your... what you're trying to do on this. I think this is a very controversial piece of legislation. We heard a lot of good reasons in committee why this shouldn't happen. We've heard some reasons on the floor. I'm sure you're going to hear some more. But I... I would certainly urge a 'no' vote on this. I think there's a lot more discussion to be had on this. And Mr. Speaker, if... well, I will wait cause I know there's going to be more speakers and everything but... so, if this would get the requisite number of votes I would request a verification on this, Mr. Speaker."

Speaker Lang: "Your request is acknowledged. Mr. Reick, do you stand in opposition?"

Reick: "In opposition, Sir."

Speaker Lang: "Five minutes, Sir."

Reick: "Thank you, Sir. Representative, I have a letter here from the... a bunch of councils of government including the McHenry County Council of Government that was sent to you on May 25 objecting to this Bill on three grounds and I'll be quick. Those say, first that the Bill broadly allows small wireless installations without due consideration of local esthetic

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content, cost and staff burdens for the... for the review and labor investment, it caps and mandates the expedited review process. And I think, importantly, the interference of public infrastructure planning and coordination. I got an email yesterday from our chairman of our McHenry County Council of Government and they were further in... worried about First Net, which is a... a program to provide installations in municipalities for first responders. That this Bill would interfere with their ability to do that. Do you... have you... how do you address those questions, please?"

Phelps: "I think it's just a difference of opinion. If you read the Bill and which I know you probably did, we can... everything that you just said is concerned in this Bill. And it was all in negotiations for a year and a half. I mean, this just wasn't a year or a day this was a year and a half. So, I... I would say, I hope they would read the Bill. Because a lot of these municipalities are just reading the underlying Bill. It... that changed because of the Amendments."

Reick: "Thank you for that. And I yield my time to Representative Ives."

Speaker Lang: "Representative Ives for 3:24."

Ives: "Thank you, Mr... very much, Mr. Speaker. To the Bill. So, you've heard a couple things like that there's going to be billions of dollars of infrastructure spent, you're going to... you're going to have lots of jobs that are going to be associated with this. And nothing in this Bill if it is vetoed... if it was voted down will prevent that from still happening. The only thing that will change is that these private companies... these private businesses will have to

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negotiate with your individual municipality on exactly where these small cell sights should be located. And that's exactly what they should do. They've done that already in a number of other spaces dealing with infrastructure. There's no reason why they can't do it now. And the DuPage winners and managers take a particular issues with a few things. First, SB 1451 permits private businesses to take and use public property without reasonable regulation or fair compensation. This illegal taking would be an unprecedented use of public property and has no basis in law. And number two, SB 1451 essentially it requires municipalities to approve wireless facility locations even if they are not in accordance with local standards or in locations where communities have invested significant capital resources to underground for all other utility facilities. This Bill could lead to pole crowding within public right-of-ways. And when you heard Representative Breen just say... discuss the fact that, no, you can choose that if it's in particular poles that aren't in the right-of-way then there's even more restrictions. Well the truth is, what's going to happen are these private businesses are going to go the poles that are in the right-of-way because it's much easier for them to locate it there because they can do it without any interference from the municipality. So, you need to trust your municipality on this. I would vote 'no'. The investment will be made, it's just that it's going to have to be made in accordance with what your local unit of government agrees is a good idea. So, please vote 'no' on this. And also, Chicago being exempted is

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really not something we should be doing. We should be doing statewide legislation here. Thank you."

Speaker Lang: "Mr. Phelps to close."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the last speaker, I... I just do not believe those are accurate representations. I'm not saying anything bad about you, but I just wish that these cities and municipalities would have read the Bill. I think they're still trying to read the underlying Bill. This is a huge deal. This is going to make Illinois one of the leaders. But I do want to clarify a few things. And I want to give you the sections so that the municipalities will be able to read this Bill. Senate Bill 1451 sets up potential interference with public safety communications and cities will have to spend scarce resources to build new towers to accommodate their public safety needs. That's wrong. Section 15, (d) (1), page 7, lines 2 and 7, provides that a city can reserve space on their utility poles for future public safety uses or for the cities electric utility uses. And on page 9, lines 18 through 21 provides cities can require that a carrier's operation small cell facilities do not interfere with the frequencies used by the city's public safety communications. Another deal that was asked about was... requires cities to approve small wireless facilities where the city has placed other facilities underground. That's wrong. Section 15, (d) (6) (D) provides that carriers have to comply with local coal provisions or regulations concerning undergrounding requirements, page 10, lines 9 through 17. Caps attached rates even when the actual costs exceeds the cap, that's wrong. Section 15, (i) (3)

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provides that the annual attachment fee equals \$200 or the actual direct and reasonable costs related to the carrier's use of the city's utility pole. Also, for intent with the Municipal League, I want to clarify two areas of concern that's been raised today. One is the permitting process for small cell equipment on locations on the right-of-way. And the other concern is the scope of the Bill regarding use of authority structure not located in the right-of-way. First, zoning. Section 15 (c), so they can find this, provides that small cells located outside the rights of way would be subject to zoning, review and approval for any location zoned primarily for residential use. For locations not zoned primarily residential, like commercial and industrial areas, it would be permitted use and not subject to zoning approval. But all small cell locations would be subject to all the regulations and permitting requirements in this Bill. Second, municipal structure outside the right-of-way, Section 15, (j) provides and authority must allow collocation on utility poles located outside the right-of-way on a nondiscriminatory basis. If an authority use is not allowed for commercial use of utility poles outside the right-of-way then this Bill would not require the use of small cell. But if an authority allows commercial use of utility poles outside the right-of-way the Bill simply requires the use for small cells not be nondiscriminatory. In addition, if the authority allows commercial use the Bill only applies to its utility poles. It would not apply to the rooftop of the authority's building, an authority water tower or any other authority support structure that is not a utility pole. Ladies and Gentlemen,

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I... I wanted to read that into the record. I just... I just want you all to know that this is... this is something that we can make Illinois proud. It's 5G, it improves 4G. A lot of jobs, a lot of money. It's going to help all of our constituents. I urge an 'aye' vote."

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 be reminded Mr. Butler has asked for a verification. Members, please vote your switches. Mr. Clerk, please take the record. On this question there are 51 voting 'yes', 54 voting 'no', 3 voting 'present'. And Mr. Phelps."

Phelps: "Postponed Consideration."

Speaker Lang: "Asks for Postponed Consideration. Senate... excuse me, Mr. Clerk, Rules Report."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2017: recommends be adopted referred to the Floor is Floor Amendment #2 to House... correction to Senate Bill 421."

Speaker Lang: "Representative Scherer for what reason do you rise? You might have heard my announcement before that there'd be no more points of personal privilege."

Scherer: "Oh, none? Okay. I thought we were supposed to keep it short?"

Speaker Lang: "But we might get back to you like several hours from now."

Scherer: "Okay. Just... just wave, Mandy."

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Speaker Lang: "So... so just hang on to that. All right. Senate Bill 1461, Representative Kifowit. Out of the record. Senate Bill 1483, Mr. Skillicorn. Please read the Bill."

Clerk Hollman: "Senate Bill 1483, a Bill for an Act concerning education. This Bill was read a second time previously. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 1483, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Skillicorn."

Skillicorn: "Thank you, Mr. Speaker and the Body. This Bill simply changes the current... the current law which is 15 days for a parent to ask for their student's records to 10 days. And I also worked with the committee to add an Amendment to that so it could be extended back to 15 days if there's any delay for the school district. I welcome any questions and urge an 'aye' vote."

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? Last try. Don't get locked out. Have all voted who wish? Mr. Clerk, take the record. There are 100 voting 'yes', 9 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1518, Representative Barbara Wheeler. Please read the Bill."

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Clerk Hollman: "Senate Bill 1518, a Bill for an Act concerning civil law. This Bill was read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Lang: "Represent..."

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

Speaker Lang: "...sorry, Mr. Clerk. Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 1518, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Wheeler."

Wheeler, B.: "Thank you, Mr. Speaker. Senate Bill 1518 provides for quick-take proceedings for two pieces of property, one in McHenry County and one in Kane County. There are no opponents."

Speaker Lang: "Mr. Thapedi."

Thapedi: "Will the Sponsor yield, please?"

Speaker Lang: "Sponsor yields."

Thapedi: "Representative, what is the fair cash market value of both of these properties at their highest and best use?"

Wheeler, B.: "The first project on Randall Road is close to 20 thousand, on Dowel it's 70... I'm sorry, 75 thousand."

Thapedi: "Seventy... 20 thousand and 70 thousand?"

Wheeler, B.: "Correct."

Thapedi: "How many appraisals were done to come up with those opinions of value?"

Wheeler, B.: "That I don't know."

Thapedi: "Thank you, Mr. Speaker."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all



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voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 72 voting 'yes', 36 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1531, Mr. Rita. Mr. Rita. Out of the record. Moving to page 6 of the Calendar, Senate Bills-Second Reading, Senate Bill 3, Mr. Yingling. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 3, a Bill for an Act concerning local government. This Bill was read a second time a previous day. Amendment 1 was adopted in committee. Floor Amendment #2, offered by Representative Yingling, has been approved for consideration."

Speaker Lang: "Mr. Yingling."

Yingling: "Mr. Speaker, I do not want to adopt Floor Amendment #2."

Speaker Lang: "Gentleman withdraws the Amendment. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 3, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Yingling."

Yingling: "Thank you, Mr. Speaker. Illinois now has more units of government than any other state in the country. And having so many layers of government creates inefficiencies and waste in our property tax... with our property tax dollars. We are facing a property tax crisis in this state. And property taxes are driving people out of their homes and out of Illinois. Government consolidation is necessary to move our state

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forward and SB3 moves us in the right direction. SB3 accomplishes three primary objectives. Number one, is it puts in place a procedure for townships to consolidate. It puts in place a procedure for coterminous townships to dissolve. And it expands the DuPage consolidation model to every county in the state. I'd be happy to answer any questions."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. I'd move for Standard Debate."

Speaker Lang: "Standard Debate will be allowed. Please proceed."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, I know that over the course of the last couple of years you and I have worked together on several different consolidation initiatives, can you reflect where some of these components came from? Where the origin of these ideas were?"

Yingling: "Yeah, sure. Absolutely. So, if you look at the DuPage consolidation model that was a piece of legislation that was sponsored several years ago by a Member of our Assembly. And then it was expanded by me and former Representative Jack Franks a couple years ago to include Lake and McHenry County. I sponsored a Bill last year that expanded it to the entire state. Unfortunately, it did not make it through the Senate. It cleared the House with about 99 votes. The coterminous element of this... the coterminous township element of this Bill is in large part based upon the Bill that you passed out of this chamber not too long ago that unfortunately I think was... got caught up in the Senate. And so, that... and that I

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think passed... Mr. Demmer, I think close to 100 votes if I... if I recall correctly."

Demmer: "I appreciate that. And I think it's important to note that over the years we've had a very good bipartisan collaboration on consolidation initiatives with the idea of trying to reduce the overall costs of government. And I think this is a step in the right direction. I do have a question, does this Bill include the ability for citizens to bring about consolidation initiatives?"

Yingling: "Sure. So, when this came out of... this was origin... that question was originally looked at in the Senate. And the Senate removed the ability for this question to be put on the ballot via a petition."

Demmer: "So, what's the mechanism for consolidation that's included in much of this Bill?"

Yingling: "Sure. So, if you have two townships that want to consolidate each board of trustees in each township would have to pass the same resolution and approve that resolution to be submitted to their voters in their respective township. If both townships approved the... the referendum question, it would be submitted to their voters and then both townships... the voters in both townships would have to agree and vote 'yes'."

Demmer: "Thank you, Representative."

Yingling: "Sure."

Demmer: "Mr. Speaker, to the Bill. I rise in support of Senate Bill 3 today. I think it's an important step forward in the consolidation efforts that we've been working on and sometimes in very specific ways and other times in more broad

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initiatives like we've extended in DuPage and McHenry and Lake Counties. I think this is a step in the right direction but we... we have a long way to go. I think the portion that we talked about just a moment ago with the fact that this Bill does not currently provide for citizen initiatives is a... is a missing piece. This is... this Bill is a good Bill, a step forward. But I encourage this General Assembly to know that when we're looking for real consolidation opportunities, oftentimes the... the bodies that are a part of the status quo don't see the incentive or don't see the reason to... to pursue consolidation. They're not going to vote themselves out of existence in many cases. So, in an important balance... an important step that we can take to strengthen this Bill in... in future legislation is to add in components of the citizens empowerment initiatives that... that the Sponsor of this Bill and several others in the chamber have been supportive of. That would allow citizens to collect signatures on petitions and to put a question on the ballot to make a decision for themselves. We should empower citizens to do this and not make them go through only the avenues that are available to them through local units of government. So, this is a good piece of legislation. It's a step in the right direction on consolidation. And I certainly hope that we can continue to work to empower citizens and reduce the cost of government across the state. Thank you."

Speaker Lang: "Mr. Andersson."

Andersson: "Thank you, Mr. Speaker. To the Bill. I, too, rise in strong support of the Bill and I compliment the Sponsor. I know that you have worked very hard on this Bill for many

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months and in the last about day and a half threw a lot of gyrations to... to move your Bill forward. So, I do congratulate you on that on the assumption that it will pass. I do want to echo though my colleague's comments about the voter initiation basis of this. That is lacking. And I... I understand it was in the Bill, it got taken out in the Senate. I get that. I think from our side that's a critical component. So, what I'm going to encourage you to do is work forward to try to find a trailer Bill. I know Senate Bill 1033 is sitting out there that has that language. I'd encourage you to put it in because I'm concerned that if it doesn't have that, I'm not certain the second floor will sustain this. And I'm not certain we can do an override. So, I'm going to really, really encourage you to work real hard to get that trailer done. But, I do support your Bill. And I look forward to voting 'yes'. And I yield my time to Mark Batinick. Representative Batinick."

Speaker Lang: "Mr. Batinick gets the remainder of the 3:50."

Batinick: "I'll... I'll even if somebody wants to tell me who to... I'm going to be very quick on this. Great step in the right direction. You know, we passed SB8 this week. This is SB3, I characterize this as giving a starving man a cracker. It was nice to give him the cracker, I'd like to give him a meal. So, this is a step in the right direction. Thank you for working on it. I yield the rest of my time to Representative Grant Wehrli."

Speaker Lang: "Mr. Wehrli for 3:28."

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

Speaker Lang: "Sponsor yields."

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Wehrli: "So, actually... do you have an intention of running SB1033 as a trailer Bill?"

Yingling: "We already have a... we already have a trailer Bill that has been identified that we are going to be moving additional pieces on."

Wehrli: "That will include the citizen initiated ballot?"

Yingling: "Yeah. That's something that we're already..."

Wehrli: "Okay."

Yingling: "...discussions about."

Wehrli: "All right. To the Bill. That's critical. So, in Naperville and Lisle townships we were able to consolidate road districts only because there in the Township Code, it showed how to do the ballot initiative. Now, there are other aspects of the township that we would like to consolidate, but we can't do that unless the boards agree. So, getting the ballot initiative, you know... it... it's an easier, it's a simpler, it's a more democratic process to consolidate units of government. So, I... I will support this now, but I... I do understand that the second floor will not be in favor of this unless we see that trailer Bill show up. So, I just want to reiterate the point that this is a step in the right direction but we do need to give this... the citizen empowerment component of consolidation to the people. And with that, I yield the rest of my time to Representative Olsen."

Speaker Lang: "Mr. Olsen for 2:18."

Olsen: "Thank you, Mr. Speaker. To the Bill. I think this is an excellent step forward, a step in the right direction. And I want to rise in support. I thank the Sponsor for working collaboratively with myself, with other Members of this side

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of the aisle on ideas to move this process forward. Consolidation is an important issue as we seek to make government more efficient for the people of Illinois. And I think the important thing is that we continue to work together as I have with this Sponsor and I look forward to further opportunities to do so. I'd like to yield the rest of my time Representative Tim Butler."

Speaker Lang: "Mr. Butler for 1:38."

Butler: "Thank you, Mr. Speaker. To the... to the Bill. And... and Representative Yingling, I... I give you huge props on this Bill. You've... you've done... you've worked with this side very well on this Bill. You've worked with me on particular issues and I... I appreciate that. I would like to echo my colleagues' on this side to caution you about the trailer language and the citizen led initiative. That will be something that we will definitely need coming down the pipe. But I will say to... to all my colleagues, this... this is a show of good faith. This Bill is a show of good faith. Twenty four hours ago this Bill wasn't going to happen this way, very honestly. And some work was done on this side, particularly by our Leader, to make sure that this Bill happened. And I would like to encourage all of us as we get out of here in May, which we all know without a budget in place, to work in this kind of fashion. And Sam, you've done good work on this. And I think we've done... we've acted in good faith on this Bill. And I would encourage both sides, my side, your side, and the second floor to work in good faith moving forward so we get a budget in place by the start of the fiscal year on July 1. This is a really good start. You guys have been asking for a show of

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good faith, this is a show of good faith. Let's start from here, move forward. I would encourage an 'aye' vote on this Bill. This is a good piece of legislation. I appreciate the work that you've done."

Speaker Lang: "Mr. Riley, do you stand in opposition?"

Riley: "Yes, Mr. Speaker."

Speaker Lang: "Please proceed."

Riley: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Riley: "It's one of those situations where, you know, just like earlier. Sam, one of the things that... that you've said and many... many people have said, we've got 7 thousand units of government. And then that's a statement with, so what, 7 thousand units of government that at some point the people called for. So, what is it specifically about the units of government, you know, that are bad? Rather than looking at it as people being able to not only vote for the people of their choice, but the units of governments of their choices."

Yingling: "Well, I... I think that's exactly what we're doing here. I mean, if you look at all the units of government we have in the state and I... I don't mean to be coy, it's taken us 200 years to get here. Over the past 200 years, all of these units of government have been put into place. Some are relevant still in certain parts of the state, some are not relevant in certain parts of the state. And that's what this Bill does. Is it gives the ability to the voters, to the local residents, to make that decision for themselves. You know, as I've said before is that the... the policy consolidation of the state recognizes the geographic diversity of the state. And what's



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good for one part of the state might not be good for another part of the state. And that's why it's important to empower the local residents to vote to decide for themselves if a unit of government is relevant to them anymore."

Riley: "Well, I think that townships as you know, you being a former township supervisor, townships are relevant to me in my opinion all over, but they're more relevant outside of Cook County. The townships really run everything, especially downstate. There's many responsibilities that they have. So, to be honest wouldn't you agree with me... I mean, you know the Township Code, I know it, too, that individual members... individual constituents can do a lot in terms of consolidating townships, abolishing their road districts, right now. So, what is this Bill doing that they don't already have the power to do?"

Yingling: "The only... the only statute right now in Illinois Code that allows for township consolidation requires an entire county to consolidate all of their townships. This gives a township by township approach."

Riley: "All right. Can't townships... well first of all, as everybody knows townships have that unique annual meeting where essentially the residents of that township or essentially the electors, they can set a lot of policy during that particular time, but we passed a Bill a few years ago that said that road districts can be basically incorporated into the... into the town?"

Yingling: "That only applied to Cook County at the time. And we just passed HB607, which the Senate also passed and is headed to the Governor's desk that allows for every township now to

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be able to put a question on the ballot as to whether or not they want to consolidate their highway commission into the authority of the township board."

Riley: "Well in that case, with the... with the town board... the town fund received the old levy of the... of the road district?"

Yingling: "That answer is, yes."

Riley: "To the Bill. Again, the people's right to have, not only elect the person of their choice, but the unit of government of their choice. We're seeing situations all over where it seems like people are trying to restrict one's ability to do those two things. And in many ways, I think this is one way to do it. In a time where we're trying to make it easier for people to vote and easier for people to represent themselves, I just really think that... that this Bill is not going to do everything that people think that's it's going to do. We've had many situations where units of government have done away. In Cook County we had a Township Board of Education, the people determined that they didn't want it, and so it no longer exists. Leave it up to the people rather than trying to push them into, as I said before, not being able to elect people of their choice or the unit of government to represent them. Vote 'no'."

Speaker Lang: "Mr. Martwick, do you rise in opposition?"

Martwick: "Mr. Speaker, would it matter if I'm undecided?"

Speaker Lang: "It would matter. Do you rise in opposition?"

Martwick: "Well..."

Speaker Lang: "Let's say you're in opposition."

Martwick: "I'm... I'm in opposition."

Speaker Lang: "Sponsor yields."

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Martwick: "Thank you. Representative Yingling, I had a couple of follow up questions about the mandatory abolition of the highway commissioner. So, you're saying now in areas where there's less than four miles of road not including road not owned by the township that they maintain, that the highway commissioner would automatically be abolished. Is that right?"

Yingling: "That's already state... that's already state law."

Martwick: "Well, it's already state law except you're... you're reducing or you're... by definition you're reducing the amount of road, right? Cause you're taking out... used to allow road that they maintain but didn't own, that's coming out right?"

Yingling: "I'm... I'm sorry, Rep? I'm having a hard time hearing you? Can you... can you restate your question?"

Martwick: "Yeah. It... it says that at least in the analysis is says that its current law that it's four miles although that allows in the four miles to be determined by not just want they own, by what they maintain? This is saying that it's only what they own? So, it's... it's sort of shortening the window for what qualifies as four miles of road? So, it would make more townships eligible for automatic dissolution of the highway commissioner, right?"

Yingling: "If they... yeah, if they fall under four miles of road."

Martwick: "It would if I read it..."

Yingling: "Yeah."

Martwick: "...that's what it would do. So, my question to you is this, you're getting rid of the highway commissioner, but you're not getting rid of the responsibility to maintain the roads, right?"

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Yingling: "Correct."

Martwick: "So, what... why not just pass a statewide initiative to get rid of highway commissioners and have just townships handle that responsibility?"

Yingling: "Well Representative, I would be more than happy to introduce that legislation. I would be more than happy... I think that's good policy, but I think we would find that the majority of Members in the House and the Senate would want to ensure that the voters had a say in that."

Martwick: "Okay. So, if the township now still has the responsibility of maintaining the roads, it lists here that they could... they could ask the county to maintain it, they could ask another municipality to maintain it, or they could hire a private contractors, right?"

Yingling: "If I heard you correctly, the answer is, yes."

Martwick: "Okay. Well, let me just... let me just ask you one question, what if hypothetically, they find out that that's more expensive than just having the highway commissioner maintain the roads?"

Yingling: "Well, I would certainly hope that someone does their research and due diligence before making a decision like that."

Martwick: "Well, what I'm... Representative Yingling, your Bill will not permit to do the research. Your Bill abolishes the highway commissioner. And now, if they... if there only options that are left... they don't get to research this before they do it, they abolish the highway commissioner. What if the cost to the taxpayer is now... 'cause I know you're concerned about that, what if the cost to the taxpayer of maintaining the

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roads by either subbing out to a municipality, a county, or to a private entity is more cost than what they would have done before? Do you have any provision that would allow them to bring back the highway commissioner to save the taxpayers money?"

Yingling: "First of all, I... I don't know if you... if you're unclear as to what this Bill does. So right now, in state statute it already exists that if a township has four miles or less of road the highway... the authority of the highway commission is automatically consolidated under the authority of the board. This doesn't change that. All this says is that a board of trustees can put a question on the ballot to ask the residents, hey, do you think that we should consolidate the highway commission underneath the authority of the board of trustees? Give us a 'yes' or a 'no' vote. So, I'm not exactly... I... I don't understand what you're saying?"

Martwick: "Okay. Well, I... I read the analysis of your Bill and we're... we're focusing on details. The point of the matter is, whether it's a forced dissolution of the highway commissioner or even by referendum, right? Because it... as you mentioned, this is the board saying, let's put a referendum on. If they want to get rid of it, get rid of it. What if it costs the taxpayers more than it would have? Is there any provision to bring back? That's all I'm asking."

Yingling: "The answer is, no."

Martwick: "So, even if it costs the taxpayers more money by abolishing the highway commissioner you don't have any provision to save them money by bringing it back?"

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Yingling: "Well Representative, I mean, you could abolish the highway commissioner and then elect a crazy board that wants to spend millions and millions of dollars on excessive expenditures. You could do that and then say that, oh well you see, I told you it costs more. I don't really think your argument holds much water in this case."

Martwick: "It... it..."

Yingling: "You can't just..."

Martwick: "...it's not an argument. It's just a question that there exists the possibility that you could make a decision and then it winds up being a bad decision, right? And one of the great benefits of democracy is when we make bad decisions and let's say we elect someone we don't like, next time around we can change that. Is there any provision here to change this if you don't like it?"

Yingling: "To bring back units of government once the voters have decided that they're no longer relevant? Is that what you're asking me?"

Martwick: "Well, is it... is it wrong that if voters want them back that they can have them back?"

Yingling: "I... no. Actually, I don't..."

Speaker Lang: "Your time has expired. Mr. Reick, do you stand in opposition or in favor of the Bill?"

Reick: "I guess opposition, Mr. Speaker."

Speaker Lang: "Then you have 5 minutes."

Reick: "Well, I just have a couple of questions for you, Sam. My concern... and I truly I am conflicted on this Bill. My question to you is, I... I'll start off by saying, I can't favor consolidation under any circumstances if it doesn't prove to

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me that it will save the taxpayers money. Back in the 40's we had 20-some thousand units of government, most of those were school districts, many of them have been combined since then. And I think from rounded inflation adjusted basis the cost of schooling has not gone down. But my question to you is, is there anything in this Bill that would prohibit the local county board, whatever, to impose a referendum requirement without hearing? I mean, must they go through the normal... the normal channels of determining referendum through a board hearing and... and public meeting and all that sort of thing? I don't want to see... I don't want to see consolidation efforts thrown up on a ballot because it's an extremely emotional thing, it... especially in my county, without adequate and complete hearing by both sides on these issues."

Yingling: "Repre... Representative, the county has no say in this."

Reick: "I meant, whatever district? I'm sorry."

Yingling: "Well, no. I mean, there... the county doesn't have a say in... in... in... the language in this Bill doesn't even address the county. The county has no say in this consolidation mechanism."

Reick: "Then I wonder what... what avenue is there for objection and approval to be heard in order to determine whether this should happen?"

Yingling: "Well, there is a process in place that requires that the two merging townships have hearings and public... and publish notification to the public and do mailings. So, the public is aware that a consolidation effort is underway. And then ultimately, each board has to approve the same resolution

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to submit before the voters and then the voters of each township have to vote in the affirmative."

Reick: "Thank you. I... I think that answers my question."

Yingling: "Sure."

Reick: "I'm still not sure how I'm going to vote on the Bill, but I think you've answered my question adequately. Thanks, Sam."

Yingling: "Okay."

Speaker Lang: "Mr. Yingling to close."

Reick: "Oh, I..."

Speaker Lang: "Go ahead, Sir. You still have time."

Reick: "I'd like to yield the balance of my time to Representative DeLuca, please."

Speaker Lang: "Mr. DeLuca is waving no. Mr. Yingling to close."

Yingling: "All right. Thank you. I just wanted to say that I... I want to thank my Republican colleagues for taking the time to work through this with me. I know that... I know over the past 24 hours there was a little turmoil surrounding this Bill, but I really think... and I want to echo what Representative Butler said. Is that, this is a... this is a solid piece of legislation that was done in a bipartisan way and it really shows what this Body and what this General Assembly can do when we work together and take the politics out of this legislation. So, I want to thank you very much. I believe this is a good Bill. SB3 gives the people of Illinois the ability to take control of their local taxing bodies. And I urge an 'aye' vote. Thank you so much."

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



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record yourselves. Mr. Clerk, please take the record. On this question, there are 75 voting 'yes', 34 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Mr. Ford, unless it's on a point of personal privilege."

Ford: "For the record."

Speaker Lang: "Go ahead, Sir."

Ford: "For the record, I would like to let the record reflect that intended to vote 'yes' for House... Senate Bill 1483."

Speaker Lang: "The record will reflect your intention. Under the Order of Concurrence, page 13 of the Calendar, House Bill 302, Mr. Martwick. Please proceed, Sir."

Martwick: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur with Senate Committee Amendment #1 to House Bill 302. This is the Treasurer's Unclaimed Life Insurance Benefits Act. As you know, the Bill passed out of here overwhelmingly a year ago. It passed again this year, even though it was a little bit more restrictive than the Bill was last year, more favorable to the insurance companies. In the Senate it was amended to be even more favorable. So, three provisions were changed. In the original Bill the... they would have check... have to check policies back to 1996, now they have to check policies back 5 years if they have paper records and back to 2000 if they keep electronic records. And we removed the requirements that the insurance companies have to collect data from beneficiaries. I... I move to concur, I ask for a favorable vote. Happy to answer any questions."

Speaker Lang: "Mr. Andersson."

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Andersson: "Thank you. May we please move this to Standard Debate?"

Speaker Lang: "Sure. Go right ahead."

Andersson: "Thank you. Much appreciated. So, Representative, so yes, we debated the Bill in a different form. This is a gut and replace that was sent back to us, is that right?"

Martwick: "It is... it is... no, it is... this... the exact same framework of the Bill."

Andersson: "Right."

Martwick: "There have been... there were some requirements of the insurance companies that have been removed and the timeframe for which they have to do the check has been shortened."

Andersson: "Right. Because last year we passed the Bill that prospective. The Bill we argued last... you know, a couple of months ago went retroactive to '96?"

Martwick: "Yeah. So, to be fair we passed two Bills last year."

Andersson: "All right."

Martwick: "So, the original House version went back infinity."

Andersson: "Okay."

Martwick: "There was no end date. Okay?"

Andersson: "Okay."

Martwick: "They had to check all of their records no matter when the records no matter when the policies were sold. When it came back here from the Senate, it was prospective in a sense but not really. They had to check all policies in force on January 1, 2017 no matter when they'd been sold. So, they could have been sold in 1990, as long as they were in effect of January 1, 2017 they had to checked. What this is saying, is they have to check all policies that were in force on the

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year 2000 and that... my understanding was that in the Senate they thought Y2K was a... a year that everybody..."

Andersson: "Sure."

Martwick: "...kind of updated their... their electronic data."

Andersson: "Sure."

Martwick: "And then just in case there is some hardship, in case there are some small fraternal organizations that for whatever reason don't have those search of records, they only have to go back 5 years as long as they can prove that."

Andersson: "And that's what the change is to the Senate?"

Martwick: "That is the Senate Amendment, yes."

Andersson: "And has this resolved any of the opposition that was on the Bill previously?"

Martwick: "I was... No, my understanding is that the... the Life Insurance Council was still opposed. Although I was in the committee hearing when they testified and they talked about how all of these changes were at their request, but they were still opposed."

Andersson: "Thank you. Mr. Speaker, I yield the remainder of my time to Mr. Breen. Representative Breen and child."

Speaker Lang: "Mr. Breen for 3:03."

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

Speaker Lang: "Excuse me... he yielded his time to Mr. Breen. Put your light back on..."

Brady: "Oh, Breen. I thought it was Brady."

Speaker Lang: "...Mr. Brady. Mr. Breen."

Breen: "Yes, thank you, Mr. Speaker. To the Bill. This Bill... the objection here is that the Bill is unconstitutional. It's a violation of the right of contract. Also, I... I brought an

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assistant here who one year ago today we got the word, we were matched with the birth... with his birth mother and he was then born in August. So, that's why he's back here today. That one year ago today while we were doing this late into the night, that is... we got the word about this little guy. So, and... thanks for welcoming him back. And I yield my time to Representative Brady."

Speaker Lang: "Mr. Brady."

Brady: "Thank you very much. I certainly can't follow that act."

Speaker Lang: "You don't..."

Brady: "I don't... what a great looking..."

Speaker Lang: "...then you don't have to, Sir."

Brady: "...young man there. Out of respect for you I'm going to. Representative, just a quick question. You indicated that most of the life insurance opposition had not been removed. Is that correct?"

Martwick: "The life insurance opposition has not been removed. My understanding is the Life Insurance Council of Illinois is still standing in opposition."

Brady: "Okay. Thank you."

Martwick: "And... and... to..."

Brady: "And also, I just wanted to say, to the Treasurer's Office who I greatly appreciate from our work on the task force. One of my suggestions was just simply, give information to funeral homes when they meet with families. And give them direction on how to go to the Treasurer's website to look up old policies and maybe avoid a lot of the things we've all had to go through. But nonetheless, I certainly thank the Treasurer and the office that worked so diligently on that. Thank you."

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Speaker Lang: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. To the Bill. To the Bill."

Speaker Lang: "Go right ahead."

Hammond: "I rise in opposition to this Bill. The General Assembly already passed legislation last year on this topic. As a matter of fact, it's ironic that that very legislation was only in effect for 10 days when this legislation was filed. The legislation will indeed be declared unconstitutional as there are currently cases under litigation involving this same mechanism. About 70 percent of all life insurance policies are term contracts. This Bill, in effect, will revive the now expired or lapsed contracts and change the burden to file a claim from beneficiaries to insurers. Senate Amendment 1 creates an unconstitutional enforceable disparity... disparity. The Amendment requires that all insurance cross match lapsed or terminated policies dating back to 2012. But if a company has electronically searchable records, the date becomes 2000. That's arbitrary and discriminatory. Of the 24 states with death match file search requirements only 1, Florida, includes lapsed and expired policies to the degree of the current Illinois legislation. And that legislation in Florida is currently being litigated. When I spoke with the Treasurer about this Bill I asked him if he had concerns that this would bring forth more litigation and his response to me was, 'Representative, we get sued all the time.' And I think that was supposed to make me feel and warm and fuzzy. Well, it didn't. I also asked him, why we were filing this 10 days after the other law had taken affect and his response to that

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was, 'It makes good headlines.' That, too, does not make this right. I urge a 'no' vote."

Speaker Lang: "Mr. Martwick to close."

Martwick: "Thank you, Speaker, Ladies and Gentlemen of the House. Thank you to the people who spoke on the Bill. This Bill, as I said in the past, requires life insurance companies to live up to the promise that they made when people bought that insurance policy. That they would be there to take care of their beneficiaries when that person met an untimely death. And there are insurance companies who have actively sought to avoid that responsibility. This is the role of government to bring those people into fold and to make them to live up to their promises. Let me point out, nothing in this Bill or last year's legislation changes or impairs the contractual relationship between a life insurance company and the insured. Under this legislation, no insurer will be required to pay any more than it is already contractually obligated to pay. And no beneficiary will receive more in proceeds than what was provided in the contract. And they still must file proof of death if required by the contract. They are narrowly tailored to serve the purpose of ensuring that beneficiaries who are lawfully entitled to death benefits receive their money in a more timely fashion. There are many Illinois Supreme... Appellate Court cases that... that state very directly to this point. In analyzing contract clause claim a court must consider the following four factors: whether a contractual obligation exists, whether government action has impaired that obligation, whether the impairment of the contract is substantial, and whether the government action

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serves an important public purpose. The contract clause is notwithstanding, the rights remain subject to the police powers of the state. We always retain the authority to safeguard the interest of our citizens. That, Ladies and Gentlemen, is our job. It's permitted in the law. This is a good Bill. It stands up for consumers who are being taken advantage by long, lengthy contracts and insurance companies that sought to do them harm. Please vote 'yes'."

Speaker Lang: "Mr. Demmer, I see your light on are you... not on this Bill? Please leave your light on. 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. Mr. Clerk, please take the record. On this question, there are 65 voting 'yes', 47 voting 'no'. And this Bill, having received... and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Demmer is recognized."

Demmer: "Thank you, Mr. Speaker. Please let the record reflect that on Senate Bill 3 I intended to vote 'yes'."

Speaker Lang: "The record will reflect your intention. Mr. Batinick."

Batinick: "Thank you, Mr. Speaker. I filed a Motion to reconsider on Senate Bill 3, I'd like to withdraw that Motion."

Speaker Lang: "And your request is acknowledged, that Motion is withdrawn. On page 10 of the Calendar, Senate Bill 1648, Mr. Fortner. No running, Sir. Please read the Bill."

Clerk Bolin: "Senate Bill 1648, a Bill for an Act concerning safety. The Bill was read for a second time previously.

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Amendment #1 was adopted in committee. No Floor Amendments.  
No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1648, a Bill for an Act concerning  
safety. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Fortner."

Fortner: "Thank you, Speaker, Members of the House. Senate Bill  
1648 is now the... an Act that will consolidate the Dry Cleaners  
Response Trust Fund into the EPA. It's been... was set up 20  
years ago, has been administered separately from the EPA.  
This really just brings it in line with the way we administer  
most of our other EPA projects. I'd be happy to answer any  
questions."

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? Last  
try. Have all voted who wish? Mr. Clerk, please take the  
record. On this question, there are 111 voting 'yes', 1 voting  
'no'. And this Bill, having received the Constitutional  
Majority, is hereby declared passed. Senate Bill 1663,  
Representative Ammons. Please read the Bill."

Clerk Bolin: "Senate Bill 1663, a Bill for an Act concerning  
education. The Bill was read for a second time previously.  
Amendment #3 was adopted in Committee. No Floor Amendments.  
No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1663, a Bill for an Act concerning  
education. Third Reading of this Senate Bill."

Speaker Lang: "Representative Ammons."



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Ammons: "Thank you. This Bill amends the Career and Workforce Transition Act. And includes several professional categories that would be able to receive credit at a... as a Vocational School Act from the Illinois Board of Higher Education. And I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill 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 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1671, Mr. Swanson. Please read the Bill."

Clerk Bolin: "Senate Bill 1671, a Bill for an Act concerning education. The Bill was read for a second time previously. No Committee Amendments. Floor Amendment #2 is offered by Representative Swanson."

Speaker Lang: "Mr. Swanson."

Swanson: "Thank you, Mr. Speaker. Amendment first? The Amendment is agreed upon Amendment that allows the community colleges when conducting its operation to refer to itself by the school common name."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1671, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Swanson."

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Swanson: "Thank you, Mr. Speaker. What this Bill does, it amends the Public Community College Act to allow community colleges to use their common community college name, informs, and contracts as a standalone name without requiring a college to list each county in which it represents, and use its assigned community college number. It provides that the district number may in... may be incorporated into the colleges name."

Speaker Lang: "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? Mr. Clerk, please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1687, Mr. D'Amico. Please read the Bill."

Clerk Bolin: "Senate Bill 1687, a Bill for an Act concerning business. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1687, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lang: "Mr. D'Amico."

D'Amico: "Thank you, Mr. Speaker. 1687 is an initiative of the automobile industry, finds that licensing and supervision of motor vehicle dealers is necessary for the protection of consumers. I appreciate an 'aye' vote."

Speaker Lang: "Mr. Andersson."

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

Speaker Lang: "Sponsor yields."

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Andersson: "Thank you. I'm trying to figure out why... why I asked.  
Looks like it came out of committee 6-4. Is that correct?"

D'Amico: "Yes. You know what, actually there was a mistake in  
committee and everybody's on board. It's agreed upon."

Andersson: "That... that apparently is my confusion as well. My  
compliments on your tie by the way."

D'Amico: "Thank you. You too."

Andersson: "So, good luck with the Bill."

Speaker Lang: "Those in favor of the Bill will... excuse me,  
Representative McDermed."

McDermed: "I was in committee with Representative D'Amico, the  
Sponsor, and there was some confusion about support versus  
nonsupport. This Bill is completely agreed by everyone  
concerned."

Speaker Lang: "I think..."

McDermed: "Vote 'yes'."

Speaker Lang: "...I think that's what they just said. 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 take the record. There are 113 voting  
'yes', 0 voting 'no'. And this Bill, having received the  
Constitutional Majority, is hereby declared passed. Senate  
Bill 1748, Representative Bellock. Please read the Bill."

Clerk Bolin: "Senate Bill 1748, a Bill for an Act concerning  
regulation. The Bill was read for a second time previously.  
No Committee Amendments. No Floor Amendments. No Motions are  
filed."

Speaker Lang: "Third Reading. Please read the Bill."

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Clerk Bolin: "Senate Bill 1748, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And Senate Bill 1748 is an agreed Bill among DHS, IRF, and Equip for Equality. It passed over from the Senate unanimously on May 25. This Bill includes four of the Bills that we've already done over here that passed unanimously that were in reaction to the hearings we had on the CILAs and group homes. And it makes appropriate changes to oversight and accountability of the community based services for people with disabilities. I can read through the four of those, but all four of those were passed here unanimously. And then in the Senate, they added two Bills that ensured final investigative reports of the Inspector General are shared with everyone. And it streamlines the CILA requirement on local fire issues. So, I... those were agreed upon unanimously in the Senate also. I ask for your support."

Speaker Lang: "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? Mr. Clerk, please take the record. There are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1761, Representative Wallace. Please read the Bill."

Clerk Bolin: "Senate Bill 1761, a Bill for an Act concerning criminal law. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

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Clerk Bolin: "Senate Bill 1761, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Wallace."

Wallace: "Thank you, Mr. Speaker. I rise to present a Bill that will allow... or will disallow for the use of the gay panic defense. This is a Bill that seeks to protect those who have already been the ultimate victim from being re-victimized. I encourage an 'aye' vote."

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? Mr. Clerk, please take the record. On this question, there are 104 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1807, Representative Kelly Burke. Please read the Bill."

Clerk Bolin: "Senate Bill 1807, a Bill for an Act concerning local government. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1807, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. Senate Bill 1807 clarifies that construction and municipal debris is not a subject of a franchise for a municipality and allows the... the market to be open to all haulers. And I ask for an 'aye' vote."

Speaker Lang: "Mr. DeLuca."

DeLuca: "Thank you, Mr. Speaker. Question of the Sponsor."

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Speaker Lang: "Sponsor yields."

DeLuca: "Representative Burke, first I want to thank you for your patience. I filed some notes and you allowed the results to come in, I appreciate that. And as you know, one of the notes that came back stated that the Bill preempts Home Rule. So, I just want to make sure.. are you aware that this legislation preempts Home Rule?"

Burke, K.: "Let me double check. I thought it said, does not preempt Home Rule. Yes, I saw that."

DeLuca: "You saw that it does preempt Home Rule?"

Burke, K.: "Yes."

DeLuca: "Okay. Thank you. And can you tell us.. well because you weren't sure that it preempts Home Rule, do you know exactly what municipalities are prohibited from doing with this legislation?"

Burke, K.: "So, they're prohibiting from.. from creating by franchise that.. and limiting who can pick up construction and demolition debris which currently is not what.."

DeLuca: "I'm having trouble hearing you."

Burke, K.: "...allowed under their franchise authority."

DeLuca: "I'm having trouble hearing you, Representative. Sorry."

Burke, K.: "The Bill clarifies that under their franchise authority to pickup garbage and recycling that does not include the franchise authority for construction and demolition debris which is currently not in the statute. This clarifies that that is not under their franchise."

DeLuca: "Mr. Speaker, I'm going to need a little more time. Can I move for Standard Debate, please?"

Speaker Lang: "You may."

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DeLuca: "Thank you, Sir. Representative Burke, can you please state that again? I did not hear what you said."

Burke, K.: "So, the Bill clarifies that under current law municipalities do not have the ability to franchise for construction and demolition debris. That's not found in the definition. And the definition of construction and demolition debris that is set forth in the Environmental Protection Act is the... the definition that we're going to use."

DeLuca: "So, how does that work from a municipality's perspective? When they want to enter into a franchise agreement for the collection of residential, commercial, and industrial waste, how does this impact their ability to do that?"

Burke, K.: "Well, it's not... it's not necessarily that. It's limited to construction and demolition debris. And that is defined in the EPA as general construction or demolition debris means nonhazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utility structures and roads. Limited to the following: bricks, concrete, and other masonry materials, soil, rock, wood, including nonhazardous painted, treated, and coated wood and wood products, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles, and other roof covering, reclaimed or other asphalt pavement, glass, plastics that are not sealed in the manner that conceals waste, electrical wiring, and components containing no hazardous substances, and corrugated cardboard piping or metals incidental to any of those materials. It goes on to... to define some things that are not construction debris. This is a much broader definition than anything that is in the

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Municipal Code. And it's the position of the recycle haul... of the construction and waste recycling rehaulers that it is not... that the law did not intend the municipalities to have a franchise for that long list of construction and demolition debris that's in the Environmental Protection Act."

DeLuca: "Okay. I'll just move along for the sake of time. The construction and demolition material..."

Burke, K.: "Yes?"

DeLuca: "...does this have to be rehailed to their facility?"

Burke, K.: "It depends on... does it have to be hauled to the..."

DeLuca: "The construction and demolition hauler..."

Burke, K.: "Yes?"

DeLuca: "...they have a... they have a facility where they recycle the material, I am assuming?"

Burke, K.: "They... there are facilities, not in every part of the state. But there are recycling facilities where if it's available that... that it is hauled to and constructed. But not everywhere, cause not everywhere has a recycling facility."

DeLuca: "Well this, from what I'm reading here this legislation allows the construction and demolition hauler to provide the service to..."

Speaker Lang: "I'm sorry, Sir, your time has expired. Mr. Long."

Long: "Thank you, Speaker. This is straight to the Bill. I am a cosponsor on this Bill. And the reason why I jumped on this Bill is because it's in the heart of competition. And besides that, it supports our environment, it lightens up on the landfills. And it does provide good jobs, good union jobs. And I'm totally behind this Bill. I was a cosponsor. And I



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support and I urge everybody to vote 'yes' on this. Thank you. "

Speaker Lang: "Mr. Davidsmeyer."

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

Speaker Lang: "Sponsor yields."

Davidsmeyer: "Quick question. Does this exempt the City of Chicago?"

Burke, K.: "Yes, it does."

Davidsmeyer: "Why is that?"

Burke, K.: "I think because the city has a provision to do this already. I'm not 100 percent sure, but it was something that was worked out with the folks in the Senate. I can certainly get back to you. I know that's an issue of importance for you. And I'd be happy to get back with you, but I... I'm not 100 percent positive."

Davidsmeyer: "For... for many of us, once again, for many of us outside of the City of Chicago, we feel like all these things are being forced down upon us from the City of Chicago while you guys live by a different rule of order. So, I will be voting 'no' at this time. Thank you."

Speaker Lang: "Representative Mayfield."

Mayfield: "I just want to echo some of Representative Long's statements. This is a good Bill. This Bill actually promotes and protects small businesses. For anybody that's ever done any type of home construction or if you've cleaned out your garage, this pertains to those roll offs. You know, you've got a lot companies that, you know, they have those little small roll offs. They're very competitive. They're a third of the price of some of your industrial waste haulers. It allows

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for residential individuals, you know the average home owner to be able to clean out their garage at an inexpensive price without paying... at a cost without paying three times the price if they went with a commercial hauler that these municipalities are trying to force on them. This is actually a very good Bill. And I would recommend an 'aye' vote."

Speaker Lang: "Mr. Thapedi, do you rise in favor or in opposition to this?"

Thapedi: "In opposition, Mr. Speaker."

Speaker Lang: "You'll be the third person. Please proceed."

Thapedi: "And I yield my time to Representative DeLuca."

Speaker Lang: "Mr. DeLuca for five minutes."

DeLuca: "Thank you. Representative Burke, so the construction and demolition haulers they bring the material where?"

Burke, K.: "It... it depends. If there's a recycling facility available they can bring it to a recycling facility or they can bring it to a landfill. We had some interesting testimony in committee as to how in certain parts of the state there are no recycling facilities. So, where they can..."

DeLuca: "Isn't there a certain percentage of the material by state statute that must be recycled for these type of haulers?"

Burke, K.: "It's... there is in state statute, we believe it's 75 percent, but it's where available. And there are certain municipalities, and for example, Cook County, where they have not done the franchise, but they've required that the haulers recycle a certain percentage. And those are mostly in Cook County where there's a robust recycling. There... there's the availability of these facilities to process those materials. So, there's no specific language in the Bill that mandates

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that these haulers haul the material, the recyclable material to their facility so it can be recycled?"

Burke, K.: "So, it's not in this Bill, but I believe it's already in a different part of statute."

DeLuca: "You believe it is?"

Burke, K.: "It is."

DeLuca: "Well, then how can you say that where it's available? That... that's inconsistent. You're saying if it's available they bring it to the recycling facility and if not it goes into a landfill which defeats the whole purpose of what everyone is arguing in support of."

Burke, K.: "Right. But if... if the site... as I understand it, if the site that they are hauling the materials from is within a certain distance from a recycling facility then they have an obligation to recycle a certain percentage of it. But there are places within the state where there are no other recycling facilities."

DeLuca: "It's... I'm under the impression from working on this Bill last year there... there is not mandate that the material be hauled back to their facility."

Burke, K.: "When you say their..."

DeLuca: "So, if we're going to make the argument..."

Burke, K.: "...I'm not... I'm not quite sure you mean there?"

DeLuca: "...if we're going to make the argument how this is environmentally friendly, which is fine, and it encourages recycling, which is fine, we should mandate that the recycling be transported to the recycling facility. So, I guess I will ask you, would you consider whether it's in the form of a trailer Bill or there's obviously going to be time with this

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Bill... I'll support your Bill if you add that mandated language in there. Just mandate that the material be transferred back to the hauler's facility so it will be recycled. Otherwise, you're allowing them to take it to a landfill. Doesn't make any sense, defeats the purpose."

Burke, K.: "So, I'm a little unclear what you mean when you say their facility? Can you elaborate, please?"

DeLuca: "The construction and demolition hauler."

Burke, K.: "Right."

DeLuca: "They have a recycling facility."

Burke, K.: "But not every hauler also have a facility. Sometimes..."

DeLuca: "They have to. They can't be a construction and demolition hauler without one."

Burke, K.: "...but some of the smaller ones take it to an... I just want to clarify that there's some..."

DeLuca: "That's fine."

Burke, K.: "...there are smaller ones that are taking it to..."

DeLuca: "That's fine. The material... that's what I'm..."

Burke, K.: "...someone else's facility."

DeLuca: "...saying. The material must be transported to a recycling..."

Burke, K.: "Right."

DeLuca: "...facility. It's... it's... very simple."

Burke, K.: "So, I... right. So, I... I will say that this Bill is... a proponent is the Sierra Club and also the Environ... Illinois Environmental Council. So..."

DeLuca: "That's fine. I have limited time, Representative Burke. Would you consider that whether in this Bill or in a future

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Bill, simple language mandating that the material be sent to a recycling facility?"

Burke, K.: "...I would certainly be willing to consider it. But I think the practical impact is that in certain parts of the state there are not recycling facilities. So, we'd have to work through that."

DeLuca: "Okay."

Burke, K.: "...that reality."

DeLuca: "Well, thank for your answers and thank you for being patient. Ladies and Gentlemen, until this legislation includes language that mandates that the material that we are recycling and claiming to be recycling is actually going to a recycling facility, it's defeating the entire purpose. So, I'm going to encourage a 'no' vote until we get to the point where that language is included. Thank you very much."

Speaker Lang: "We have exhausted all speakers on this Bill. Representative Burke to close. Representative Burke to close."

Burke, K.: "I urge an 'aye' vote. Thank you very much."

Speaker Lang: "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? Mr. Clerk, please take the record. On this question, there are 91 voting 'yes', 17 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1839, Mr. Phelps. Please read the Bill."

Clerk Bolin: "Senate Bill 1839, a Bill for an Act concerning regulation. The Bill was read for a second time previously. Amendment #3 was adopted in Committee. Floor Amendments 4 and

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5 have been approved for consideration. Floor Amendment #4 is offered by Representative Phelps."

Speaker Lang: "Mr. Phelps."

Phelps: "I'd like to move for its adoption."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #5 is offered by Representative Phelps."

Speaker Lang: "Mr. Phelps."

Phelps: "This becomes the Bill and I ask for its adoption."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1839, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1839 amends the Public Utilities Act and puts into place regulatory framework to govern AT&T's modernization of telecommunications in their coverage area. What this does is it relieves the carrier of last resort. It keeps 9-1-1 alive with a surcharge and also extends the dates on telecomm video and 9-1-1 to 2020. And I just ask for its passage."

Speaker Lang: "Mr. Hays."

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

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Speaker Lang: "Sponsor yields."

Hays: "Representative Phelps, first of all, thank you. Both of these issues are very complex, you've worked through a litany of stakeholders both on forwarding the telecommunications rewrite. I think it takes us to an era that ensures that businesses can connect with their customers, customers can connect to business. It attracts more investment to our state. It ensures that going forward even in our rural areas that we have the technology that we need to move forward. And so, I thank you for all of that work. Just as importantly, on the 9-1-1 front, I know this Body many of you were involved when we recognized the reality of landlines decreasing dramatically, cell phones becoming much, much more prominent. Now, we're in a time in our state when only 8 or 9 percent of folks even have a landline. We adjusted the amount on the surcharge on the cell phone bill to underwrite 9-1-1 in our respective areas of our state. Many, many of our 9-1-1 providers are now underwater because that... that balance was inadequate. This balances that out. I appreciate the Sponsor. This is a Bill that was going to die for peripheral reasons that in my judgement did not... were not worthy of both the telecommunications rewrite and 9-1-1 bogging down. And I suggested that I was not going to go home and tell the people in community that when they dial 9-1-1 on the other end of the line it says, sorry this line has been disconnected because the Governor and the Mayor of Chicago are in a wrestling match over something peripheral. I think it's high time that it be said, I am proud to sponsor this Bill. And I've been proud to work with you. I encourage an 'aye' vote."

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Speaker Lang: "Representative Hammond, do you speak in favor or in opposition? Please proceed. You'll be the final speaker in favor."

Hammond: "Thank you, Mr. Speaker and Members of the House. Representative Phelps, I want to thank you for your work on this. And I know that... that you worked tirelessly on this. And this is the result of coordination and collaboration and negotiation on both sides of the aisle. And I greatly appreciate it. We need desperately to update our state's communication laws. And attract more investment in the high speed internet and the wireless networks because they are saving lives. Our first responders are counting on the high speed internet to protect the public. We will receive notifications of Amber Alerts, weather conditions and other emergency texts. Firefighters can send real time thermal images and before long our citizens will be able to send text messages to ask for emergency help through Next Generation 9-1-1. We couldn't do it without your work. And I'm happy to join you on it. Thank you, Representative."

Speaker Lang: "Mr. Andersson, do you rise in opposition?"

Andersson: "Can I be neutral?"

Speaker Lang: "We'll let you rise in response, let's say that. Five minutes, Sir."

Andersson: "Thank... thank you, Sir. Appreciate it. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Andersson: "Thank you. So, it looks like we do a couple of things here and I just want to clarify those. One, is this concept of AT&T being the carrier of last resort with regard to, I



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guess, traditional lines, we're removing that obligation. Is that correct?"

Phelps: "That is correct. Ninety percent has already transitioned off of the landlines."

Andersson: "Right."

Phelps: "And what AT&T is doing, they are wasting money on the old copper network because the new technology... we want to advance Illinois into this... this realm, we want them to use that money. Instead of using it on the old network, let's use it on the new network. And some of the parts on the old copper network, Representative Andersson, they have to get them from EBay."

Andersson: "And isn't it also true that with existing technology you can have what appears to be a landline but it's a cell phone? And with AT&T I think they charge you \$30 a month, which is cheaper than your traditional landline and it works with 9-1-1, et cetera?"

Phelps: "Representative Andersson, thank you so much for saying that because we put in the strongest protections for consumers in this through... through all these different notices and the ICC is involved, the FCC is involved. And all we're going to do is make this to go the FCC and the FCC could just say, nope, AT&T you don't get this. But this is why we're doing this to get them... get this in front of them."

Andersson: "And you've done that through that Universal Telephone Assistance Program, that's part of that expansion correct?"

Phelps: "That is correct."

Andersson: "And the only... the only whammy so to speak on this Bill, of course, is the... the surcharges? So, we're going from

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87 cents to a dollar fifty for Chicago and.. or out.. outside of Chicago. And Chicago will go from 3.90 to 5. Is that correct?"

Phelps: "Yeah. And only.. only though, Representative Andersson, we put a little trigger mechanism. Only if the City Council approves that."

Andersson: "Okay."

Phelps: "They can go anywhere but they've got to prove that. But my guys and ladies down home on my 9-1-1 centers are ecstatic because they never thought in their wildest dreams they'd ever go from 87 cents to a dollar fifty."

Andersson: "Okay. And.. and perhaps most importantly, what's the current expiration on the 9-1-1 laws?"

Phelps: "I think it's this June 30th. And if we don't 9-1-1 is dead."

Andersson: "Like in a month?"

Phelps: "And so, it would go to 2020."

Andersson: "So, if we.. if we don't do this 9-1-1 ceases to exist in many places throughout the state?"

Phelps: "Absolutely right. If we do not do this, 9-1-1 is gone."

Andersson: "Thank you, Sir."

Phelps: "Thank you."

Speaker Lang: "Representative Gabel, I assume you rise in opposition?"

Gabel: "A.. a question."

Speaker Lang: "You have questions?"

Gabel: "Yes. Yes. I'm questioning.. yes."

Speaker Lang: "Five minutes."

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Gabel: "So... thank you very much. So, I just have a couple of questions, Representative. First, is there some protection in this Bill for people whose lines cannot be changed from landlines to..."

Phelps: "All of the nine... I think 21 states have done this... AT&T has done. This is the strongest protections of any state in what we're doing in Illinois. And remember, they want these safeguards in there 'cause AT&T they don't want to lose their customers. They're going to make sure they work with that person or people to try to keep that landline if that's what they want."

Gabel: "And... and then, I have a very important question about a medical monitoring devices. Actually my mother tried to change from a landline and they came to change her and they said, oh we can't do this. This... your medical monitoring device, which is one of those things that people wear around their necks that when they fall. And they said, we can't change you because the medical monitoring device is not compatible with what you have now."

Phelps: "And... and Robyn, the same safeguards. ICC and FCC can come in and do that, work with them. And AT&T does not want to lose those customers. So, they're going to work with them. They've... they've promised that. They want to put those protections in the Bill for all that... what you were just talking about."

Gabel: "So, my understanding is that is one of the... that it is in the last Amendment?"

Phelps: "Yeah, it is."

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Gabel: "That... that people's lines will not be changed until... until they can work with the medical monitoring devices according to the FCC?"

Phelps: "And when we negotiated all this we even put more notices in so everybody will know and AT&T is going to keep doing that. And like I said, not only is the FCC involved, but we're the only state that we allowed our own ICC to be involved."

Gabel: "Okay. Thank you for your answers."

Phelps: "Thank you."

Speaker Lang: "Representative Willis, do you rise in opposition or at least in response?"

Willis: "I have some concerns and questions I'd like to address to the Sponsor, please."

Speaker Lang: "Please proceed. Five minutes."

Willis: "One of the things... Representative, one of the concerns that I have heard is from many of our seniors making sure, especially those that have medical devices, and I think you might have addressed that..."

Phelps: "We did."

Willis: "...previously but I... could you... I couldn't hear you clearly enough. And so, how is that going to be taken care of?"

Phelps: "Well and remember, a lot of this, too, is going to be subject to all the rules that the FCC is going to have, too, Kathy. And... but the main thing is, is we got the protections in there to work, not only with the FCC, but we allowed our own ICC to come in to help that cause we do... remember, like I said, to... to the last Representative, we... we don't... AT&T doesn't want to lose their customers."

Willis: "Okay. And then my other question is..."

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Phelps: "Cause there's a lot of competition out there. They can go to other places and AT&T is not about to do that."

Willis: "Great. Thank you very much. My other question is, on the 9-1-1 funding, is there truly a need for additional funding for 9-1-1?"

Phelps: "I have not had... in the hearing we had in Chicago, I have not one... not one 9-1-1 center said that they could not use more money. Not only for their services but their infrastructure because it changes almost every day."

Willis: "Okay. Thank you. I'll continue to listen to the debate."

Phelps: "Thank you very much."

Speaker Lang: "All debate has been exhausted. Mr. Phelps to close."

Phelps: "Ladies and Gentlemen, in closing I'd like to point out this one of the rare Bills that we consider from time to time that has universal support. Not only from almost every labor organization but for almost every business association in the state working together. I just ask for its passage and I appreciate your vote."

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? Mr. Clerk, please take the record. On this question, there are 81 voting 'yes', 27 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative Ammons, for what reason do you rise?"

Ammons: "Just a point of clarity, Mr. Speaker. On the Bills on debate if we are extending and allowing people to speak in

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response, I think all of us should be given the same courtesy. I ask to speak on this Bill prior but was not given that courtesy."

Speaker Lang: "Representative, you know I'm courteous to everyone. I'm just simply following the rules up here. Senate Bill 1843, Mr. Mitchell. Please read the Bill."

Clerk Bolin: "Senate Bill 1843, a Bill for an Act concerning local government. The Bill was read for a second time previously. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Christian Mitchell."

Speaker Lang: "Mr. Mitchell."

Mitchell, C.: "Mr. Speaker, I'd like to withdraw Floor Amendment 1."

Speaker Lang: "Amendment 1 is withdrawn. Mr. Clerk."

Clerk Bolin: "Floor Amendment #2 is offered by Representative Christian Mitchell."

Speaker Lang: "Mr. Mitchell."

Mitchell, C.: "I move for its adoption. I'll explain on Third."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1843, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker, Members of the General Assembly. This Bill does two things. One, reauthorizes the

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Police Professionalism Committee to review some of the things it currently reviews and adds a seat for the Superintendent of the City of Chicago. And also, authorizes the Cook County States Attorney's Office to work with the Appellate Prosecutor's Office. Every other county currently has this. I look forward to any questions. And ask for an 'aye' vote."

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. Mr. Clerk, please take the record. On this question, there are 107 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1871, Mr. Costello. Please read the Bill."

Clerk Bolin: "Senate Bill 1871, a Bill for an Act concerning revenue. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1871, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Costello."

Costello: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1871 changes the definition of rolling stock, puts us in line with our surrounding states. It's agreed to by the trucking industry and the Department of Revenue. I know of no opposition. And it was passed unanimously in the Senate."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. There are 113 voting 'yes', 0 voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1904, Mr. Hoffman. Please read the Bill."

Clerk Bolin: "Senate Bill 1904, a Bill for an Act concerning employment. The Bill was read for a second time previously. Amendment #1 was adopted in Committee. Floor Amendment number... Floor Amendment #3 is offered by Representative Hoffman."

Speaker Lang: "Mr. Hoffman on Amendment 3."

Hoffman: "Yes, this would mirror the... the underlying Bill. But would move the posting date for the prevailing wage from... in the Bill from August 15 to July 15. I ask it be adopted."

Speaker Lang: "Mr. Andersson, may we adopt and go to Third?"

Andersson: "Adopt and go to Third, but we have notes on this, correct?"

Speaker Lang: "Well, we're going to find out... yes, there are. Do you wish to discuss the Amendment?"

Andersson: "Sir, I don't but I don't think we can go to Third with pending notes?"

Speaker Lang: "Well, let's find out what happens."

Andersson: "All righty."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. Notes have been requested on the Bill as amended by House Amendment #1. Those notes are a



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fiscal note, a Home Rule note, and a state mandates note. And those notes have not been filed."

Speaker Lang: "Looks like Mr. Andersson was correct. Chair recognizes Mr. Hoffman."

Hoffman: "I move that the notes be ruled inapplicable."

Speaker Lang: "Gentleman moves that the notes be held inapplicable. 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. Mr. Clerk, take the record. There are 62 voting 'yes', 48 voting 'no'. And the Gentleman's motion prevails, the notes are held inapplicable. Mr. Clerk."

Clerk Bolin: "No further note requests. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1904, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Yes, this has to do with the prevailing wage. A year ago, I believe, we passed a Bill that would indicate that the prevailing wage would be set by utilizing the local collective bargaining agreements. This does that also; however, what it does is it makes some other changes that were asked for by some of the... some of the opponents of the Bill. We made those changes. And I ask for a favorable roll call."

Speaker Lang: "Mr. Wheeler."

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

Speaker Lang: "Sponsor yields."

Wheeler, K.: "Representative, we've seen this kind of approach before, right? Last General Assembly we talked about this?"

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Hoffman: "Yes. I believe that we... what happened was, we passed the Bill out of the House, through the Senate, the Governor vetoed it, and we lost by 1 on the veto override."

Wheeler, K.: "All right. This is the Bill that we talked about whenever you would set the collective bargaining rate... or that's the prevailing wage rate, I'm sorry, to the collective bargaining rates in counties where more than 30 percent of the workers were under that collective bargaining agreement. Is that right?"

Hoffman: "Yes. That's what the... the Bill last time indicated."

Wheeler, K.: "And we talked about how the surveys that were being done by the Department of Labor were ongoing at that time and that we should let those... our side said, let's let those surveys continue. I believe one of the comments you made, Sir, was that... that the surveys weren't being sent to the members of a collective bargaining agreement. Is that correct?"

Hoffman: "I believe but I... I do believe, not the members the employers of the..."

Wheeler, K.: "Agreed."

Hoffman: "I do believe, though, ultimately that the Department of Labor did rectify that."

Wheeler, K.: "Okay. The point at we had at the time was that if you're under a collective bargaining agreements or it'd been published in most cases, therefore it's already there. So, what you're saying here with this Amendment here is that we would want to use the collective bargaining agreement for that part of it? Can we move to Standard Debate, Mr. Speaker?"

Speaker Lang: "We'll move to Standard Debate. Please proceed."

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Wheeler, K.: "Thank you, Mr. Speaker. So, Jay, one... one component of this Bill is going to be the idea that we're going to just set that clock to prevailing wage at the collective bargaining agreement rate in those areas. That's... that is correct, right?"

Hoffman: "Yes. The collective bargaining rate... the collective bargaining rate of wages as well as fringe benefits would be utilized only on public works projects, only on public works projects."

Wheeler, K.: "Agreed. But... but we're than ignoring the 70 percent... the potential of 70 percent of workers who are not in a collective bargaining agreement and what their wages actually are and in the determination of the prevailing wage in those areas, correct?"

Hoffman: "We would be using the collective bargaining rate to determine prevailing wage."

Speaker Lang: "Please proceed, Sir."

Hoffman: "That... that doesn't mean the people that aren't members of an organiz... organized labor couldn't work on the projects. It just says that the rate that will be used... factored into the project will be the prevailing wage rate which is based on collective bargaining rates."

Wheeler, K.: "I know. I agree with you that's what the Bill says. And in reality, there may be a different set of wages that could be determined to be prevailing in that area. But in this case, we're going to discount that and go straight to the collective bargaining agreement to determine the prevailing wage."

Hoffman: "That's what this Bill would do."

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Wheeler, K.: "Correct. At the same time this Bill also... does it affect the... the publication date of the prevailing wage scale?"

Hoffman: "I believe that the current date is July... July 15 and this would maintain that. We did have a discussion... this was set at July 15. I thought that that was the current date. What we did is we passed a different Bill moving it to August 15. However... and that gave the Department of Labor some additional time. However, there was a court ruling that required the department to immediately... the court ruling was like on a Monday or Tuesday and by Friday they had to... they had to publish the rates. So, they now have... have published the prevailing wage rates. But we had passed a Bill earlier in the Session moving it to August 15 'cause the Department believes they needed additional time. However, if you were just to utilize the collective bargaining agreements rates then there would be no surveys that would need to be done. And they could just adopt those."

Wheeler, K.: "Well, I guess my question to that is of two folds. Number one, how would you know if you don't do the survey how... what percentage of workers are collective under... are under a collective bargaining agreement in the first place? So, you need to do that in order to determine if this even meets the threshold that you've met... or that you've prepared in this Bill. The second part, which is yeah, 30 percent. The second part is that we did pass the Bill that we actually agreed on. I enjoyed the fact that, Jay, we actually were chief cosponsors together on a Bill to set that... that date of August 15 so that people would have time to get the data

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collected, processed, and then get it out to the different employers. And you're turning it back to the 15th of July now with this Bill. Is that accurate?"

Hoffman: "The only reason I did that, and I agree we did agree on it, but that was when they had... would have to do the surveys. This Bill would take them to the collective bargaining agreement. So, they wouldn't have to go through that process; therefore, they wouldn't need the additional time. But let me... let me just say, at the request of the Road Builders Association, which is an employer group, they wanted to take out that 30 percent. So, that determination would no longer would have to be made. It would just be the collective bargaining rate in a diff..."

Wheeler, K.: "So, right now I have cost of all here. So, you're saying that there's not even a 30 percent threshold in this Bill?"

Hoffman: "At the request of the Road Builders, the employers, no."

Wheeler, K.: "Okay. To the Bill. Ladies and Gentlemen, this Bill moves more things than I thought it did. With respect to how it... Mr. Speaker. Should this vote receive the requisite number of votes, I request a verification."

Speaker Lang: "Your request is acknowledged. Representative Ives is recognized."

Ives: "Thank you, Mr. Speaker. And I would hope that the Body would pay attention because I think it's possible that many of you guys aren't aware of this. But quite frankly, I'm not willing to give union labor anything... anything at this moment. And here's why. Sitting next to me is Representative Phillips.

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Representative Phillips is a builder. He builds assisted living facilities around the State of Illinois. He employs over a thousand people. Not long ago, in fact only a couple months ago, he sent one of his young excavators, a guy just starting out, to a site in Illinois to begin excavating a plot of land for one of his assisted living facilities using his own money, his own equipment. What was he greeted at... by that... at the facility, at that site? Well, the unions put up first the big inflatable rat. Then the next thing they did, even though this was used with private money only, the next they did they picketed his site. But that wasn't enough for these union thugs. After that, they decided after hours to go and to vandalize this young excavator, a young guy with a wife and two young kids, just starting out in business that Representative Phillips gave an opportunity to start his business with. They decided to vandalize his equipment. They spray painted Trump with a not sign on it. They spray painted Rauner's name with an X through it. They spray painted 'union strong'. And then they busted out the cab's windows. Then they busted in the inside of the cab. They destroyed his personal property. They delayed his work. And nobody, despite Reggie Phillips give a 25 thousand dollar reward, nobody has come forward to claim that reward. So, as far as I'm concerned, we couldn't be more hostile to business and unions couldn't be more hostile to private business owners. I wouldn't give them a dime in terms of prevailing wage rates. Until they clear this up. Until they straighten up and act right and do the right thing by business owners trying to the right thing in Illinois. Vote 'no'."

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Speaker Lang: "Mr. Halpin."

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

Speaker Lang: "Sponsor will yield."

Halpin: "Representative, with respect to the prevailing wage rates initially anyone can submit data to the Department of Labor as to what those rates are, correct?"

Hoffman: "I believe so, yes."

Halpin: "And generally in the past, organized labor has taken it upon themselves to do these surveys, ask contractors what they... what they pay their employees, right?"

Hoffman: "Yes. And... and just to clarify something earlier. It has always been the tradition of the Department of Labor to accept the collective bargaining... bargained rate."

Halpin: "And that's because the labor groups have done their homework this. They've asked the actual contractors. They have the bargaining agreements. Is that right?"

Hoffman: "Yes."

Halpin: "And so, if there was any kind of competing data from other interested parties, they have not to date provided that information in most places, correct?"

Hoffman: "Well, I think it... traditionally that's the way it was done. I think this time with this Department of Labor, they did do surveys. They did affirmative surveys."

Halpin: "And as we... as we go forward new rates have not been published as they've been supposed... supposed to be published, correct?"

Hoffman: "They weren't until the judge ordered them published and they were just recently published."

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Halpin: "Yep. And so, during that time when the rates aren't published the ability for Illinois workers and Illinois contractors to bid on projects was undercut in some cases by out-of-state contractors that... that did not have... that were working under the old wages?"

Hoffman: "And... and that's essentially the problem with... with not having the collective bargaining agreement as... as the prevailing wage. Because it's uncertain and the... the contractor like a road builder that has... is a signatory to a contractor has agreed to pay a certain rate. So, he has to pay that rate whether it's a prevailing rate or not. And someone who is not a signatory could come in and pay much less to the Illinois workers."

Halpin: "And so, if I were an out-of-state bidder from let's say Iowa or Kentucky or some other place that has a... that doesn't have a prevailing wage, doesn't have these protections in the collective bargaining agreement, I could look at Illinois and say, those contractors have to bid at that rate, correct?"

Hoffman: "Yes."

Halpin: "And so then I as a foreign out-of-state contractor could come in and try to take away work from hard working Illinoisans?"

Hoffman: "Yes. And that's... you're on a border and I'm on a border and when you have a prevailing wage rate that is less than the collectively bargained rate which incidentally is a market rate. It's what's been collectively bargained between employer groups and organized labor. That's a market rate. They bargain for it. And when you have a rate that's lower than that, what can happen is an out-of-state nonsignatory



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can come in, bring all their people in, not... not hire Illinois people, and take the jobs away from these Illinois companies."

Halpin: "And so, this Bill then will protect Illinois companies... Illinois employers that have agreed to pay this rate? Have they agreed to pay this rate with their employers, it will protect those employers by having those rates published regularly and accurately each year?"

Hoffman: "Yes."

Halpin: "To the Bill, Mr. Speaker. Thank you, Representative, for those answers to the questions. This is a Bill that protects Illinois employers. We hear a lot every day about what can we do for Illinois businesses. These are Illinois businesses that have agreed with their employees to pay a particular rate. It is a good wage with good benefits. We need to protect those companies from out-of-state contractors and other contractors that seek to undercut those rates. I would strongly urge anyone in this chamber to vote for this Bill. And Mr. Speaker, I'd be happy to yield the... a minute of my time, if anyone is seeking recognition?"

Speaker Lang: "We'll just recognize Mr. Walsh for five minutes."

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

Speaker Lang: "Sponsor yields."

Walsh: "So, Representative Hoffman, you made mention that the Road Builders agreed to something with a 30 percent threshold?"

Hoffman: "Yes. They agreed... it was their idea to take the 30 percent threshold out. However, I'm not... I'm not saying that they're all on board with this Bill. There was another section they... they have a problem with."

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Walsh: "So, with that being said the Road Builders are a private businesses, correct?"

Hoffman: "Yes."

Walsh: "They don't hire government employees, they hire private employers... or employees?"

Hoffman: "Yes. They are... they generally are signatories with the construction unions."

Walsh: "And so, they're hiring union labor? And they negotiate with the union to provide wages, benefits, insurance, pension, et cetera?"

Hoffman: "Yes."

Walsh: "And that's what's setting a fair market value with the State of Illinois in different areas?"

Hoffman: "That's what this Bill would do."

Walsh: "So... you know, we had this discussion last year. And, you know, collective bargaining is the backbone to American progress. We've seen this happen since the 1930's when... when unions were negotiating with employers, not only on the construction site but in the private sector, manufacturing, et cetera. You've seen the largest increase in the middle class during that time period. At that time, unions were 30 percent of the workforce. And there wasn't a lot of government employment in there. Yet you've seen wages continue to rise, that standard of living continue to rise. And with these attacks that have been happening over the last decade or two on organized labor, you've seen it in the private sector do down to 7 percent. And we had a discussion on the minimum wage Bill yesterday where the top executives in the United States are making 2, 3, 4 hundred times what the regular work

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makes. Is it any coincidence that you've seen unionism go from 30 percent, people that belong to organized labor that had collective bargaining rights where they can go into their... with their employer, sit down in a fair method... sit down with fair method and negotiate on their wages and benefits. Is there any cohesiveness to that? I mean, at the end of the day we're seeing that right being dismantled. And this is one way of doing it. Is fighting prevailing wage. We're protecting our tax dollars here today, folks. That's what we're doing. Our tax dollars are going to public projects. And we want to put Illinois people to work. We want to give them a fair wage. So, they're coming back home and they're supporting their local businesses. They're supporting their local charities, they're... you know, their baseball teams, cub scouts, et cetera. That's what those dollars go for. Why we are fighting this I have no clue. Because this is what makes sense. This is what makes sense. You know, this should have passed last year. In fact, if I'm not mistaken we did have probably about 72 votes and some people had to walk off the floor. This is ridiculous. These are our tax dollars, each and every one of you here pay taxes. This is where it's going to. We need to continue this. This is supporting the Illinois economy. I would move for an 'aye' vote. Thank you."

Speaker Lang: "Mr. Batinick."

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

Speaker Lang: "Sponsor yields."

Batinick: "Representative, I do not have anybody in the gallery this time. A couple questions. Would you be okay with, I don't know, average United States prevailing wage?"

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Hoffman: "Would I be okay with average United States..."

Batinick: "Yeah. Just a typical state's, like maybe Massachusetts' or Connecticut's the way they do prevailing wage? Or you know, the way most states..."

Hoffman: "...I'd be okay with this Bill."

Batinick: "Okay."

Hoffman: "That's what I'm advocating."

Batinick: "I'm going to go straight to the Bill. I don't... I have heard the talk about prevailing wage, there actually is some... I keep talking about it, there are some... some middle grounds things here that we do. There are only 7 states in the union that calculate the prevailing wage the way we're doing it, which is the highest percentage, that's number one. Of those 7 states, only 3 don't have a minimum job size. So, terms of expense, we are the extreme of the extreme. And we'll wonder why we have issues. I had a union representative tell me once, oh, everybody wants to talk about the 2 thousand dollar toilet, everybody wants to talk about the 2 thousand dollar toilet. I don't know, why don't we fix the 2 thousand dollar toilet? You know, there's some things that we can do. Maybe reach across the aisle to have a prevailing wage that's actually similar to what crazy states like Connecticut or Massachusetts have. So, I will yield the rest of my time to Representative Breen."

Speaker Lang: "Mr. Breen for 3:43."

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

Speaker Lang: "Sponsor yields."

Breen: "Sure. Representative, I was reading the... the Governor's Veto Message of Senate Bill 2964. And the Governor cited what

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looks like a controlling Supreme Court case that... that struck down a prior similar Amendment by the General Assembly where we had amended the Prevailing Wage Act to provide that where the workers' wages are negotiated in a collective bargaining agreement, the wages specify in the agreement would be the prevailing wage. That's been struck down. So, what... what are you done... what have you done in the inter meaning time either to change the composition of the Illinois Supreme Court or to change its controlling case law?"

Hoffman: "The... well, I guess it is what have you guys done to change the composition of the... of the Supreme Court? Was it the Illinois Supreme Court or the US Supreme Court?"

Breen: "Bradley v Casey, 1953, Illinois Supreme Court."

Hoffman: "Okay. So, the difference between what this Bill is and what that court did is in that... in that decision the wage rate was set at the collective bargaining rate. This says it can't go below the collective bargaining rate."

Breen: "To the Bill. Mr. Speaker, this... the distinction is made without a difference. So, what we've got here... the Sponsor is conceded there is prevail... there is controlling Illinois Supreme Court Law that says you can't set your collective bargaining rate as your prevailing rate. And saying, well I'm getting around it by being cute and saying, well you just can't go below. It's the same thing. It's a distinction without a difference. The Governor vetoed this before, he will veto it yet again. As we continue on our day of looking like legislating and doing very little on the House floor, which has been I'm sure entertaining for folks. I don't know if there's anybody else that needs to be yielded to, I think

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we pretty much... well, oh we have done this. So again, I... I mean look, this is unconstitutional. It's going to get vetoed again. There's no good point for this Bill. And we ought to just finish it up so we can go on to our extended Session in June. Thank you."

Speaker Lang: "Mr. Hoffman to close."

Hoffman: "Representative, to... to your point. This is a Legislative Body and we have the ability to override the veto. As a matter of fact, there were Members of your side of the aisle that voted to override the Governor's Veto the last time. There are a few extra that had said they would vote to override but for whatever reason weren't able to do that. So, to say just because the Governor is going to veto a Bill that we shouldn't be hearing is just simply wrong. We have the ability under the Constitution, not only the United States Constitution but in Illinois to override a veto of a Governor. It's called separate branches of government. You learned that in 8th grade when you took the government... the government test. Let me just say this, the Representatives from my side of the aisle couldn't have been more right. This is simple. It's about putting Illinois people to work, giving them a fair wage on public works projects where we're using our taxpayers dollars. Why should we guess what the... what the wage rate it? Why should we let out-of-state contractors come in here and take our jobs from our contractors to build our roads and our bridges and our schools? We shouldn't. This Bill will ensure that Illinois people work, they're paid a decent wage, their families can raise... they can raise their families, and make sure that they are productive in the community at a decent

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rate of pay. It's that simple. People on your side of the aisle, don't be scared of this. This is just how we're going to set the wage rate so we put Illinois people to work. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. We'll please be reminded that Mr. Wheeler has asked for a verification. Please vote your switches. Have all voted who wish? Have all voted who wish? Conroy. Please take the record. On this question, there are 64 voting 'yes', 45 voting 'no', 1 voting 'present'. And Mr. Wheeler, do you persist in your request? Gentleman does. Mr. Clerk, please read the affirmative vote."

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; Representative  
D'Amico; Representative Davis; Representative DeLuca;  
Representative Drury; Representative Evans; Representative  
Feigenholtz; Representative Fine; 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

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Martwick; Representative Mayfield; Representative Mitchell, B.; Representative Mitchell, C.; Representative Moylan; Representative Mussman; Representative Nekritz; Representative Phelps; Representative Riley; Representative Rita; Representative Scherer; Representative Sente; Representative Slaughter; Representative Soto; Representative Stratton; Representative Stuart; Representative Tabares; Representative Thapedi; Representative Turner."

Speaker Lang: "Mr. Clerk, please suspend. The Gentleman withdraws his verification request. There are 64 voting 'yes', 45 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 5 of the Calendar, Senate Bills Second Reading, Senate Bill 1, Mr. Davis. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1, a Bill for an Act concerning education. This Bill was read a second time previous day. No Committee Amendments. Floor Amendments 1 & 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Davis."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. House Amendment... House Floor Amendment #1, I've... I'd like to move to adopt Floor Amendment #1 & 2."

Speaker Lang: "We'll take them one at a time. On Amendment 1, those in favor will vote 'yes'... will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Representative Davis."



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Speaker Lang: "Those in favor of the Amendment 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 1, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Before we begin into the explanation of the Bill, let me just say that it is my legislative intent to use the most recent EAV of a school district when calculating real receipts rather than the adjusted EAV. Now, as far as Senate Bill 1 is concerned, Members of the House, today I rise to present House Floor Amendment to Senate Bill 1 which presents us the unique opportunity to move from having the worst education funding formula in the nation to having the best. Why do I call our current formula the worst? Well, here's why. Illinois's current funding system is the most regressive in the country, period. Simple as that. Despite having the fifth largest economy of all the states, Illinois ranks dead last in terms of state and local expenditures on low income students compared with non-low income students. In terms of state share of education funding, Illinois ranks dead last again. Only 25 percent of K-12 education funding comes from the state, while the national average is 45 percent. The General Assembly, Governor and education stakeholders all recognize that Illinois's current funding formula is absolutely positively broken. We have debated on this topic for years in countless

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task forces, commissions, meetings, and Bills. We know there is a problem and we know that the status quo is failing our kids. In all of my time in the General Assembly, and for those who don't know I've been here for 15 years, I have never seen us closer to a solution than we are right now. Why is that? Because we have a model that works. Education funding reform is an incredibly complicated topic and this is a complicated Bill. But I believe the evidence-based funding model which presents Illinois's children with the best chance for academic success. Here are some reasons. Number one, SB 1 funds those educational practices the evidence shows that will enhance student achievement. Simply put, it invests tax dollars in what we know works. The model recognizes that every student... every school district has different needs and provides each district the unique funding amount it requires to educate the children it serves. Two, recognizing that the model will take time to be fully funded, Senate Bill 1 directs new funding to those districts furthest away from having adequate resources to educate their kids. And third, no school district loses funds of any kind under Senate Bill 1. Let me repeat that. No school district loses any funds it currently gets under Senate Bill 1. There are no losers under this Bill, only winners. And by winners, I mean our neediest children and children all across the State of Illinois. Senate Bill 1 will address the inequities of our current system. The passage of this Bill won't fix our education problems overnight, but it does provide the best framework for the future and will enable the General Assembly to empower our schools to be the envy of the nation. The General Assembly, Governor, and

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education advocates aren't the only ones that realize our current system is broken. Our kids realize it. Too many of our children have to worry about issues they shouldn't have to worry about. Issues like lead poisoning, having classrooms that are so cramped kids can't possibly get a proper education. School buildings that are literally crumbling.. crumbling. And wondering if their school is going to close early because the bills can't be paid. What is happening to Illinois's children? Because the state has failed to live up to its constitutional role as the primary financier of public education, the status quo is absolutely unacceptable. It must be changed immediately. I am more than happy to discuss the complexities of this legislation. And I do understand it can be a little complex and answer any questions. But at the most basic level, the issue isn't that.. the issue isn't that complex. We are simply failing our children and have been for decades. Senate Bill 1 presents us the rarest opportunity to move from having the worst funding formula in the nation to having the absolute best. I would ask you to reject the status quo, support a research-based funding formula and support a better future for the children of Illinois. And with that, Mr. Speaker, I'd be more than happy to start answering any questions."

Speaker Lang: "The Chair will move this Bill to Standard Debate. Representative Williams is recognized."

Williams: "Thank you, Mr. Speaker. To the Bill. It wasn't too long after I was sworn in that I realized how incredibly important our neighborhood schools were to the vibrancy of my communities that I represent. They are truly the

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cornerstones. I also quickly realized that our dedicated principals, committed teachers and staff, and most significantly our students were facing many significant and ongoing challenges due to the fiscal condition of Chicago Public Schools. Since then, it's been a consistent cycle of budget cuts and crisis-driven budgeting. Why? Yes, CPS does bear some responsibilities for poor fiscal decisions made over the years. Many of them having taken place long before any of us were here serving in office. But the main driver behind CPS's fiscal woes is the inequitable pension system. Let me provide a little history. In 1895, Chicago, then and now the largest school district in the state, decided to provide a pension system for all of its teachers. Sometime in the 1930's the rest of the state's schools district decided to join together and create their own pension system, you'll know it as the Teachers Retirement System or TRS. Completely funded and paid for by the state since the 1930's. From that day forward, the state has picked up the pension costs for every single school district in the state, except for CPS. We were on our own. In 1995 when Massive School Funding Reform Bill passed the Illinois House, we agreed as a Legislature to commit to funding Chicago Teachers Pension Fund to 20 to 30 percent. Did it happen? No, it didn't and here we are. Since I was first elected, I've discussed the challenges of school funding reform, ad nauseam. Whether I'm going to town hall meetings, going to events, going to walk-a-thons, I'm always talking about the financial challenges of CPS and what the solutions are. Pretty much say the same thing every time. We need to fix our antiquated school funding formula, reduce our

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reliance on property taxes, and ensure equity for low income school districts like Chicago Public Schools. Second, we need to fully and adequately fund our public schools. But today we're taking that first step. The first step towards true equity. This Bill, while not perfect, provides the equity that we need to ensure that all of our kids in Chicago and the rest of the state receive the funds and resources to provide the education... education they need to succeed academically. Will they have these resources tomorrow? Unfortunately, no. And that brings us to the next question. Step two, adequacy. This is our next challenge and one of my top priorities as I'm sure it is yours that we must focus on in the coming months and years. The more funding we dedicate to the new equitable formula, the sooner all our kids get the funding they deserve. Now for those of you who are calling this a Chicago bailout, and there are a few, have you really taken the time to explore how the formula works? Because if you do, I guarantee you won't be able to say that. It almost seems like some only want to support of pension... I mean I'm sorry, a school funding reform plan if Chicago is somehow punished. That is so far from equity. For the first time, our school funding formula will provide pension parity for Chicago Public Schools. For the first time, the formula will recognize the state's failure to pay for Chicago... Chicago Teachers Pensions since the 1800's. This failure to provide for these pensions and pay for Chicago's share has had a real impact on the ability of Chicago to educate its students appropriately. We do all this without exceeding the adequacy target, so there is not bailout. Chicago doesn't get extra,

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they get what they deserve and what the other kids in the rest of the state are getting. If we don't take these things into account, the effect will create an actual penalty for Chicago schoolchildren and the kids in Chicago will continue to be shortchanged regardless of how much money we throw into the formula. So, please consider putting aside the rhetoric and the talking points. Take the time to ask yourself, what does equity really mean. I looked it up by the way. And it means, quite simply, fair and impartial. That's what this formula does. It creates a fair and impartial system of directing state education dollars to our local school districts, including CPS. How can any of us be opposed to that? So, please join me in creating this fair and impartial system of funding schools. And then, let's all work together to make sure it gets the amount of money that all of our kids deserve to get the education we all want them to have. Thank you."

Speaker Lang: "Mr. Andersson."

Andersson: "Thank you, Mr. Speaker. Respectfully, I would suggest that this is perhaps one of the most important Bills were going to debate, can we move this to Unlimited Debate please?"

Speaker Lang: "The Chair will not move this to Unlimited Debate. Please proceed."

Andersson: "Thank you, Sir. So, will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Andersson: "Representative Davis, just a couple of questions. One, under the current plan we have a hold.. hold harmless agreement, correct, for all the school districts?"

Davis, W.: "I'm sorry? What was that again?"

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Andersson: "Hold... hold harmless? We've got hold harmless?"

Davis, W.: "There is a current hold harmless."

Andersson: "Okay. But it shifted from previous iterations where it was per pupil, now it's per district, correct?"

Davis, W.: "Yes."

Andersson: "Okay. So, regardless of drops in enrollment, changes in demographics, the district is the one who is protected not the students?"

Davis, W.: "I don't know if I necessarily agree with that. I can see how you would characterize it. But again, if you're concerned about the way the hold harmless is established, again, we feel that the current model will adjust appropriately based on enrollment, trends up or trends down. So, I don't want to say it's protecting the district necessarily. But there is a hold harmless currently and we feel the model will adjust appropriately based on enrollment trends."

Andersson: "But with the change, the model locks it in per district. There's no up or down based on enrollment. That's exactly what we just established."

Davis, W.: "Well, the way... the way it currently is, I guess I can't disagree with what you're saying."

Andersson: "Okay."

Davis, W.: "But I don't want to characterize it like we're doing something bad, we're simply creating a system..."

Andersson: "I would never characterize anything you're doing is bad. We may disagree but not bad, Sir."

Davis, W.: "Okay."

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Andersson: "So, second question is, with regard to the hold harmless my understanding is it's not permanent? It is subject to review by a council so to speak to determine if it's appropriate in the future. Is that correct?"

Davis, W.: "Well... well, yes. It is permanent. And yes, a professional review panel can make that decision in the future about switching as you indicated earlier if they so desire."

Andersson: "So, there is the potential for loss to either districts or pupils as the case may be?"

Davis, W.: "When you say loss?"

Andersson: "Loss. Reductions. In other words, the hold harmless is to keep it at a certain level. If they find that that's not appropriate, they're going to drop right?"

Davis, W.: "Well, that... you're saying if they find it inappropriate? I guess they could make adjustments. But again..."

Andersson: "Right."

Davis, W.: "...the way it's already structured the formula does adjust currently for enrollments up or down."

Andersson: "Right. So, now and I will tell you that this is similar to 2808, right? The... your other Bill?"

Davis, W.: "It is."

Andersson: "And there's a lot of great things in there. In fact, I was a cosponsor of that Bill for awhile. But when we move the Amendment that became the Amendment here with regard to the Chicago portions of it, it really shifted things. By my calculations all of the various elements that you've included looks like we've got about almost 900 million dollars' worth of shifts. So, while I agree with you in the technical



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statement that no school loses under this, what's happened between the shift from the previous iteration and this one is a major shift in dollars away from certain school districts to the Chicago Public School District. How do you justify that?"

Davis, W.: "I'm sorry? Can you repeat that for me please?"

Andersson: "That was a long one. How do you..."

Davis, W.: "I know, I'm sorry."

Andersson: "...how do you justify the fact that we are moving so much money through changes in the system into one school district, into Chicago to the detriment to the others based on the earlier formula?"

Davis, W.: "Well, I can show you a document that shows that regardless of how much money you think went to the City of Chicago, per pupil there are still over 200 districts that actually do better than Chicago in this formula."

Andersson: "There might be. But again, under the earlier iteration that was probably the same and now with this iteration we know if you're taking money from the... the pot so to speak, it's got... if it's going to Chicago it's being taken away from those other districts. Has to be. Has to be, mathematically there's only so much."

Davis, W.: "Well, this... the way this is set up we're not necessarily taking. When you put money into the formula, the formula works and distributes the money to all school districts. So, that's not taking anything away from one to give to the other. The formula works. If we're going to work together and fully fund the formula, when you put the right

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amount of money into the formula it works to spread dollars to every district in the state."

Andersson: "I'm going to run out of time. So, I'm gonna speak very quickly to the Bill. Ladies and Gentlemen, the concepts are good. You know, we... we are working towards something. But quite frankly, this just isn't soup yet. And perhaps the most important thing is, this depends on extra money. New money. We don't have that money. We don't have a budget yet. So, this should be part of the budget discussion but it can't be run standalone in my opinion. We're just not quite there yet. The other thing I... I just... I got to ask, I guess I'm going to go back to you for just one more thing. Which is this, on May 24, which was seersucker day you may recall it, at the end of the Education Committee you were quoted as saying the following about this, 'In my opinion, they just want a bucket of money and it's just not possible to do so and certainly not at the expense of helping students in the...'"

Speaker Lang: "Representative Ives."

Ives: "Thank you, Mr. Speaker. To the Bill. Okay, what was promised in this whole funding formula debacle was a brand new formula but this legislation... this legislation doesn't actually change how most of the money is spent. This legislation that's passed the Senate and the House locks in place the old formula in perpetuity keeping the very inequities in place that many of us have argued against for four years. Case in point, Illinois spent about 5.1 billion on General State Aid in FY17 and under this plan, 90 percent of the state aid is going to be locked into that same old formula everybody said is inequitable. In fact, I... I'm trying

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to remember what the Speaker said, he said, it's positively a disaster or something to that effect that the old formula is in. Yet, this it gonna lock in 90 percent of that... that into the previous formula. In fact, you'd have to spend over \$5 billion more in state aid... \$5 billion dollars more just to get to the point where 50 percent of it was moving through this new very, very complicated formula, which I don't agree with it either. So, once you got to that point and you're looking at the evidence-based model, to be quite honest with you, but that model has been a disaster in other states where they've tried it too. In fact, it is... it is not shown to increase scores at all. Now, the other part of this and I think it's important to talk about it, is that this Bill as amended with Amendment 1 actually gives Chicago Public Schools lots of more benefits than any other district would have. They would get to count towards their... their adequacy target. They would get to count their pensions. They would get to count their healthcare eventually. So, the rest of the state is gonna be starting to feel the effects of having to pick up the costs of their healthcare, their pensions cause they're gonna embed it in the formula which gives them a significant advantage. Additionally, they're gonna keep their plot grants of about \$250 million in excess. Other school districts are not going to get to do this at all. They also get to keep, for example, they'll get 37 percent of all the early childhood education money, even though, they only have 20 percent of the students in that thing. So, you're locking in place in perpetuity... in perpetuity districts who are losing population, losing... changing their poverty count, or changing

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their assessed valuation. You're locking that in place in perpetuity. That's not how you should do education funding reform in the State of Illinois. Additionally, I think it's important for us to talk about Chicago Public Schools 'cause they're junk bond status. They have nothing to do... no debt. And what they've been doing with their general state aid is they've been bonding against it. They've been taking one tax anticipation one after another against their general state aid for dec... for a decade now. So, if you think... that's all they're doing. And they're not counted against their normal debt limit because tax anticipation warrants don't. Instead, what they're trying to do is they're trying... they're trying to use that as a bonding tool. When we funnel more money to Chicago all they're going to do is send it to a bond agency and keep piling on debt after debt after debt. They're now approaching \$7 billion. As far as bailing them out on pensions, that's the last thing we should do cause they've not been responsible. They've taken 11 years of holidays in the past 20 years. They've... they're... they've not been funding their own pensions and now they want us to bail it out. This is a massive bail out for Chicago. I will yield my time to somebody else. I'm going to yield it right now to Representative Jesiel."

Speaker Lang: "Representative Jesiel for a minute and a half."

Jesiel: "Thank you, Mr. Speaker. I had some questions of the Sponsor, but because I have limited time I'll go right to the Bill. I just want to say, we've spent a lot of time on this. We are not the first group that's worked on school funding reform. I was hoping we'd be the last. But at the end of the

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day, there was a lot of agreement on how to fix this formula. We agree with the formula. We'd like to move forward with the formula. However, at the last hour as we know the formula was blown up by some sweet additions to Chicago Public Schools. There's no question that Chicago Public Schools are underfunded, have been chronically mismanaged, but it is not the responsibility of every school district and every school student in this state to bail out Chicago schools at the expense of their quality of education. Make no mistake, this is a sweet deal for Chicago Public Schools. We were close to a deal and at the last minute they had to add a bunch of other stuff, I will call it, that makes it utterly improbably and impossible to vote for this Bill. So, I just want to encourage you. Let's get back to the table. Let's vote 'no' on this Bill. We do not have to pass this today. We can come to some agreement. We can get a Bill that benefits absolutely every student in this state and not cost students at the expense of Chicago Public Schools. Please vote 'no'."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker, Members of the House. I rise in strong support of Senate Bill 1. Yes, there are differences between the Bill we are looking at and 2808 in its original form, House Bill 2808 in its original form. But the reason for the changes have entirely to do with equity, with fair play. People say, a bailout for Chicago? I'm here to tell you there are 268 districts in the state which will have a per pupil increase greater than the per pupil increase in Chicago. People have bandied about the term, \$700 million going to Chicago. Not true. In fact, if we are able to find \$350

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million for new funding for Senate Bill 1 Chicago would get all of \$71 million. If you take into account the 600 million new dollars that are going to go to the Teachers Retirement System and take into account all the new funding should the 350 million appear, Chicago would end up with 7.5 percent of the new formula. Chicago, remember, educates almost 20 percent of the state's public school students. And in fact, one third... fully one third of the students in Illinois who live in poverty are in the Chicago Public School System. The point of this Bill supported by Advanced Illinois, Stand for Children, the State's Teachers Unions... the point of the Bill is to make sure that our funding is equitable. It is time to fix the formula. Senate Bill 1 does exactly that. And everybody in good conscience should be voting 'yes' on the floor today."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "Sponsor yields."

Pritchard: "Representative, this has been a long road reaching to the school funding reform we have today. And I want to thank you for your Leadership, for your openness in our debate, and for what I thought was a good bipartisan effort at trying to reach an agreeable solution. I think what has been kind of surprising is here towards what seemed to be the end of the Amendments was the fact that we brought in the legacy costs or that longterm debt that Chicago has in their punching... pension system. Why is it appropriate to add that into the funding model?"

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Davis, W.: "Well, we know that the state currently appropriates approx... to the Teachers Retirement System or TRS, we know that we already pay those costs for... for those rest of the districts all across the state. And it's expected that that cost will increase by \$600 million. And the state is going to be obligated to pay that cost for the rest of the districts. So, with regard to accounting for the unfunded liability of pension costs to CPS we do that by reducing CPS's local contribution target. It does not increase the total funding that CPS receives. This is a... this is just how it all happens if you will. We're reducing the local capacity target, only recognizes the fact that the state won't pay this year the underfunded liability and that CPS will have to pay it on its own. However, CPS has to pay it out of its local property taxes. In effect, this reduces the property tax base that CPS has to fund current educational costs. Because it only has to pay legacy pension costs. Obviously, this reduces CPS's local capacity target because it cannot spend the same dollar twice."

Pritchard: "So, all of this discussion has been around the concept that the current funding model isn't adequate, isn't equitable? So, shouldn't we also consider some of the agreement that we had back in 1995 about the block grants for Chicago and freezing a point in time what the school population was in 1995? Shouldn't we update those numbers as we go forward with a new model for the state?"

Davis, W.: "Well, I wouldn't say that that's not one way to do it. But again, over time the block grants go away. So, everybody's raised concerns about the infamous block grants."

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And over time, the block grants go away. So yes, we do take a moment of time and we count that into the district's overall adequacy which makes that district look even more adequately funded, which pushes them even closer to their adequacy target. Which means that the formula when it's fully funded the way it works, that the district will see less formula dollars."

Pritchard: "There's a lot of concern about whether we're going to have enough money to really implement the new evidence-based model? When you look at the pension costs that we might be picking up, when you look at the adequacy costs from this last year that really hasn't been figured in the models that people have been looking at... the printouts. When you look at the increased cost from the smaller class sizes and all the other things that we do in here, \$350 million doesn't look like it's even going to get us to ground zero, let alone to get ahead. How do you respond to that?"

Davis, W.: "Well, what I would say, Representative Pritchard, again, as we've walked this walk that's a number that we've out there. Now of course, if the General Assembly wants to work together and appropriate more dollars than the 350 million that would be great. But certainly if we're fully funding the model, even at \$350 million that's the way the model really works and that's the way it works best. Now, the model in and of itself can work regardless of how much you put in to it. But if we want to drive the outcomes that we all desire, if we want to drive the... again, the educational successes that we've talked about it really requires us to



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fully fund the model. Thus, we should be appropriating at least the \$350 million."

Pritchard: "I think we've got a lot more work to do on this Bill. I... I certainly pledge to you that we're going to continue to work with you. We hope we can come up with a little better Bill and certainly the funding for this model. Mr. Speaker, I would yield the remaining time to Avery Bourne."

Speaker Lang: "Forty-four seconds."

Bourne: "Thank you, Mr. Speaker. To the Bill. There are certainly a lot of questions and I think the previous speakers have laid out the concerns that we have on our side of the aisle. I was told by someone really my first week in the General Assembly that school funding is the most difficult issue to take up. And I would agree with that. But I think it's worth it. Our schools are worth it. Our students are worth it. And I want to commend you for all the work that we've done on this. We've spent hundreds of hours negotiating. And I think that this an issue that is so much more important than running on the last day of Session where we don't have a budget and where we have schools that are waiting on hundred... or \$1.1 billion. And instead of really having a thoughtful discussion on this and making it a bipartisan Bill, we're put..."

Speaker Lang: "All available speaking slots have expired on this Bill. Mr. Davis to close."

Davis, W.: "Well, thank you very much, Mr. Speaker. Thank you, Ladies and Gentlemen of the House, who have over the last several months have talked about this issue, have offered suggestions, comments, please trust me those comments are very, very well taken. And I realize that I think some of our

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work on this is not done. And it's something that we will continue to refine and to address for, you know, months possibly years to come. But before I end, Mr. Speaker, let me thank a number of people who helped to really get us to this point. And I think the first person that I should help is the Gentleman whose name is next to mine on the board up there and that is Representative Bob Pritchard. Truly, truly deserves a great round of applause for all of his work. One thing I can say is that when it comes to being a statesman, Representative Pritchard certainly is the epitome of that and certainly sets an example that all of us should follow at the appropriate time. A number of other people. I want to make sure that I acknowledge the young man standing right here to my right, James O'Brien on the House Democratic Staff. I don't know if this is possible without James to be quite honest with you. All of us use our staff in a lot of technical ways, but James is truly, truly been a God send as it relates to being able to understand and digest and talk and share and offer suggestions. And.. and again, I don't know how this could be done certainly, certainly without him. A number of our advocates, many of which are sitting in the gallery behind me, and I don't know and don't have all of the names. But what I could possibly jot down includes Ralph Materi, Doctor Mike Jacoby, Ben Boar, Ginger Ostro, Brent Clarke, the School Management Alliance, the School Business Officials Organization. There.. there are so many, including Advanced Illinois, Ms. Ginger Ostro, Stand for Children, Ms. Jessica Handy. A lot of this wouldn't be possible without them as well. They've.. they've talked to a lot of folks to try to get

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this done. Let me also thank who... I don't know if they're still in the chamber but we have Kimberly Lightford... Senator Kimberly Lightford and Senator Andy Manar, who at the very least brought us Senate Bill 1 and gave us the opportunity to make these changes. And we're looking forward to their concurrence on this when it goes back over to them. And let me also take this opportunity because what really got this conversation started was Governor Rauner. So, I do want to take the opportunity to thank him for establishing the Governor's Commission on Education Funding that brought not only myself and Pritchard together but Representatives like Avery Bourne and Sherri Jeisel and Representatives on the Senate side. That bipartisan commission along with the other individuals that were appointed, you know, this is really what brought a lot of this conversation forward. And I understand that right now we're not necessarily in complete agreement about everything that was done. But that commission helped us move a lot of this forward. And you think about and I'll say this for my Republican colleagues, what I have here and I'll be more than happy to share it with you if anybody wants it, is a list of approximately... approximately 11 items. This list represents things that your side of the aisle asked for. That were contemplated, that were... Bills were filed to try to address them or they were actually put in the Bill. So, I appreciate your input. Even if you don't want to vote for it, I appreciate your input to help us to get to this far. And like Representative Pritchard said, I hope that we will continue the bipartisan nature that we have started this path. And we will continue to do that. School funding is not

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something that stops once this Bill passes. It's something that's going to continue to evolve, it's going to continue to grow, it's going to continue to get better. As we work harder to make sure that we A) fully fund this model, but as we go along. And we understand that no piece of legislation is perfect. And sometimes what it takes are tweaks and trailer Bills along the way. And we'll work together hopefully to come to some agreement on what some of those tweaks need to be. And work together to pass the additional Bills as we continue to... to work through this. So again, thank you all for all of your conversation, for all of your comments, whatever the cast may be, Whatever input you provided, your push back, which pushed us to make some changes, everything possible. And I certainly thank my colleagues over here on the Democratic side of the aisle who I probably bugged the hell out of today trying to get what we needed to pass this. But I appreciate your indulgence and I... I appreciate your interest in this. Because the interest in this is not about the people right here... where she'd go... where's young Geneva at? That's what this is all about, Ladies and Gentlemen. That little girl right there. We are preparing the State of Illinois for her future, for her future. And all of our children for that matter, whether they're just simply constituents or may they're family members. We are preparing for that. This Bill starts us off, pushes us in the right direction. And again, I understand that many of you had challenges with it. But what I hope that you think about is not so much another district that you don't represent, think about the districts that you represent and how well they do

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under this model. That's what's important. And I understand you want to pay attention to other parts of the state, I got that. But what happens in your districts? Those are the ones that I think you really should be concerned about. And I have gotten calls and letters and emails from many of your superintendents that really appreciate and love everything that we're doing. So, I hope they have some influence on you when it comes time to take this vote. Because that's the vote that you need to take to support them. Stop focusing on somebody else and worry about yourself and your own districts. That's what's important. Even in this Bill, that's what I'm doing as well. And I'm not a Chicago Legislator. I'm all suburban, but I appreciate that I've done this to help my districts as well. And if we help the largest school district that educates the most number of kids, the poorest kids in the State of Illinois or some of the poorest kids in the State of Illinois, so be it. Let's be proud of doing that. We always talk about how we want to prepare Illinois and prepare its future. This is preparing the future of Illinois. When we're not here, all of these children that we talk about the ones that we don't want to help they're ultimately going to be in these seats cause we're all going to be gone. And the schools system as it stands... those school systems that we're helping are preparing our young people to replace all of us. Obviously, I could go on that being said, Mr. Speaker, I'll stop. Thank you very much."

Speaker Lang: "You're sure? 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

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who wish? Please take the record. There are 60 voting 'yes', 52 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Resolution 100. Mr. Crespo. Please proceed, Sir."

Crespo: "Thank you, Speaker, Members of the House. House Resolution 100 directs the Auditor General to conduct an audit of the MCO Reimbursement process to ensure that the state and federal dollars are spent appropriately and efficiently and not wasted, which is the main reason that states moved to managed care in the first place. The audit states to do the following: states the MCO reimbursement process, how the state pays the MCOs, how funding is used by the MCOs, how much ultimately makes it to the provider of healthcare services, what the state pays to the MCO in terms of administrative payments. And for the sake of brevity, I'll leave it there. I'll be happy to answer any questions."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, I... I appreciate the idea that we need to have good scrutiny to how state tax dollars are spent. My question is, by establishing this audit what is the standard that we're auditing the MCOs against? What's... what's the comparison factor?"

Crespo: "Well, it's... it's a financial audit, number one. We've been using the MCO model now for six years. So, we have nothing to compare it with. We used to use a fee-for-service system. So, I guess we can compare it to that in terms of how

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much money is being spent, in terms of capitation rates and things of that sort."

Demmer: "So, one of the terms that you include in this Resolution that you ask for the audit to... to include is a medical loss ratio or a MLR. But you don't use a standard definition there. You actually create your own definition for what an MLR is. Why... why did you choose do that? Won't that make it more difficult for us to make any comparison between one plan and another if you create your own definition just for this audit?"

Crespo: "Yeah, in terms of the MLR we're just looking to make sure that... there's the floor that... 85 percent of what's going in there should be used for the purposes of the providers. In other words, only 15 percent for administrative costs."

Demmer: "Well, and I... I appreciate..."

Crespo: "But... but..."

Demmer: "...I appreciate that concept. But you know, what we're talking about here is... is something where... you know, I have an analysis here that says that this audit might cost more than \$400 thousand. Yet, we're creating our own definition of an MLR which makes it almost impossible for us to use the results of this audit to make a comparison between Illinois's progress and that... the progress of any other state. So, why create your own definition? Why not use some other generally accepted principles?"

Crespo: "Well, I... I'll say this, Representative Demmer. We've been working with the department in trying to break down how they come up with this figures. I've been working closely with Senator Koehler in the Senate to no avail. They have not

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shared anything with us. This is actually the last opportunity we have to find out..."

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

Crespo: "...just trying to get down to the payout ratio, which is basically what we're trying to do here."

Demmer: "Thank you, Mr. Speaker. To the Resolution. I think this is problematic for a couple of reasons. First, it comes with a significant cost. Second, it creates a... a... it creates a test and then asks that a test be administered. It does not give us the ability to make a comparison between Illinois's progress and the progress that we've made in other states. It also comes at a time where we're in the midst of an RFP process to come up with a new group of MCOs who will provide Medicaid services in Illinois. The results of which... of an audit like this might not give us any value at all. We might not see anything that we can actually learn from because we're doing this in the midst of a process that makes significant changes across the MCO Organization in this state. I would ask, Mr. Speaker, that this Resolution be on a recorded vote. And I would encourage you to vote 'no'. Thank you."

Speaker Lang: "Mr. Wehrli."

Wehrli: "Thank you... thank you, Mr. Speaker. To the Resolution. Actually I'm not going to talk about the merits of this audit, I'm going to talk about the Office of Auditor General, Mr. Mautino. Who, as we all know, is under federal investigation for corruption. It came out through the State Board of Elections investigation into his campaign finance spending. But he would literally walk into a bank with a check for his campaign, made out to the bank for 5 thousand, \$10 thousand



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and walk right out the front door with cash. Never declared what it was for. Just decided that he apparently needed the money. And so, now this man is our fiscal watchdog of our state. He's our Auditor General. And you weren't supposed to task him with important audits such as this one. There is a Resolution that's been introduced to ask him to be removed. It has many sponsors on that Resolution. Considering what the state is going through right now with no budget, with increased spending, we need a fiscal watchdog that we can count on. And that person is not the current Auditor General. Mr. Mautino needs to be removed. We need an Auditor General with actual forensic auditing experience. Vote 'no' on this Resolution."

Speaker Lang: "Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in favor of the Resolution. And with all due respect to the previous speaker, the Auditor General... maybe you ought to consider whether or not he should be the Auditor General but he's not going to do the audit. That audit is going to be... going to be sourced out to a company that will probably do a very fine job auditing... auditing the MCOs. Let's keep in mind there are 3 million individuals enrolled in Medicaid managed care. Three million individuals who are getting their care from whom? From hospitals, from doctors, from... from... from the healthcare providers. What do the MCOs do? All the MCOs do is manage the money and presumably manage the care, but manage the dollars that the State of Illinois is giving to them to provide to the healthcare providers, the actual hands on folks that provide the care. So, let... let's

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look at who's in support of this: The Illinois Hospital Association, Alexian Brothers, Healthcare Association, Leading Edge Illinois, Amita Health, Adventist Bolingbrook, other individual hospitals are proponents. Who's opposed? Guess who's opposed? The MCOs. Look, we're asking for a financial audit to make sure that the dollars that we are providing, that we are providing to the Medicaid managed care organizations are being used properly to... for those hands on providers that are actually providing the care. I encourage a 'yes' vote."

Speaker Lang: "Representative Ammons."

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

Speaker Lang: "Sponsor yields."

Ammons: "Thank you. Representative, just two very quick questions on this. How long has the State of Illinois been working with MCOs for healthcare?"

Crespo: "Well, it's been now 6 years. For 6 years they've had the ICP, the Integrated Care Program. And for the last 3 years the family health plan. So, a total of 6 years of experience with the MCOs."

Ammons: "And in that 6 years has there been a forensic audit over that 6-year period of time?"

Crespo: "None at all."

Ammons: "There hasn't been one. Thank you so much. To the Bill. I think this is an excellent Resolution. It is exactly what we should be doing as a government agency is to oversee the effectiveness of programs that receive taxpayer dollars. And so, I rise in support of House Resolution 100 and encourage everyone to support this transparent action on behalf of the

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people of Illinois. And thank you so much, Representative Crespo, for putting for this Resolution."

Speaker Lang: "Mr. Crespo to close."

Crespo: "Thank you, Mr. Speaker. To the origin... one of the speakers had mentioned the cost of the audit. There's a cost associated with every audit. But please keep in mind that currently this program... we've spend... it's a 6 billion dollar program with the new RFP we're looking at \$9 billion. Why wouldn't we want to audit this? I should also add in closing that in 2014... a 2014 report-GAO, the Government of Accountability Office, said that more oversight of MCOs was needed. It went on and strongly recommended that CMS, the Center for Medicare and Medicaid Services, requires state audit payments to MCOs. And this is what we're beginning to see in most states. This pushes a lot of money out there. We are basing this modern train... the reimbursement process which is also going to apply to whoever's a new MCO moving forward. And I would ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 94 voting 'yes', 9 voting 'no'. And the Resolution is adopted. House Resolution 357, Representative Mah. Please proceed."

Mah: "Thank you, Mr. Speaker. Members of the General Assembly, Resolution 357 declares the month of May 2017 to be Asian-American Heritage Month. Illinois is home to over 600 thousand Asian Americans from many different ethnic

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backgrounds. And these groups are among the fastest growing in the state and make many contributions to the State of Illinois. It is historic, in fact, that as the first Asian American to serve in the Illinois General Assembly, I will be the first Member of Asian American background to present this Resolution to declare Asian-American Heritage Month. So, I ask for your support. And I ask that all Members of the General Assembly be added to this Resolution. Thank you so much."

Speaker Lang: "Lady moves that all Members of the House be added as cosponsors. Is there leave? Leave is granted. And that will be done. And those in favor of the Resolution will say 'yes'; opposed 'no'. The 'ayes' have it, and the Resolution is adopted. House Resolution 164, Mr. Arroyo. Please proceed, Sir."

Arroyo: "Thank you, Mr. Speaker. I'd like to adopt Amendment 1, minor technical change... just a name change."

Speaker Lang: "We have an Amendment. Mr. Clerk."

Clerk Hollman: "Floor Amendment #1 has been approved for consideration."

Speaker Lang: "Now, Mr. Arroyo on the Amendment."

Arroyo: "Mr. Chairman, House... House Resolution 164 encourages Congress of the United States to let Puerto Rico vote for statehood or commonwealth. I ask for an 'aye' vote."

Speaker Lang: "First, let's adopt the Amendment. Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it, and the Amendment is adopted. And you've explained the Resolution, Mr. Arroyo?"

Arroyo: "Yes. House Resolution..."

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Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The 'ayes' have it, and the Resolution is adopted. Ladies and Gentlemen, for your knowledge all matters remaining on the Calendar when we adjourn will have a deadline extension to June 30, 2017. And now, pursuant to House Joint Resolution 65, Leader Currie moves that the House remain in continuous Session and stand adjourned until the call of the Speaker."