

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Turner: "The First Special Session of the House will come to order. With leave of the Body, we will use the Quorum Roll Call from the regular Session as the Quorum Roll Call for the First Special Session. Is there leave? Leave is granted. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Greg Harris, Chairperson from the Committee on Rules reports the following committee action taken on May 22, 2020: recommends be adopted, referred to the floor is Floor Amendment(s) 3 to Senate Bill 471 and Floor Amendment(s) 3 to Senate Bill 1937; approved for consideration, referred to the Order of Resolutions is First Special Session Senate Joint Resolution 1; and approved for consideration, referred to Second Reading is Senate Bill 516. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on May 22, 2020: recommends be adopted, referred to the floor is Floor Amendment(s) 5 to Senate Bill 1569; and Floor Amendment(s) 3 to Senate Bill 2099. Representative Welch, Chairperson from the Committee on Executive reports the following committee action taken on May 22, 2020: recommends be adopted is Floor Amendment(s) 1 to House Bill 1743, House Joint Resolution 124, Floor Amendment(s) 1 to Senate Bill 264, Floor Amendment(s) 2 to Senate Bill 471, Floor Amendment(s) 2 to Senate Bill 685, Floor Amendment(s) 2 Senate Bill 1805, Floor Amendment(s) 5 to Senate Bill 1864, Floor Amendment(s) 2 to Senate Bill 2099, Floor Amendment(s) 4 to Senate Bill 2135, Floor Amendment(s) 1 to Senate Bill 2541, Floor Amendment(s) 2 to Senate Bill 3066."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Turner: "Members, we have an announcement. The Department of Public Health will be available for COVID testing downstairs. If Members wish to be tested, they will need to fill out a form that's down here in the well. Testing is downstairs. Members should walk to the southeast corner of the room and take the ramp downstairs to get to testing. The testing forms are here in the well. You need to fill one out first. The testing will take place throughout the day and will end at 6 p.m. Members, on page 3 of the Calendar, under the Order of Concurrence, we have House Bill 2455. Leader Hoffman."

Hoffman: "Thank you, Mr. Speaker. If I might, I know that this has been quite unusual and I just want to, before I go to the Bill, just for a quick statement on point of personal privilege. As you know, we all have suffered over the last month and a half. And as the people have complied, we've all tried to comply, and the whole issue of not getting your haircut or not going to a salon has been very difficult, but I decided just to own it. I decided to own it. And so, when I was in the Chair the other day, I kept getting messages from people. The first one that I got was from a dear friend who asked if I... said that I looked like the great, great, great grandson of George Washington. Now, I took that as an honor and a privilege. And I cannot tell a lie. I cannot tell a lie. Ancestry.com has been contacted and I may have some good news for you the next time we get together. But it was in the next messages that kind of concerned me. I got one that said, well, who you trying to be, Mark Twain. Then I got

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

one that said, hey, you're looking just like Albert Einstein but the older Albert Einstein. But the one that got me under my skin is when someone said, you're looking just like the Skipper from Gilligan's Island. Anyway, we've all suffered and I got to tell you, I think the people that have done the technical work here have done such a great job, it's the lighting, though, that is lighting my hair. And when I am, in the morning, looking at the mirror, as this is about, if I turn just the right way in the darker light, I look just like the 1980's version of Bon Jovi. To the Bill. House Bill 2455 is an agreed Bill. It's a Bill that was worked on by business and labor for the... on the issue of workers' compensation and the issue of unemployment insurance. I would like to thank Representative Brady, Representative Wheeler, Representative Sosnowski, Representative Ugaste, as well as Representative Marcus Evans for all of their work. And I'd like to thank all the representatives of business, labor who worked on this. The history of this is this, the Workers' Comp Commission put forward a rule that said if you contracted COVID-19 there would be a certain presumption that you got it at the workplace if you were an essential worker. However, the courts ruled that they didn't have that authority. So, it then left it up to us in the General Assembly to come up with a solution. This is that solution and I think it's a fair solution. Number one, all essential workers will get a presumption if they contract COVID-19 and get sick from it, they will have presumption that that happened at work. However, there are very specific items that say what could rebut that

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

presumption. Now, that doesn't mean if the presumption is rebutted that you won't receive compensation under the Illinois Workers' Compensation Act. But if you are an essential employee and you receive a presumption that you contracted it at work and then would be eligible for workers' compensation, it could be rebutted and that was actually negotiated by the labor as well as the employee/employer organizations. So, that's that agreed Bill. The second agreed Bill has to do with unemployment insurance. As you know, our Unemployment Trust Fund is being drained as a result of the unprecedented number of people who are out of work. This Bill actually would do five things. All of them are agreed by business and labor. It would extend benefits by 20 weeks. It would also waive the one-week... or waive the one-week waiting period so individuals could receive their compensation immediately upon being laid off. Concerning employers, a huge cost would be borne by employers if we didn't allow the cost to be spread out over the entire employer community so that not just employers who are having an unprecedented number of layoffs would bear the burden. This was mandated by the Federal Government and that would ensure that \$2.2 billion comes to the state trust fund, which is facing an 8 billion to 14 billion dollar deficit. It would also, for the first time, allow for, on a temporary basis, non-instructional education employees in order... who have been laid off to get unemployment benefits. And finally, it provides for a speed bump, which is a term of our... indicating that we will come back... it forces us, basically, business and labor, back to

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

the table in the agreed Bill process. Again, this is agreed. Finally, the third provision that has been agreed is concerning Illinois Works Review Panel. The Illinois Works Review Panel was passed as part of the Capital Bill in order to increase the apprenticeship programs in areas that are economically not as well off as others. And the review panel has not been appointed. We made our appointments, the House and the Senate has. There are other appointments that have not been made. So, it says, within 30 days the Illinois Works Review Panel must have their appointments made. And within 45 days from the effective date of that, they must begin their work and begin meeting. I believe that this is a work showing that we can do... do things in a bipartisan fashion under very extreme conditions. And I would just like to thank all Members on my side of the aisle who had input, and all Members on the other side of the aisle who have worked so diligently to make this a reality."

Speaker Turner: "Thank you. Members, today we will be instituting a three-minute debate timer for all debates. All Members seeking recognition will be recognized, but we will have a three-minute debate timer. Representative Wheeler is recognized."

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

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

Wheeler: "Thank you. Jay, I want to thank you, personally, for leading a lot of these discussions, along with our colleagues in the Senate and the House, and I'm grateful you mentioned so many people that were a part of this. It really was a great

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

process to go through. I know there's a lot of hurdles to overcome the last few days, so I want to just say thank you to everybody involved and you also for your leadership. I also want to recognize one person who has been a part of these processes for quite a long time. As part of the IMA, Jim Nelson is retiring at the end of the year. He's worked... he used to work at IDES and he's helped negotiate all the UI agreed Bill process for the last 25 years or more. So, we just want to say thank you to him and his hard work on behalf of the State of Illinois. Jay, just a couple quick questions to make sure I clarify what you got right. I'm just talking about the UI side of this. This is a very important Bill for us as a state 'cause if we don't pass the non-chargeability element that's in here then we would lose out on two-plus billion dollars in federal funding. Is that accurate?"

Hoffman: "That's correct."

Wheeler: "So, this is something that we can't ignore, we had to look forward to, and this is one of the reasons why I think the agreed Bill process had so much momentum. This is absolutely vital to getting that part of it right. Also, I mentioned that there's some older chits, we call them, I believe, in the UI agreed Bill process that are going to be kind of far gone as we move to a new set of speed bumps that will help share equally... or the intention is to share as equally as possible going forward on those negotiations to come. Would that be a fair characterization?"

Hoffman: "Yes, that's correct. And just so the Body knows, we intend to continue the agreed Bill process. We've agreed to

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

do that because this is a... this is a Band-Aid. It's not a solution to the whole problem."

Wheeler: "Right. We don't really know the full extent of what we're going to go through as a state with all the people that are on unemployment right now and what's going to happen to all the businesses that are here. So, I appreciate the fact that we are going to move forward on an agreed Bill process. One other thing I just want to point out is that there was a group of people that were kind of being left behind. The non-instructional educational employees that are going to be a part of UI in this temporary setting, right, Jay? There's a time limit on that. Could you remind me what that time limit is?"

Hoffman: "Yes. It will expire at the end of this year. And the employers' side of the equation will be covered under the current Federal Laws. So there will be no money that will be... will have to be paid as a result by the employer groups."

Wheeler: "Right, 'cause there's a reimbursable element that the Federal Government has put in place that we're going to be able to utilize during this, correct?"

Hoffman: "Yes."

Wheeler: "Perfect. Jay, thank you, again, for your hard work on this and your leadership. I encourage an 'aye' vote. Thank you."

Speaker Turner: "Representative Villa is recognized."

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

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

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Villa: "Thank you. Just a quick question for those of us who don't understand, maybe, the lawyer talk. So, if there's an employer who is a good actor, are there ways that that employer is going to be protected if they're doing what's right for their employees?"

Hoffman: "Yes. So, if an essential worker were to become infected and, as a result, have some health issues, it would be presumed that that essential worker was... contacted the COVID-19 at work. However, that presumption could be rebutted if that employer is following the CDC or the Illinois Department of Public Health guidelines for PPE, social distancing, and the likes. So, if you're doing the right thing, that presumption would be rebutted."

Villa: "Thank you. To the Bill. I would like to thank everyone who had a part in doing all of the work. My colleagues across the aisle, I really appreciate everything that you did for the essential workers. So, from the time that COVID started, I started getting phone calls from people who work in factories, telling me about what was happening in their workplace. And there were calls and conversations of fear, telling me about people having to work elbow-to-elbow without face masks or PPE, with zero information coming to them from their employer as to how they were going to be protected. There were also calls from manufacturing companies who were doing absolutely what was right and putting in place protections for their employees. So, I think that this is a fair and just Bill. I think that it's important that those employers who are doing what is right are protected. But also...

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

also for the employer who gave this to their employees and told them that this was enough to protect them from COVID-19, I hope that our vote today reflects a unanimous vote, letting those employers know that this is absolutely unacceptable in the State of Illinois for our essential workers. I strongly urge an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Ugaste."

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

Speaker Turner: "The Sponsor will yield."

Ugaste: "I would also like to thank Leader Hoffman, and Representative Evans, and Leader Brady, and Leader Wheeler for all the work that went into the workers' compensation portion. I know how much time everyone spent on it. Actually, I'm going to direct my questions to the rebuttable presumptions that we've been speaking about with the Occupational Disease Act. So for... Leader Hoffman, for purposes of providing clear legislative intent, I'd like to ask you a few questions as the Sponsor. First, is it your intent that regardless of other questions that may be asked that these questions and answers are designed to provide the legislative intent?"

Hoffman: "Yes."

Ugaste: "Does this legislation create a rebuttable presumption similar to a rebuttable presumption already in the Workers' Compensation Act?"

Hoffman: "Yes, it does."

Ugaste: "Is there a case that address the issue of the amount of evidence necessary to rebut a rebuttable presumption already

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

in the Workers' Compensation Act, and what amount of evidence did that case use to rebut the rebuttable presumption?"

Hoffman: "Yes, there is a case in the Illinois Appellate Courts, 2nd District, opinion of Kevin Johnson (sic-Johnston) versus Illinois Workers' Compensation Commission. That case states that the amount of evidence that is required from an adversary to meet the presumption, in paragraph 39, the Appellate Court said, some evidence sufficient to support a finding that something other than the claimant's occupation caused his condition is sufficient to rebut the presumption. And that was in paragraph 45."

Ugaste: "Is it your intent to create an ordinary presumption following the contraction of COVID-19 related to one's employment that follows the holding in the Johnston case?"

Hoffman: "Yes, it is."

Ugaste: "Did the Johnston case hold that the rebuttable presumption in question was an ordinary rebuttable presumption, and how does a rebuttable... how does an ordinary rebuttable presumption work?"

Hoffman: "Yes, the Johnston case held that the rebuttable presumption was an ordinary rebuttable presumption. The presumption creates a prima facie case as to the issue of the injury arising out of the course of employment. Then, in order to rebut the presumption, the employer must introduce some evidence that claimant's occupation was not the cause of the injury or the disease in question. Once that employer introduces some evidence that the employer's occupation was not the cause of the employee's injury or disease, these

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

presumptions ceases to operate and the issue is determined on the basis of evidence introduced in trial as if no presumption had ever existed. The burden of proof thus does not shift, but remains with the party who initially had the benefit of the presumption."

Ugaste: "Thank you. And regardless of any other response to a question of a statement given today, we need to clarify one specific issue on the intent of this legislation. Is it your intent to follow the holding in the Illinois Appellate Court's 2017 2nd District decision in *Kevin Johnston versus the Illinois Workers' Compensation Commission*?"

Hoffman: "Yes, it is."

Speaker Turner: "Representative Ugaste, your time has expired. Could you please make your final comment?"

Ugaste: "That... that's it."

Speaker Turner: "Thank you."

Ugaste: "Thank you."

Speaker Turner: "The Chair recognizes Representative Ammons."

Ammons: "Thank you, Mr. Speaker. Just a few clarifying questions for Leader Hoffman. Thank you for doing the work on this and all of the committee Members that did this. I just want to clarify just for the record, if a person who is a frontline worker at a retail establishment or any other place in that such, who represents the employee if they are suggesting that they have contracted COVID from their workplace?"

Hoffman: "In a workers' compensation case?"

Ammons: "Yes."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Hoffman: "It would be like any other workers' compensation case. You would, likely, make a claim. You could do it yourself, but normally you would go see an attorney who specializes in workers' compensation."

Ammons: "So, in a case that these are low-wage workers, like in Rantoul Food Products in Rantoul where we had a hotbed of cases in that facility, even though the public health director warned them repeatedly about their conduct, you're suggesting, at this point, that a low-wage worker would have to have the means to hire an attorney to represent them?"

Hoffman: "Just like any other workers' compensation case. Now, they wouldn't have to have the means."

Ammons: "Okay."

Hoffman: "I mean, I don't do this type of work, but it's my understanding that a hundred percent of the work is done on a contingency fee basis, which is statutorily set. And so, you would not have to pay in advance. You would go consult a lawyer, that lawyer would either take or not take your case. If he takes your case, you would agree to some contingency fee that is paid at the end of the case."

Ammons: "Thank you for clarifying that. Last question, when the Executive Order is lifted and, of course, COVID has not been resolved, what protections are there for the employees once the Executive Order is lifted?"

Hoffman: "This does not... the presumption... the presumption goes away under this Bill on December 31 of this year. It is not tied to the end of the Executive Order. And that was negotiated. Now, let's assume that COVID... we had a second

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

wave or COVID becomes rampant again. I believe it's likely that we're going to be back here, at some time, before December 31, 2020. At that time, I believe, we could then readjust the end date of the presumption."

Ammons: "Thank you so much, Leader Hoffman."

Speaker Turner: "Leader Hoffman to close."

Hoffman: "Thank you. I just... in closing, I want to, again, thank the Members who have worked so hard on this. It's a very, very, very, very important topic and it's one way to ensure compensation to the workers in Illinois. It's also a way to make sure that the Unemployment Fund is getting needed federal dollars moving forward, the Illinois Works Act. I also would like to point out, Mark Denzler of the Illinois Manufacturers Association, Rob Karr of the Illinois Retail Merchants Association, Tim Drea of the AFL-CIO, and Pat Devaney of the AFL-CIO worked diligently to make this a reality. And it wasn't easy because it was all done by phone and/or Zoom, and that made the negotiations extremely difficult, but it all worked out. And I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment 2 to House Bill 2455?' This is final action. All those in favor signify by voting 'aye'; all opposed by voting '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 113 voting in 'favor', 2 voting 'opposed', and 0 voting 'present', the House does concur in Senate Amendment #2 to House Bill 2455. And this Bill, having received the Constitutional Majority, is hereby

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

declared passed. Members, on page 3 of the Calendar, under the Order of Second Reading, we have Senate Bill 1569, offered by Leader Davis. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1569, a Bill for an Act concerning education. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 3, 4, and 5 have been approved for consideration. Floor Amendment #3 is offered by Representative Davis."

Speaker Turner: "Leader Davis on Floor Amendment #3."

Davis: "Hold on there, Mr. Chair, as soon as I find Floor Amendment #3. Thank you very much, Mr. Chair. Floor Amendment #3, it does become the Bill but makes one underlying change relative to allowing LSCs to meet, not only in a school, but in the case of a resurgent of a public health emergency to meet via video conferencing or teleconferencing. The Open Meetings Act would still apply. I ask for its adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 1569. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #4, offered by Representative Davis."

Speaker Turner: "Representative Davis on Floor Amendment #4."

Davis: "Thank you very much, Mr. Chair. Floor Amendment #4, as they keep adding, this one ultimately becomes the Bill as well, which keeps the underlying language and adds the following in reference to remote learning days and which allows for blended learning days, which could assist in a

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

transition back to in-person instruction. I think blended learning days allows for... in a situation where students can be both in class and then also taking classes online. It adds clarity to the current law. Provides that in the immediate 2 consecutive tax years following a districts acceptance of the property tax... Property Tax Relief Grant, or PTRG, as we like to call it, that the aggregate extension base of any school district receiving a grant shall include the tax relief that the district provided in the previous year. So, in other words, they can't get the benefit of the property tax relief grant and then go back immediately and raise their levy, that they must keep that same rate for the following 2 years after they receive the grant before they can seek any additional tax revenue from their residents. Floor Amendment #4 also provides within 10 days after a superintendent, an ROE, or entity that provides background checks of license holders of public schools receives information of a pending criminal charge against a license holder, presumably a teacher, the superintendent, the ROE, or entity must notify the state's Superintendent of Education of any pending criminal charge against one of the license holders. And number 4, eliminates the work proficiency test for individuals who were issued a provisional career and technical educator endorsement on educator license with stipulations and would like to renew their license. Additionally, requires teacher candidates who completed educator prep programs outside of the state to demonstrate a proficiency in English language by either passing an ISBE-issued English language proficiency test or

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

by providing evidence of a college degree program from an institution whose primary language is English. And lastly, provides that parents... provides the parents the option of how they want IEP materials, before the meeting with the representatives of the school district, to be sent to them. It clarifies IEP materials that... it clarifies IEP materials that are given to students' parents must include all evaluations and observations. Parents have a right to be informed of their right to renew, and a copy of their child's school student record prior to any IEP meeting. And provides... provides that research evidence services should be logged, and upon requests, given to the parents of the student. And additionally, written notices should be provided to what the written evidence supporting the child is receive... to what RTI support the child is receiving for collaborative purposes. So, I'm also instructed to indicate that all of these are technical changes and that all these technical changes have been agreed to by the various interested parties as well. I ask for its adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #4 to Senate Bill 1569. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #5, offered by Representative Davis."

Speaker Turner: "Leader Davis on Floor Amendment #5."

Davis: "Thank you very much, Mr. Chair. So, Floor Amendment #5 replaces and becomes the Bill. And it also then adds... it keeps

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

the underlying language and makes a technical change that includes Article 34, which is CPS, in regards to teacher evaluations and remediation made in the underlying language in case of a public health emergency. So, it lays out how disciplinary actions against that teacher can move forward with regard to it happening in the midst of a public health emergency where remote learning may be... is possibly being utilized. I asked for its adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #5 to Senate Bill 1569. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 1569. Please read the Bill."

Clerk Bolin: "Senate Bill 1569, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Leader Davis."

Davis: "Thank you very much, Mr. Chair and Members of the Body. Senate Bill 1569 represents all of the appropriate changes that have been taken into consideration by the Elementary and Secondary Education Work Group, as well as the Higher Education Work Group that references the things that were adopted yesterday as part of the Bill that was introduced that speaks to K-12 remote learning days, addresses graduation requirements, teacher licensing, and makes technical changes to the AIM HIGH program. In addition, the legislation addresses inner fund transfers, district

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

intervention dollars, local school council state assessments, and early childhood. With that, I'll be more than happy to answer any questions."

Speaker Turner: "For further discussion, Leader Hammond is recognized."

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

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

Hammond: "Representative, I'm just..."

Davis: "Where are you?"

Hammond: "I'm over here. Where are you?"

Davis: "Oh, okay."

Hammond: "How you doing?"

Davis: "I'm good. Thank you."

Hammond: "Notice how much they separated the two of us? Representative, there has been a lot of discussion in our higher ed group about the AIM HIGH Grant and that we needed some language fixed. And just for purpose of clarification, does your legislation include that language fix for AIM HIGH?"

Davis: "I would say, yes, Representative."

Hammond: "I appreciate it very much, and I would urge an 'aye' vote."

Davis: "Thank you."

Speaker Turner: "Leader Bourne is recognized."

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

Speaker Turner: "Sponsor indicates that he yield."

Bourne: "Wonderful. Representative, I have a few quick questions from some of our working group colleagues and then some clarifying questions for you. My first one is, would you

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

characterize this Bill as mainly cleanup language and clarifying language from the State Board of Education?"

Davis: "Yes, I would."

Bourne: "My second question, are there any substantive changes to the school funding formula included in this Bill?"

Davis: "No."

Bourne: "Do you anticipate that we will make changes to the school funding formula in the BIMP or the budget, or is that not... my question stems from conversations that we've had on the PRP. I know that you've been a part of this. I just want to clarify that that is not included in this Bill, correct?"

Davis: "It's not included in this Bill, no."

Bourne: "Perfect. A quick question from a member of our working group. One of the changes that we have discussed includes a change for retired teachers to have a 120 day... an extension of their ability to work for 120 days. Is that not included in this Bill?"

Davis: "It's my understanding that it's not included in this Bill, but I think it may have been included in a previously run Bill."

Bourne: "I appreciate that. Next question, you mentioned that district intervention funds are included in this Bill. Could you explain, briefly, the change that is going to happen in the formula with district intervention funds?"

Davis: "Well, I think, simply put, is that the two schools that were receiving separate dollars for district intervention, there was an ask and an effort to include whatever they would receive for district intervention to be included into their

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Base Funding Minimum. That is a change that allows for those dollars to now be included in the base funding for those two schools or school districts, excuse me."

Bourne: "And that is not included in this fiscal year, correct? That would be anticipated in next fiscal year, pending a Resolution passed by the General Assembly?"

Davis: "Correct."

Bourne: "Wonderful. One concern that some on our side of the aisle have is that this mainly deals with specific, important, and immediate needs at the State Board of Education and with our schools, and that seems to be a delayed need that is outside of the scope of the COVID-19 response. So, our ask would be, one, not to change to the school funding formula but, two, it's also delayed. So, as co-members of the PRP, I would ask that we study this at the Professional Review Panel before we pass that Resolution next January."

Davis: "In the Resolution regarding the district intervention funds?"

Bourne: "Correct."

Davis: "I don't... that's not unreasonable to have a conversation about that."

Bourne: "Okay. I appreciate that because I know we've had conversations about including this funding in their local capacity target. There are other ways to, I guess, account for this funding and I think that's a conversation we should have. So, I appreciate that. Next question, would you say..."

Speaker Turner: "Representative Bourne, could you make this your final comment, please?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Bourne: "This will be my final question. Thank you."

Speaker Turner: "Thank you very much."

Bourne: "Would you say that this is all really important for our schools to know how they need to open in the fall and to have these changes, kind of, whatever happens and whether or not we're able to come back before the fall semester begins?"

Davis: "Absolutely. And what I'll just briefly add to that is that we know that we are in a unique situation. And even as we project out to the next school year in the fall, right now you might have to say that there's even still some uncertainty as to what opening school looks like in the fall. So, hopefully, the changes we're making now gives us an opportunity that if it's not a traditional opening, at least we have put some things in place to allow us to at least open schools on time and then we can figure out how we move forward from there."

Bourne: "I appreciate your work on this. I appreciate your willingness to have a conversation at the PRP about the district intervention funds. I would urge my colleagues to vote 'yes'. Many schools need some of these changes in order to operate in the fall. So, please vote 'yes'."

Speaker Turner: "Representative Bennett, would you like to speak on this Bill here?"

Bennett: "Absolutely. Thank you. I'm in left field over here."

Speaker Turner: "Chair recognizes Representative Bennett."

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

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

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Bennett: "Thank you. Representative Davis, thank you very much for bringing this today. There's a lot of good things in this. I appreciate the efforts. I appreciate, first of all, the number of questions we offered to you today and for your help. I appreciate the conversations between the working groups. ISBE was involved with this. Just a number of people trying to make the right things work and I really appreciate all the efforts that went into this. In our discussions, we struggled at times for solutions. We saw that our schools closed well before the end of the year. We struggled sometimes with remote learning and concerns grew about how much our children were learning. So, we have more to do, and I understand that and I know you do, too. Several in our discussions talked about the digital divide, a need for better access to the Internet, Chromebooks, laptops, better training for remote learning to help our teachers, to help our parents, and our students, and a better understanding of how remote learning might best be used, all the while knowing the tremendous value that direct face-to-face interaction and feedback between students and teachers provide. Such an important and critical piece of all of it. And then finally the fourth piece, which we've talked also, the accountability piece. How do we help our students be more accountable in the learning process? These are all important parts of the solution going forward. I ask for an 'aye' vote. And thank you, again, for all the efforts involved. Thank you."

Speaker Turner: "Chair recognizes Leader Burke."

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

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

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

Burke: "Rep. Davis, I just got an inquiry from Chicago Public Schools and I apologize, I was hoping to get to you before you ran the Bill. But they were expressing a concern about, apparently, some language that had been in a previous version that didn't make it to Amendment 5 that dealt with timing for disciplinary hearings... not being able to do those disciplinary hearings in any fashion until Phase 5. And I apologize, I don't know all the details. If that is still an issue, could we talk about it after I try to get some clarification from CPS and maybe discuss if there needs to be some clarifying language in trailer or something?"

Davis: "Oh, absolutely. I, too, had a conversation with CPS this morning. And where I left the dialogue was trying to make sure I understand the specificity of what change they are either interested in or however they wanted to tweak things. Because if the process for that is the same and the nuance to it is a fact that we are socially distancing..."

Burke: "Right."

Davis: "...and doing things by a video, meaning that how the teacher conducts the class is that if there's was a need from discipline, where that teacher would kind of be taken out of the process of interacting with that class, even if it was via video, then those are things that are kind of still happening and can still happen. So, I was just really trying to get some clarity on the specificity of what they did or didn't like and, unfortunately, I didn't get all of that clarity beforehand. So, the simple answer is that, yes, after

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

we pass this, I wholeheartedly expect for us to have some ongoing conversation to really dive into it in a... you know, in a better format..."

Burke: "Sure."

Davis: "...than trying to rush through it so we can make sure we're doing the right decisions as it relates to this. But, the nuances, the remote learning, I get it. But I think procedurally that's not really changing anything because we can still have those conversations in a timely fashion. We're just doing it via remote. So, to me nothing changes except for just the platform in which these things happen. And whatever they're feeling right now versus what they think needs to happen, absolutely, we should have that conversation."

Burke: "Okay. So, when you're done with this maybe we can talk because I actually had a little trouble following exactly what they're concerns were as well. But it seemed to focus more on, not on student discipline, but on..."

Davis: "Teacher."

Burke: "...teacher discipline."

Davis: "Absolutely."

Burke: "Okay. So, we'll talk after."

Davis: "Absolutely."

Burke: "Thank you."

Davis: "Thank you."

Speaker Turner: "Chair recognizes Representative Skillicorn."

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

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

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Skillicorn: "Leader Davis, most of this has been pretty clear, but would you mind enlightening us a little bit on the interfund transfer... transfer component."

Davis: "It's an extension. So it's... whatever ability the... regarding a district being able to transfer between funds, it's just extending out that same ability for another year."

Skillicorn: "In the common practice, does a transfer excess transportation funds to the educational fund? Is that correct?"

Davis: "In a common practice, it's what?"

Skillicorn: "To transfer excess transportation funds to the educational funds, the normal school district spending money."

Davis: "Well, I guess you have the ability to transfer inbetween those funds, but if you're saying that's the common practice, I can't say that every school district does it the same way."

Skillicorn: "Okay. Thank you. To the Bill. I just want people to know that the transfer between funds is a way that some school districts get around the PTELL property tax cap. That is a very common practice that the education funds are supplemented by the transportation funds. And also, considering that schools have been closed since March, these transportation funds are flush with cash. So, basically, this is a gimme for many school districts to have more money, getting around the property tax cap, and this should be money that's refunded to the property taxpayers. Thank you."

Speaker Turner: "Chair recognizes Representative Scherer."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Scherer: "Thank you, Mr. Speaker. In response to the transfer of funds, this is just an extraordinary time and we felt that it was important to give this opportunity to local school districts to do whatever they felt that had to be done. I just wanted to make a few comments. Our working group has worked for many months on this Bill. I'm very proud of the bipartisanship that came from both sides. It's so important and so critical that this pass for our students going into the future, which is so uncertain right now. I think one of the biggest things that we learned through our studies was the digital divide became abundantly clear of the haves and the have nots. And through this Bill we tried to make sure that the have nots didn't get hurt any worse because of the life situation they happen to be born into. I'd also like to thank the teachers, the parents, the students, the principals, the administrators, the school boards. They have all gone above and beyond the call of duty, working many, many tireless hours trying to figure out how to get through this. And it is with great appreciation, on behalf of this whole august Body, that I say thank you to them. We appreciate what they have done. I urge an 'aye' vote. I feel in my heart that we did the best that we could possibly do. And I want to thank my co-chairs, Rita Mayfield and Michelle Mussman. It was not always easy but we got to an ending, and I'm proud to say that I'm happy to be a chief cosponsor."

Speaker Turner: "Thank you. Members, just a quick announcement. After you've had a chance to speak on the legislation or Bill, would you please remember to press your speak button again so

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

that it will turn it off the screen on this end. It doesn't go off automatically. Thank you. Chair recognizes Representative McCombie."

McCombie: "Thank you. Will the speaker yield?"

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

McCombie: "Just have a quick question. Somebody on my side of the aisle had mentioned transportation funds being flushed and somebody who lives in a pretty rural area, is it your understanding that the categorical funds are typically always, and I mean always, late to our schools, therefore, those funds are usually behind? And actually, the Comptroller is very behind right now on those payments, meaning that transportation funds are not actually flush."

Davis: "So, we know that there is always... there have been, historically, some challenges of getting those payments on time. But, the comment about them being flush or not, I guess it depends on what the districts are saying because transportation is reimbursable. So, it's not money that's automatically given to the districts. They tell us how much they spend and then we reimburse them. And the timing of the reimbursements, as you've indicated, sometimes they're not... I don't know what on time means, but some would consider them to be late. So, I think that challenge still exists, but again, the comment about whether or not they're flush or not, that wouldn't... we would necessarily say that they're flush. Only... and the reason I say that is because we know we don't reimburse transportation probably as high as we should. So, if flush means that we're reimbursing at a hundred percent,

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

we know that's not the case because we don't reimburse transportation at a hundred percent. But at the very least, it is a reimbursement. So, we only give back to the districts a portion of what they tell us they've spent."

McCombie: "Right. I could be wrong, I think it's 80 percent for their reimbursement, but I'm not a hundred percent sure. I don't know if..."

Davis: "That sounds about right."

McCombie: "And also, the contracts still had to be met even though the kids were not going to school, and some of those still were working and delivering lunches and doing different things. I mean, just.. COVID didn't stop people from being paid and some of these bus companies are, unfortunately, also going out of business, correct?"

Davis: "I would imagine so. I don't know that, but we're talking about the contracts of school districts. There probably are some challenges there as well."

McCombie: "Great. Thank you."

Speaker Turner: "Leader Davis to close."

Davis: "Thank you very much, Mr. Chair. Thank you, Members, for all of your comments. We know that this is a difficult time and it's affecting a lot of us in a lot of different ways, even in ways in which we don't appreciate. And very quickly, my very best friend, Stevie Powell, who I've known since we were in kindergarten, unfortunately, his mother passed away this morning due to COVID related.. a COVID related illness. So, we're sending our condolences to he and his family, as well as families across the entire State of Illinois whose

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

families have been impacted negatively by what's going on right now. And despite what's happening in our families, we know that some of these challenges have spilled over into our communities, into our businesses, and every walk of life that we have here in the State of Illinois. So, in... at least in response to what some of the challenges are with regard to our schools and our school districts, we hope that this is a way to help get us over the hump, make some necessary changes, and if nothing else, sets the stage for future conversations about how we have to address things like remote learning, which was a challenge for school districts all across the entire state. So, this conversation, this Bill helps us in the right... pushes us in the right direction, gives us the opportunity to have more substantive conversation about this moving forward. And with that, I certainly asks for an 'aye' vote. Thank you, Mr. Speaker."

Speaker Turner: "The question is, 'Shall Senate Bill 1569 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting in 'favor', 1 voting 'opposed', and 0 voting 'present', Senate Bill 1569, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence, we have House Bill 2174, offered by Leader Willis. Leader Willis is recognized."

Willis: "Thank you, Mr. Speaker. I move to concur on this Bill for... whatever it needs to be concurred on. Do you want me to go through the Bill?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Turner: "I believe we're talking about Senate Amendment #2, Leader Willis."

Willis: "Senate Amendment #2, yeah. This is exactly the same as Senate Bill 1530, which is the regulatory of sunset extension. So, let me go..."

Speaker Turner: "If you want to give a line or two about it that's fine."

Willis: "Sure. Yeah, I'll be happy to do that. So, in this, this is a one-year extension on a variety of regulatory sunsets that we're coming through, the Crematory Regulation Act, the Cemetery Oversight Act, the Illinois Health Information Exchange and Technology Act, the Radiation Protection Act, Renewable Energy and Energy Efficiency, Coal Resources Development Law... Act, the Local Electric Tax Act, the Emergency Telephone System Act, the Telecommunication Law, the Cable Video Competition Law, the Mercury Thermostat Collection Act, the Transportation Network Providers Act, the Mechanics Lien Act, and I think that... I'm sorry, one more. It also gives an extension for the Hotel-Casino Employee Safety Act, which was the emergency button. So, I wish for an 'aye' vote, please, or a concurrence on it."

Speaker Turner: "Chair recognizes Leader Batinick."

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

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

Batinick: "Thank you, Leader. I just want to confirm... I was trying to get my analysis up here slowly while you were speaking. This is just a sunset extension for everything that you just so eloquently listed? For how long? Is this just... is this a

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

one-year extension so we can bring it up? Does it double everything? What does it do for all of those?"

Willis: "It is a one-year extension on everything in here. I think there is one exception, and that is to the Public Utilities Act, which is a one-year extension on that. But that one expires in '22 and we're giving it to 20... it expires in December of '23 and we're giving it to December of '24. Everything else is just one year. No changes in any of the regulations at all."

Batinick: "Okay. And there's nothing else in the Bill other than those dates being moved out?"

Willis: "Not to my knowledge."

Batinick: "Thank you very much for the explanation. I appreciate it."

Speaker Turner: "Chair recognizes Leader Wheeler."

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

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

Wheeler: "Leader, I believe this is very similar, if not identical, to a Bill we discussed in Exec yesterday. Is that right?"

Willis: "Yes, it is. It is identical to Senate Bill 1530."

Wheeler: "Okay. Thank you. I'll ask you, very quickly, the same question I asked you yesterday just for the record, which was this is just us trying to find all the things that we're going to sunset, our best effort to do so. This is not any picking and choosing, just trying to find all things that haven't been addressed in some other legislation. Is that right?"

Willis: "You are correct, Sir."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Wheeler: "Thank you very much for your help."

Willis: "Thank you."

Speaker Turner: "Chair recognizes Representative Mazzochi."

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

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

Mazzochi: "Leader Willis, can you just confirm that this is not a regulatory sunset extension of the Small Cell Wireless Act?"

Willis: "That was not one of the ones that I read off my list."

Mazzochi: "All right. Thank you very much."

Speaker Turner: "Leader Willis to close."

Willis: "I urge an 'aye' vote on concurrence, please."

Speaker Turner: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2174?' This is final action. All those in favor signify by voting 'aye'; all opposed by voting 'nay'. The voting is open. Have all voted who wish? No running, Representative, you have time. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur in Senate Amendment #2 to House Bill 2174. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, can you please move Senate Bill 1937 back to the Order of Second Reading and read the Bill, please?"

Clerk Bolin: "Senate Bill 1937, a Bill for an Act concerning education. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Welch."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

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

Welch: "Thank you, Mr. Speaker. This is an Amendment that I addressed in committee that adds additional school districts to the Bill. I ask for approval."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 1937. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #3 is offered by Representative Welch."

Speaker Turner: "Representative Welch on Floor Amendment #3."

Welch: "Thank you, Mr. Speaker. Floor Amendment 3 is also an Amendment I addressed in committee that adds a couple more school districts to the Bill. I would ask for approval."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 1937. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, can you please read Senate Bill 1937?"

Clerk Bolin: "Senate Bill 1937, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Welch."

Welch: "Thank you, Mr. Speaker, Members of the House. This is a bipartisan piece of legislation that helps school districts in all of our communities, or in communities on both sides of the aisle. Many school districts across the state ran

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

referendums in the last election that passed. This Bill contains seven debt extensions that are consistent with those referendums. All of the school districts that we discussed in Executive Committee yesterday are now in the Bill. And I would ask for approval."

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

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

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

Batinick: "Representative, I'm going to have to vet this Bill a little bit more for my Members than kind of what we went through with the last three, 'cause the last three Bills were, basically, agreed Bills. This is a little bit different. Essentially, what we're doing here is we're taking the increase of the debt extension that we sometimes do on an individual basis and we're grouping all those debt extensions... or debt limits together into one Bill, correct?"

Welch: "That is correct."

Batinick: "Okay. And how many... how many school districts are in this piece of legislation?"

Welch: "There are seven school districts in this piece of legislation."

Batinick: "Okay. How much over the above allotment are each of those school districts now?"

Welch: "I don't know the answer to that, Sir."

Batinick: "Okay. I know sometimes we get some school districts that are borrowing significantly more than what is currently allowed under law. I'm just urging... I'm sure there's going to

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

be a little bit of debate on this. I think most of my Members know where we are on debt limits to school districts and they know where they vote on debt limits to school districts. So I'm going to go straight to the Bill. I'm going to urge my Members... I know it's a little bit slower, guys, but you have analysis for a reason. Some of the debt limits are in there. If you're comfortable with this, it's something you can vote for. If you're not comfortable with this, it's something you're not going to vote for. Thank you."

Speaker Turner: "Chair recognizes Leader Butler."

Butler: "Thank you, Mr. Speaker. By the way, you look great up there. It's been far too long since you've been in the Chair there, my friend."

Speaker Turner: "Thank you, Sir."

Butler: "Representative, I just want to thank you for including two school districts in my district, Greenview and Williamsville, who have got very important building projects going on. And Williamsville, overwhelmingly, passed a referendum this spring in support of the great \$40 million new investment they're making in their community. So, I just want to say thank you for including and I truly appreciate it."

Welch: "My pleasure."

Speaker Turner: "Chair recognizes Leader Wheeler. Representative Welch to close."

Welch: "Thank you, Mr. Speaker. I ask for approval of this piece of legislation that helps communities in Democratic communities and Republican communities. Thank you so much."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Turner: "The question is, 'Shall Senate Bill 1937 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 88 voting in 'favor', 27 voting 'no', and 0 voting 'present', Senate Bill 1937, having received the Constitutional Majority, is hereby declared passed. Leader Spain, for what reason do you seek recognition?"

Spain: "Thank you, Mr. Speaker. House Republicans will caucus in section 118, in our usual caucus area."

Speaker Turner: "Thank you. Leader Willis is recognized. Representative Welch."

Willis: "Leader Willis is going to speak from his mic. The Democrats will also caucus at the same time in this room. So, I'm going to request all Republicans to exit when you go for your caucus. Thank you."

Speaker Turner: "Republicans will caucus in their area and Democrats will caucus here on the chamber floor. House will stand in recess."

Clerk Hollman: "Attention Members of the House of Representatives. The House will reconvene in five minutes. The House will reconvene in five minutes. Please return to the convention center."

Speaker Davis: "The House will be in order. Leader Davis is in the Chair. Mr. Clerk, Rules Report."

Clerk Bolin: "Committee Reports. Representative Harris, Chairperson from the Committee on Rules reports the following committee action taken on May 22, 2020: recommends be adopted,

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

referred to the floor is Motion to Concur with Senate Amendment #3 to House Bill 2238; and approved for consideration, referred to Second Reading is Senate Bill 557 and Senate Bill 1968."

Speaker Davis: "Mr. Clerk, Senate Bill 2099. Would you please place that Bill back on the Order of Second Reading? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2099, a Bill for an Act concerning finance. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Zalewski."

Speaker Davis: "Representative Zalewski on House Floor Amendment #2."

Zalewski: "So, 2 and 3 are both gut and replaces. Mr. Speaker, I wish to adopt 2 and then 3. 2 becomes the Bill, 3 adds a technical Amendment we talked about in Executive Committee that changes the issue with respect to GOMB's powers."

Speaker Davis: "Is that Floor Amendment #2?"

Zalewski: "And 3. I explained both. We're going to adopt both."

Speaker Davis: "We're going to adopt them individually."

Zalewski: "Yes."

Speaker Davis: "Okay. So, on House Floor Amendment #2, Representative Zalewski moves for the adoption. All in favor... all in favor say 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And the Amendment is adopted. Any further Amendments, Mr. Clerk?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Clerk Bolin: "Floor Amendment #3, offered by Representative Zalewski."

Speaker Davis: "Representative Zalewski, Floor Amendment #3."

Zalewski: "It just includes the technical Amendment we discussed in committee."

Speaker Davis: "Thank you. Representative Zalewski moves for the adoption of Floor Amendment #3. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Any further Amendments, Mr. Clerk?"

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

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

Clerk Bolin: "Senate Bill 2099, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Davis: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. This Bill represents the ability for the state's, specifically GOMB, to go to the federal credit liquidity facility and borrow up to \$5 billion. Upon that borrowing, they would be able to deposit it into an emergency fund that would be used to offset revenue losses as a result of the COVID crisis. I ask for an 'aye' vote."

Speaker Davis: "Representative Pappas, did you want to speak on this Bill? Could you please turn your light off? Thank you very much. Representative Batinick, for what reason do you rise?"

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

Speaker Davis: "He indicates he will."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Batinick: "Quick question, Representative. It says, whenever we edit a line, emergencies or failure in revenue, giving the Governor the ability to borrow, it sounds like in the Act that passed the deficit... whatever the Governor declares as an emergency is a reason for him, in the future, to borrow. Am I correct in reading that?"

Zalewski: "Correct."

Batinick: "I have no further questions."

Zalewski: "You guys have concerns about that, but GOMB tells us that it gives them greater certainty that they'll be able to make the bond purchase work if we had that language in it."

Batinick: "Thank you for answering my question."

Zalewski: "You're welcome."

Speaker Davis: "No one else seeking recognition, Representative Zalewski to close."

Zalewski: "I ask for an 'aye' vote."

Speaker Davis: "And the question is, 'Shall the House pass Senate Bill 2099?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting... sorry, Members, the House will be at ease. The House is back in. And the question is, 'Shall the House pass Senate Bill 2099?' All those in favor vote 'yes'; all those opposed vote 'no'. And 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 vote of 71 voting 'yes', 45 voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 2541? 2541. Senate Bill 2541."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Clerk Bolin: "Senate Bill 2541, a Bill for an Act concerning public aid. The Bill was read for a second time, previously. No Committee Amendments. Floor Amendment #1 is offered by Representative Harris."

Speaker Davis: "Leader Harris on Floor Amendment #1."

Harris: "Mr. Speaker, could we adopt the Amendment and then discuss it on Third Reading?"

Speaker Davis: "Leader Harris moves for the adoption of Floor Amendment #1 to Senate Bill 2541. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Davis: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2541, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Davis: "Leader Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the renewal of the hospital assessment, which happens every several years. The effect of this Bill is it brings \$3.9 billion in federal money to the State of Illinois to help fund our hospital and health care systems. This year, we will be bringing in \$450 million more than prior years. We will also be some things which we've not been able to do in prior years, such as give rate increase to physicians across the state to encourage them and enhance their ability to take Medicare, particularly specialists, so that services are more widely available. We retained the current tax methodology. We

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

simplified the payments streams. We have taken actions to make sure we are in compliance with all applicable federal rules and regulations. We've driven the vast majority of the new money into supports for the highest Medicaid hospitals. And... I think that's a good summary. I'd be happy to answer any specific questions."

Speaker Davis: "Representative Ugaste, for what reason do you rise?"

Ugaste: "Excuse me. I had a parliamentary inquiry. It isn't to the Bill."

Speaker Davis: "Well, Representative Ugaste, we've already started debate of this piece of legislation. Is that something we can come back to? You said it..."

Ugaste: "Yeah, after this Bill."

Speaker Davis: "After this Bill. Okay."

Ugaste: "Certainly. Thank you."

Speaker Davis: "Thank you very much, Representative. Representative Demmer, for what reason do you rise?"

Demmer: "Thank you, Mr. Speaker. To the Bill."

Speaker Davis: "To the Bill."

Demmer: "You know, this hospital assessment to reauthorization is the product of a very long period of negotiations between the House Democrats, House Republicans, Senate Democrats, Senate Republicans, the members of the Department of Healthcare and Family Services, and many associations and agencies from all across Illinois. This is such a critical program for the state because it helps us reduce the burden on the General Revenue Fund of the state's Medicaid program. So, the reauthorization

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

of this program helps bring in additional federal dollars to support the health care community all across the State of Illinois. As we all know right now, hospitals and health care providers, physicians, nurses, and technicians all across the state are dealing with a global health emergency and they need the support, they need the continued ability to make plans into the future relying on these critical federal dollars. This is a program that we've all had a chance to talk with our local hospitals about, understand the impact. What I really appreciate in this Bill, I really appreciate that we were able to do, especially for a safety net hospitals who have a very high percentage of Medicaid, as well Critical Access Hospitals who, in many of the districts of folks on my side of the aisle, are maybe the only hospital for several counties around. Very small health care outposts that have to deal with a wide variety of conditions and challenges for the patients and the communities that they serve. This Bill is something that we can't do alone. The Hospital Assessment Program is a joint effort between the State Government and Federal Government. So, these plans, this assessment plan, has been submitted to the Centers for Medicare and Medicaid Services. It will require an agreement and an approval from the Trump administration and from the Pritzker administration here in Illinois. And I think many of these aspects show that these efforts truly are bipartisan efforts. They're efforts that result from the cooperation and collaboration between the State Government and the Federal Government and are things that bring back much needed resources into every community

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

that we serve on a typical basis, and resources that are even more important during a global health emergency. So, I appreciate the collaborative approach that we've been able to take on these issues over the years. And I encourage folks on my side of the aisle to vote 'yes'. Thank you."

Speaker Davis: "Thank you very much. I do want to remind the Members that we are using the automatic three-minute timer. So, please, you can see it on the boards and the screens. Representative Willis, for what reason do you rise?"

Willis: "Will the Sponsor yield, please?"

Speaker Davis: "I believe he will."

Willis: "Thank you. Leader Harris, just for a sake of clarification. I believe I heard, when we were discussing this in caucus and earlier, is it correct that the hospital transformation is not in this piece of legislation? You have that separated out?"

Harris: "Yes, Representative. That's part of the discussion. You know, as we work through this, the idea of how do you improve and transform health care in hospitals across the state was a very broad and wide topic. And as all the Members of the Medicaid Working Group can tell you, we spent hours on it. And at the end the day, didn't think the product we had was ready to go. So, we're on the hospital transformation piece that has been removed from this assessment. The Medicaid Working Group, the Illinois Hospital Association, the safety net hospitals, the academics, SCIU, all of our planning partners will be working through the summer on a revised program and we hope to bring it back in Veto Session."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Willis: "Great. And I appreciate that very much. To the Bill. I commend those Members that worked on this, it is important. And as one of my counterparts on the other side of the aisle said, it is a bipartisan effort. It also does really depend upon us working with the Federal Government on this. So, I do urge everybody to support this Bill with an 'aye' vote. Thank you very much."

Speaker Davis: "Representative Flowers, for what reason do you rise?"

Flowers: "To the Bill."

Speaker Davis: "To the Bill."

Flowers: "Thank you, Representative Harris, for bringing this legislation forward. I just have a few questions. Does this Bill speak of health care equity?"

Harris: "It does, I think, Representative, but I don't think it does enough. And this is why we're going to work especially hard over the summer on the transformation piece, so that it is more reflective in equity situation for underserved communities."

Flowers: "Does this Bill speak of patient engagement?"

Harris: "This is a Bill about the financial side of it."

Flowers: "The funding side."

Harris: "Yes."

Flowers: "But in order to... in order for us to be successful, the people and the places that we're funding have to understand they're customers walking through the door. And that's the reason why I asked you about the equity side because that is what has caused the high death rate in our community because

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

there has not been the access and the equity, and that has caused the disparities and so many people to die."

Harris: "Right. So, I can tell you that as we prioritized new money coming into the program, we prioritized it toward the highest Medicaid hospitals in the state that do not have as much ability to rely on private insurance. So, on the funding side I think we're moving toward, more and more of an equity lens on it. I think in about 12 months when we start looking at the next version of this, which we'll have to do in 18 months or so, we're going to have to revisit and relook at how we do our planning process as well, to be sure we're as inclusive and reflective of an equity lens as we should be."

Flowers: "I understand what you're saying but, once again, I think you do have to remember that the doctors and the providers have to see the patients. And so, we need to, kind of, be on the same track. In order for them to be educated on the equity, they need the patients there and the access. But one other question, what about the redetermination? Because the problem is still a lot of people do not have access to care."

Harris: "And that's a separate problem that the Medicaid Working Group continues to work on with HFS and DHS. Although, we've got to say credit where credit is due. DHS has done a very good job in the last several months in reducing the backlog..."

Flowers: "Okay. You're interfering with my time. My last question..."

Harris: "I'll shut up. Okay."

Flowers: "COVID does cover Medicare-for-all. Is that a part of the discussion?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Harris: "Medicare-for-all, Medicaid-for-all, Medicare-for-all..."

Flowers: "Yes."

Harris: "...all these different strategies..."

Flowers: "Yes."

Harris: "...are in another Bill. There's a study of them that's in another Bill we'll consider at some point today."

Flowers: "Okay. I just want to let you know, in the early 90s we had a study, but that's okay. Thank you very much."

Harris: "Thank you."

Speaker Davis: "Representative Buckner, for what reason do you rise?"

Buckner: "Quickly speak to the Bill, Mr. Speaker."

Speaker Davis: "To the Bill."

Buckner: "I want to, real quickly, thank Leader Harris and the working group who worked on this. Many Members of the Black Caucus and many Members who hail from the South Side of Chicago took pause and renaissance with this initial Bill because of the transformation language. The transformation language in and of itself was not very provocative, but the problem was that we had to work through some situations with four hospitals on the South Side of Chicago who are looking to merge, close, or transform and create some kind of... some amalgamation of what they are today. The problem is, in our communities we see that many of these hospitals serve the most vulnerable populations and COVID has highlighted the medical disparities in our community. So, we are concerned. We remain concerned. I appreciate the work that everybody did to take that piece out of the legislation so that we can

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

continue to work this summer to make sure that our... the health care needs of our community are met and that people are not leaving us high and dry as we continue to battle these systemic inequities. Thank you."

Speaker Davis: "Seeing no further questions, Representative... Leader Harris to close."

Harris: "Again, I just want to thank so many people worked on this Bill, Medicaid Working Group and people who brought a variety of diverse perspectives to us also. Whether it would be from small towns with rural Critical Access Hospitals, whether it be safety net hospitals, whether it would be on the West Side of Chicago, the South Side of Chicago, Rockford, or in Southern Illinois near Metro East helped us make a very much better project. I was glad to have the support of IHA, the Illinois Hospital Association. This Bill is supported by the Safety Net Association. It was supported by SEIU Healthcare. So, we're really glad it was... you know, it was a tough product to work out. I'm very glad for the cooperation of all involved and would ask for an 'aye' vote."

Speaker Davis: "And the question is, 'Shall the House pass Senate Bill 2541?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Oh, ding. Okay. All those... have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a vote of 115... 116 voting 'yes', 0 voting 'no', 6 voting 'present'... 0 voting 'present'... excuse me... House Bill... excuse me... Senate Bill 2541 is hereby declared passed. Representative Ugaste,

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

you had asked for recognition on a parliamentary issue. Please proceed."

Ugaste: "Yeah. Yes, thank you. My question has to do with the Special Session that was being called and whether we were to be served by certified mail in order to have it meet with the requirements. Is that correct?"

Speaker Davis: "The answer is, no, because the proclamation declared that a demonstrable emergency existed."

Ugaste: "As far as the situation going on with the pandemic or a piece of legislation we had to address?"

Speaker Davis: "Apparently, the Speaker and the President of the Senate can declare that an emergency does exist."

Ugaste: "Okay. Thank you."

Speaker Davis: "Thank you. Mr. Clerk, what's the status of Senate Bill 685?"

Clerk Bolin: "Senate Bill 685, a Bill for an Act concerning revenue."

Speaker Davis: "Mr. Clerk, would you please move that Bill back to the Order of Second Reading for the purposes of an Amendment and read the Bill?"

Clerk Bolin: "Senate Bill 685, a Bill for an Act concerning revenue. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Zalewski."

Speaker Davis: "Representative Zalewski on Floor Amendment #2."

Zalewski: "Thank you, Mr. Speaker. I wish to adopt Floor Amendment #2. It becomes our property tax relief package and we can debate it on Third Reading."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "Representative Zalewski moves for the adoption of Floor Amendment #2. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Davis: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 685, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Davis: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 685 is a limited package designed to offer property tax relief under the COVID crisis. It effectively permissibly allows county boards to work with their treasurers to extend out the due date for 120 days or the first day for which there's not a public health emergency. It also delays tax sales, which is what happens if a person doesn't pay their taxes, their taxes can be sold to a buyer. It delays that process for a period of time. And finally, it automatically renews a lot of these exemptions for 1 year so that people don't have to go through the process of having to go into the office and renew these exemptions. We debated this in Exec. I know there were concerns about a couple of things from my colleagues on the other side of the aisle, but overall this is a good piece of legislations that will help a lot of homeowners. And I ask for an 'aye' vote."

Speaker Davis: "Thank you very much, Representative Zalewski. For questions? Representative West, for what reason do you rise?"

West: "Will the Sponsor yield?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "Yes, he will."

West: "Representative, can you tell me if this is... this Bill is requiring counties, or is it just allowing counties?"

Zalewski: "It's allowing counties."

West: "There's no requirement? We're not telling the counties what to do?"

Zalewski: "Correct."

West: "Okay. Thank you."

Zalewski: "Well, to be clear, the tax sale piece, the tax sales are delayed. So, you can consider that a mandate if you like, but when it comes to the fees and penalties piece, that is permissive."

West: "Permissive, and the county can choose if they do it or not?"

Zalewski: "Correct."

Speaker Davis: "Representative Sosnowski, for what reason do you rise?"

Sosnowski: "Would the Sponsor yield?"

Speaker Davis: "He indicates he will."

Sosnowski: "Thank you, Representative. I know I asked a couple of questions in committee. I just want to do a couple of follow-up questions for clarification. In regards to the non-Cook County annual tax sale, the postponement of the time frame, can you just explain how the postponement will work if a county has a sale set up already? What's the effect on that?"

Zalewski: "The county treasurer would have to, in effect, postpone that sale, Joe."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Sosnowski: "I'm getting into the question of the number of days versus... 'cause there's two clauses there. It looks like 120 days or 1 month after the end of the emergency. So, is that either/or, both? How does that affect..."

Zalewski: "No, it would be either/or. It would be the earlier of the two."

Sosnowski: "The earlier or the later?"

Zalewski: "Earlier. So, if by stroke of luck the Governor ends his public health emergency prior to 120 days, the tax sale could proceed."

Sosnowski: "Okay. It could be sooner than 120 days then?"

Zalewski: "Correct."

Sosnowski: "Okay. And then in regards to scavenger sale, could you just clarify... it sounds like this is something that was brought up by Cook County. What is a scavenger sale and how does this apply to them?"

Zalewski: "A scavenger sale is what happens when there's a tax sale and nobody buys them the first time, they go into this secondary market of tax sale. And I think that... that's a definition of a scavenger sale. Is that your question?"

Sosnowski: "Yeah, I think so. Thank you. And in regards to the Cook County tax sale, since it's a little different than a non-Cook, what's the earliest that the Cook County tax sale will happen?"

Zalewski: "They have a year-long period at their discretion to initiate their tax sale."

Sosnowski: "A year-long discretion?"

Zalewski: "That's what I'm informed by staff. Yes."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Sosnowski: "Okay. And then one last question. Just on the county, the voluntarily delay, if they choose to adopt... I'm sorry, not a delay but a waiver of the late fees, penalties. So, they can choose either 120 days or the next month after the end of the declared emergency?"

Zalewski: "No, I don't think they can choose. I think what the statute would say is, if optionally they choose to make use of the statute for the purposes of waiving the penalties, the statute would guide them similarly to say that the penalties are due on either 120 days after the enactment of the Bill or the first day of the month in which there's not a public health emergency."

Sosnowski: "Okay. So, they wouldn't... they don't have to choose one or the other?"

Zalewski: "Correct."

Sosnowski: "Okay. So, I just want to read something real just real quick. I know my time is almost up..."

Speaker Davis: "Representative, Representative Batnick has offered you time, so please proceed."

Sosnowski: "Okay. So, I just want to clarify... well, let me ask you this. With the treasurers, it sounds like they had input. I think you maybe touched on this, that they were okay with the language as far as permissive to waive the fees. Were they involved, did they have an opinion on the tax sale part of it?"

Zalewski: "They opposed the piece relating to the tax sale. You know, I don't really have much by way of... much by way of an explanation other than we simply have a difference of opinion."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

My feeling is, if there's a tax sale in any county, based on the third year of being delinquent, that the homeowner's going to be able to get a certificate of error so it makes no sense to do a tax sale. I know you and I disagree on that, but that's just my take."

Sosnowski: "Okay. Then I just want to ask kind of a similar question. I just want to make sure I understand. So, in the language, it appears that it allows the country.. so they can choose to waive fees for up to 120 days after the effective date of this legislation or until the first day of the first month during which there is no longer a public health emergency."

Zalewski: "Correct."

Sosnowski: "So, when it says 'or', can you just explain that one more time? So, how does that work then if a county chooses?"

Zalewski: "So, if the county chooses to cite the statute in adopting an ordinance that waives the fees and penalties for a delinquent property tax payment, they would then be bound by law to declare on either the 120th day after the enactment of the law or the first day for which there's no public health emergency that then the taxes are due. So, they choose to use the law. Once they choose to use the law, they're bound by the timing framework of either a 120 days from that enactment of law or the first day for which there's no public health emergency, whichever is earlier."

Sosnowski: "So, as an example, let's say the health emergency continued for 150 days, that county would have to waive for that time period?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Zalewski: "No. No. They... if the public health emergency lasted for 150 days, upon enactment of the ordinance enabling the use of the statute, the county board would say in the ordinance, on this date your taxes are now due, and probably cross reference the state statute."

Sosnowski: "Okay. Thank you for that. Just quickly to the Bill. As I mentioned in committee, I think much of it is good. I would like to have seen this as a requirement for counties rather than be permissive. I know Cook County and many other counties have adopted this and have allowed for the waiver of late fees. I really wish we would've done that for consistency's sake across the state, especially in some of our districts where there's multiple counties and maybe we have four counties that adopt it and the one neighboring does not. I think it cause some confusion. So, I wish this would've been a mandate for those four months, but otherwise, thank you for your time. I appreciate it."

Speaker Davis: "Thank you. Representative Halpin, for what reason do you rise?"

Halpin: "Question of the Sponsor, Mr. Speaker."

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

Halpin: "Thank you. Mike, there's a couple sections in here that refer to the second installment of the tax date. I tried to raise this issue in the Local Government Working Group. Rock Island County has four payments, I guess. Is the intent that it's supposed to be the final payment, and if so, can you work with me on trying to clarify that in a later Bill at some point? I just know it creates a problem for my county if

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

you use the second installment date. That's usually the middle of, I think, it's September or August, or something like that."

Zalewski: "I'm told we addressed this in the statute, Mike, by saying it's other than the final payment."

Halpin: "Other than the final payment?"

Zalewski: "Correct."

Halpin: "Okay. Thank you."

Speaker Davis: "Representative Flowers, your light is on. Did you want to speak on this? Okay. Thank you. Representative Halbrook, for what reason do you rise?"

Halbrook: "Question of the Sponsor, please."

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

Halbrook: "Thank you. So, Representative, I've got an email from my treasurer, and I just want to make sure that I'm clear on this, that the county treasurers are opposed just because the language that they submitted to a working group is not the language that made it in here about the 120 day..."

Zalewski: "Yeah, I spoke to the representative from the county treasurers' office this morning. She did a very able job of explaining the county treasurers' position. We agree to disagree. She may agree to disagree, but I agree to disagree that we don't offer them the flexibility that they'd like. We simply say... she would argue that the county treasurer should be in consultation with the county board and when to... on how to choose to enact this state statute. My staff indicates to me that's not a concern of ours. Your staff may disagree, but

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

in the interest of time, we're just going to proceed this way."

Halbrook: "The other question is that they are opposed to the language about the tax sale, but maybe tax sales may not even happen this year. Can you speak to that?"

Zalewski: "That's probably... that's a possible likelihood. You know, I don't have an answer to that. It probably appeals to county treasurers because in my mind, in a situation like this where tax sales are contingent upon a person not making the final payment, and if the person's not making the final payment because they lost their job or their employment or their wages because of COVID-19, we shouldn't be conducting a tax sale at that point. The representative from the county treasurers' and I had a long back and forth about that. I know it's a source of revenue for counties, but in my mind we're dealing with such a massive shift in the economics of the state right now that that's offset by the need to offer relief to individuals who may have lost their jobs and can't make their final tax payment."

Halbrook: "So, I understand that but there should be... this was based on 2019. So, a lot of these dollars that are going to be used to pay these property taxes should be held in escrow or people have prepared for that in advance, and I would believe that there would be some people that would not be prepared for that. So, I'm curious, what's this going to do downstream to all of our other local taxing bodies that this money many not be there?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Zalewski: "The money from the tax sale... the tax sale proceeds? Is that your question, Brad?"

Halbrook: "Say that again, please."

Zalewski: "You're worried about the revenue from the tax sale proceeds?"

Halbrook: "Well, just from the penalties, all those things."

Zalewski: "Well, I would say to you, with respect to the proceeds from fees and penalties, that's why we made it permissive so that the county boards here feels like they can be more responsive than a local taxing bodies by not enacting the statute, that... they're allowed to do that. With respect to the tax sale, I simply... and I could stand corrected, but I just don't know that, in light of COVID, that they're going to... that the downside of delaying the tax sale is outweighed by the limited amount of revenue that counties get from tax sales. It doesn't make any... it seems to me we should err on the side of delaying the tax sale until we have a better understanding of what relief we can offer."

Halbrook: "So, what's the estimate..."

Speaker Davis: "Representative. Representative Halbrook."

Halbrook: "...of the amount of properties that are going to end up in this situation?"

Speaker Davis: "Representative Halbrook, did you have any additional questions?"

Halbrook: "Yes, please."

Speaker Davis: "Representative McDermid offers you her time. Please proceed."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Halbrook: "Thank you. So, what's the amount of properties or the percentage of that will fall into this tax sale that most people would probably be prepared for because the tax money is put into escrow over the previous year? I'm just curious how big of an issue this really is."

Zalewski: "How big of an issue what is?"

Halbrook: "The tax sale."

Zalewski: "I think anyone who's lost their home or been... had their taxes sold would say to you that... or in danger of that would say, I don't want to run the risk of my taxes being sold at a tax sale if, as a result of COVID-19, I lost my source of income. So, why not just delay this tax sale until we can get a better grip on what we can do to offer relief?"

Halbrook: "Okay. Well, I understand. I just want folks to know that this may have a negative effect on their county budgets and local taxing bodies. And I'm just really concerned that the county treasurers are in such opposition to this. Just wanted to talk about that just a second."

Zalewski: "Yeah, I... I hear you, Brad. I don't... I'm exasperated by the notion that we made it permissive and they're still opposed, but I understand what you're saying."

Halbrook: "Well... and I appreciate what you're wanting to do and this is a difficult Bill to vote against. I'm just concerned what it's going to do like I previously spoke, so."

Zalewski: "I understand."

Halbrook: "Thank you."

Speaker Davis: "Thank you. Representative Pappas, for what reason do you rise? You don't have to run. We're good."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

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

Speaker Davis: "He indicates he will. Please proceed."

Pappas: "I have a question about the language of the Bill. I don't know if you're familiar with the ordinance that DuPage County recently passed to provide relief for homeowners who have been impacted specifically by COVID-19."

Zalewski: "I'm not."

Pappas: "Okay. Well, their ordinance requires the... either the homeowner or the business owner or the landlord to apply for the interest to be waived and to demonstrate that they've been impacted by COVID-19, specifically."

Zalewski: "Okay."

Pappas: "As I read the language of the Bill, it sounds as though that ordinance would not be permitted because it sounds as though our Bill mandates that any relief apply to all the residence of the county. Is that correct?"

Zalewski: "That's not accurate because it's a permissible ordinance. So, the DuPage County Board has already chosen to enact an ordinance, so they don't have to worry about our statute."

Pappas: "Okay. So, just for purposes of legislative intent, we're clear that this will not overrule the DuPage County ordinance?"

Zalewski: "Correct. That's correct."

Pappas: "Okay. Great. Thank you very much."

Speaker Davis: "Representative Davidsmeyer, for what reason do you rise?"

Davidsmeyer: "Speaker, question of the Sponsor."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "He indicates he'll yield. Please proceed."

Davidsmeyer: "Really quick. So, the 120 days goes into effect when this law... when this becomes law, correct? Do we know what the date will be when this is effective?"

Zalewski: "So, if it's an immediate effective date, it's when the Governor signs the Bill, and then... I refer you back to the answer I gave the Gentleman from Rockford. It is then the clock runs. They either have 120 days to pay after the due date or the day... the first day in which there's no public health emergency."

Davidsmeyer: "So, I'm going to go back and clarify. You said 120 days after the due date. You mean 120 days after this becomes law?"

Zalewski: "Yes."

Davidsmeyer: "Okay. So, at most, this could be... after this Bill passes the House and Senate, the Governor has what, 60 days to sign it?"

Zalewski: "Correct."

Davidsmeyer: "Do you know if he's... his intention is to sign it quickly?"

Zalewski: "I do not, unfortunately."

Davidsmeyer: "We could possibly be looking at 180 days?"

Zalewski: "Well, yes, technically."

Davidsmeyer: "Okay. Mike, you know, I've talked to my county treasurer about this, probably for the last three months, before the COVID stuff. But is... am I under the correct impression that county boards currently do not have the

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

authority to do this? To delay payments or not require the penalty."

Zalewski: "Sorry, C.D. I wanted to get you a clear answer on your previous question. What's your new question?"

Davidsmeyer: "So, my new question is, my understanding is that county boards, currently, do not have the authority to delay penalties?"

Zalewski: "There's a difference of opinion of that. So, some state's attorneys have taken the opinion they do; some of the state's attorneys have taken the opinion they don't. Ergo, the need for the legislation..."

Davidsmeyer: "Okay."

Zalewski: "...and, ergo, why we made it permissive."

Davidsmeyer: "My understanding is that they do not. So I think we are giving the authority, we're at least clearing something up. I will be supportive. Thank you."

Zalewski: "Thank you, C.D."

Speaker Davis: "Seeing no further questions, Representative Zalewski to close."

Zalewski: "I urge an 'aye' vote."

Speaker Davis: "And the question is, 'Shall the House pass Senate Bill 685?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Representative Flowers. Lilly. Have all voted who wish? Mr. Clerk, take the record. On a vote of 115 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 685 is hereby declared passed. On the Order of Supplemental Calendar #1, we have Senate Joint

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Resolution #2, offered by... I'm sorry. Senate Joint Resolution #1, offered by Representative... excuse me, offered by Speaker Madigan. Representative Welch to offer the Resolution."

Welch: "Thank you, Mr. Speaker. Senate Joint Resolution #1, with respect to the Amendment to the revenue articles of the Illinois Constitution proposed by Senate Joint Resolution Constitutional Amendment #1, which grants the state authority to impose different income tax rates on different levels, specifically sets forth a brief explanation of the proposed Amendment, a brief argument in favor of the Amendment, a brief argument against the Amendment, and the form in which the Amendment will appear on the ballot. The explanation of the proposed Amendment is as follows: the proposed Amendment grants the state authority to impose higher income tax rates on higher income levels, which is how the Federal Government and a majority of other states do it. The Amendment would remove the portion of the revenue articles of the Illinois Constitution that is sometimes referred to as the 'flat tax', that requires all taxes on income tax to be taxed at the same rate. The Amendment does not itself change tax rates. It gives the state the ability to impose higher tax rates on those higher income levels and lower tax rates on those with middle or lower income levels. You are asked to decide whether the proposed Amendment should become a part of the Illinois Constitution. That is the explanation of the proposed Amendment. The arguments for the Amendment were written by the Democrats. The arguments against were written by the Republicans. And none of the arguments for or against were

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

changed by either side, per our agreement. I would ask for approval of Senate Joint Resolution 1."

Speaker Davis: "For questions? Representative McSweeney, for what reason do you rise?"

McSweeney: "Mr. Speaker, to the Resolution."

Speaker Davis: "To the Resolution."

McSweeney: "We have over 1 million unemployed people in this state, 16.4 percent unemployment. Small businesses are failing every day, permanently. And the last thing the people of this state need is another tax increase. This is the wrong Constitutional Amendment at this time. We should be reforming our pensions. We should be reforming this state. I am going to urge a 'no' vote. The support of arguments here are absolutely insulting. This will harm families. This will kill small businesses. I urge you to vote 'no'."

Speaker Davis: "Representative Demmer, on the Resolution."

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

Speaker Davis: "Indicates he will."

Demmer: "Representative Welch, we had a discussion in Executive Committee about this this morning, but I know that not all of our colleagues were here to join us. I just want to make a couple of points and ask a couple of questions. First, you... this language has a couple different components. There's an explanation, which is supposed to be an unbiased explanation to set the stage. And then, the Constitution provides that for Amendments like this there are arguments in favor and there are arguments opposed. And so, you correctly noted that there was the arguments opposed were written by the Republican

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

side, in both the House and the Senate and the arguments in favor were written by Democratic Caucuses, I believe, in both chambers as well. But I did take issue this morning, and I'll restate that with the explanation, which is supposed to be an unbiased description of the question. You include an argument in favor of the question. And this argument that you include in favor is one that, honestly, this is one of the most common arguments in favor of a Bill that we see on the House Floor. How many times have you heard your colleagues get up and say, we should make this change because a majority of other states do it? We should make this change because X number of states have recently approved this. You include the argument in favor in the explanation. You say that the Federal Government and the majority of other states do this. Isn't that an argument in favor of the tax that's included in what's supposed to be an unbiased description?"

Welch: "I disagree, Representative. I think it just states a fact."

Demmer: "And as we talked about this morning, aren't there a number of other facts that you could've included? Could you have included that Illinois is one of the overall highest tax burdens for income tax, property tax, and sales tax? Why was that fact not included in the explanation?"

Welch: "Well, and as I told you this morning, you were bringing up facts that are clearly argumentative. We can agree to disagree."

Demmer: "No, it's a fact. Our tax burden... we can go get the black and white of what our tax burden is. It's a fact."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Welch: "Well, it's a fact not included in this explanation."

Demmer: "That's right. It is selectively included facts in this explanation, and when we talk about selectively including facts we get into the territory of arguments. So, Mr. Speaker, to the Resolution here. The arguments in favor and the arguments opposed is a well-established practice for any Constitutional Amendment that voters in Illinois are going to be asked to weigh in on. The explanation should not be the place to make those arguments. We omit the fact that Illinois has one of the highest combined tax burdens of any state in the country. We omit the fact that Illinois has raised the income tax twice in the last decade. We omit the fact that there is nothing in this Constitutional Amendment that sets income tax levels, or rates, or prevents it from being changed the moment the voters... the moment after the voters weigh in on this. We omit the facts that... you suggest that lower tax... or lower income levels would have lower tax rates. Yet, the moment this measure passes, those tax rates could be renegotiated and everyone could find themselves paying more, and more, and more each year. You omit the fact that, yet again, we're going to voters to ask for another income tax increase without having addressed many of the structural problems that are driving Illinois' deficits year after year after year. So, folks, we understand that in this business we have arguments in favor and we have arguments opposed, but those arguments should be... not be included in an unbiased explanation. This is too important a question to try to put

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

your thumb on the scale. Illinois voters are going to see through it. Vote 'no'."

Speaker Davis: "Representative Skillicorn, for what reason do you rise?"

Skillicorn: "Thank you, Leader... Speaker Davis. Will the... actually, I want to speak right to the Resolution."

Speaker Davis: "To the Resolution."

Skillicorn: "So, according to my notes, it looks like the Governor's looking for \$1.4 billion in increased revenue. When I hear... with increased revenue, I think tax increase. And I think the last thing people need right now is a tax increase. But this is a very, very big deal. And just a few minutes ago on this very floor, the Majority Party used their supermajority votes and approved a spending and borrowing increase. So, this situation where the Governor gets to have any spending he... or any spending he wants to support this, and he can borrow it from the Federal Government. Frankly, people of Illinois, Illinois is borrowing money from the Federal Government. We do not need to approve a tax increase. This borrowed money means that we can vote 'no' on this Constitutional change and we can prevent ourselves a tax increase. So, I still want to urge everyone in this chamber to vote 'no' on this. But I want to remind the people of Illinois, because the supermajority party went ahead and did a borrowing from the Federal Government, we can vote 'no' against this dangerous tax increase in November. Thank you very much."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "Representative Willis, for what reason do you rise?"

Willis: "Will the Sponsor yield, please?"

Speaker Davis: "He indicates he will."

Willis: "Thank you. Representative, does this legislation that you have before us right now mandate that we're going to pass a Constitutional Amendment on fair tax... or progressive tax?"

Welch: "Does it mandate that we are going to pass it?"

Willis: "Yes. Is it to actually pass that or is it... because we already did that, right? Putting it on the ballot?"

Welch: "That's correct."

Willis: "Right. And so, this is also not stating that it is a tax increase, correct?"

Welch: "That right. It actually specifically states that the Amendment does not itself change tax rates."

Willis: "Right. So, that is simply something that is... so, what would happen if we did not pass this language to have on the ballot? Would it say that the fair tax would not be on the ballot or would it just mean that there'd be no input on it or explanation to voters when they go to vote?"

Welch: "Well, we are constitutionally required to offer the explanation to the voters about what the question calls for."

Willis: "Right."

Welch: "That's what we are doing here. We are..."

Willis: "So, we are fulfilling our constitutional obligation to our voters?"

Welch: "This is correct, Leader."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Willis: "Okay. Thank you very much. Also, are we then... we're not saying you must vote 'yes' on this. We are not saying you should vote 'no' on this. We are saying, here is information that you can make an informed decision yourself because we are trusting you, the voters, to make what is best for you, correct?"

Welch: "That is correct."

Willis: "Thank you very much. An inquiry of the Chair. Can you tell me how many votes this requires to pass? Is it 60 or is..."

Speaker Davis: "Sixty."

Willis: "Thank you so much. I appreciate it. I urge an 'aye' vote on this."

Speaker Davis: "Seeing no further questions, Representative Welch to close."

Welch: "Just briefly, Mr. Speaker. I want to emphasize here that we're just following our constitutional mandate to provide an explanation to the voters. That is what we are doing. And also, there's arguments in favor and arguments against. Democrats wrote the arguments in favor. Republicans wrote the arguments against. Neither side changed each other's arguments. So, this is fair, it's balanced, going to the voters for them to decide. And that's what we're doing here is following our constitutional mandate and letting the voters decide on this question. I ask for an 'aye' vote in favor of Senate Joint Resolution #1."

Speaker Davis: "Thank you. Representative Welch moves for the adoption of the House Resolution. This is a recorded vote."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

All in favor vote 'yes'; all opposed vote 'no'. The voting is open. Ding. I apologize, moves for the adoption of Senate Joint Resolution #1. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a vote of 71 voting 'yes', 45 voting 'no', and 0 voting 'present', and this Resolution, having received a Constitutional Majority, is hereby adopted. On Supplemental Calendar #2, on the Order of Concurrences, is House Bill 2238, Leader Burke. Mr. Clerk, read the Bill. No? Straight to Leader Burke."

Burke: "Thank you, Mr. Speaker. House Bill 2238 is the trailer Bill that we discussed yesterday to the vote by mail for the 2020... November 2020 Election. It makes two clarifications. The first is regarding the panel of election judges that are required to determine the validity of any contested ballots. So, it makes a clarification that the unanimity is for... excuse me one second... so that the unanimity is not for all three of the situations that we discussed yesterday, but... not for all five situations. That the unanimity is needed when the signatures are in dispute. But the other instances where there may be an objection to the ballot, including that the envelope is open or that the person has already voted, those require... will just require a majority, not the unanimity. The second change that was made was because some of the concerns raised regarding the security of the new drop boxes. So, we included a provision that states that all collection sites shall be secured by locks that may be opened only by the election

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

authority personnel and that the State Board of Elections shall establish additional guidelines for the security of collection sites. I ask for an 'aye' vote."

Speaker Davis: "Representative Butler, for what reason do you rise?"

Butler: "A few questions of Leader Burke, please, Mr. Speaker."

Speaker Davis: "She'll yield."

Butler: "Representative, you got a few hours to talk election law?"

Burke: "I do not. Dinner has arrived."

Butler: "Okay. Just checking. Just checking. So, I just want to clarify. So, the two changes that we have this follow-up which, I think, yesterday we were discussing as a possible Amendment 7, but this is what it is. So, three of three of the election judges, and we had debate about election judges yesterday, are needed to reject because of the signature requirements, the certification, right? Three and three on that?"

Burke: "Correct."

Butler: "And then the other ones, it takes just a majority, two out of three, to object to that?"

Burke: "That's correct."

Butler: "Okay. And then the other provisions, as you pointed out, obviously you must have heard something about the drop boxes yesterday so..."

Burke: "I can take a hint."

Butler: "All collection sites shall be secure by locks opened only by election authority. State Board of Election shall

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

establish additional guidelines. No further direction to the State Board of Election as to what those guidelines would be? Do you have any ideas?"

Burke: "Well, they do this in other states. So, there is a wealth of information out there and the State Board and the election authorities were very confident, can work through some of the best practices that occur in those states and create some specifications for those boxes. They're... you know, what they'll look like in the processes for emptying those. I'm very confident we'll be able to do that."

Butler: "Okay. Well, I appreciate you listening to some concerns that we had. I still have... I think a lot of us still have major concerns about these... the drop boxes or the collection sites as it's defined. There actually doesn't even need to be a box. It just says collection sites. So, I would still urge a 'no' vote on this, but I won't talk for three hours. Thank you, Mr. Speaker."

Speaker Davis: "Thank you. Leader... excuse me. I'm sorry. Representative Caulkins, for what reason do you rise?"

Caulkins: "Will the Sponsor yield, please?"

Speaker Davis: "She indicates she will."

Caulkins: "Thank you. Representative Burke, I'm still a bit confused on the three signatures... or the three election judges. If a ballot comes through and it appears that that signature does not match, the on-record signature, does it take all three election judges to agree that it does not match? Or does it take all three election judges to agree that it does match?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Burke: "That it does not match and that the ballot is not counted.
Thank you."

Caulkins: "So in essence, this... as long as one of the election
judges believes that the ballot signature matches, it is
considered valid?"

Burke: "That's correct. There needs to be unanimity to disqualify
the ballot."

Caulkins: "So, how does that change from if they needed two
people?"

Burke: "There are four other instances in which someone can object
to the ballots. So for those four other instances, instead of
requiring unanimity, two out of three. So, a majority would
be needed."

Caulkins: "I'm... I understand now, but I don't see how this changes
anything. Thank you very much, Representative. To the Bill.
This is still not a good Bill and I urge a 'no' vote."

Speaker Davis: "Leader Durkin, for what reason do you rise? Just
go ahead and speak. It should be on. Nope, not yet."

Durkin: "All right. Will the Sponsor yield?"

Speaker Davis: "She indicates she'll yield."

Durkin: "Representative Burke, you mentioned that there was going
to be a requirement that the drop box will have to be locked,
correct?"

Burke: "That's correct."

Durkin: "All right. Let me just run a scenario by you. What if
the lock is broken but there are... it is discovered at the end
of the day, whoever that election individual is that's
supposed to pick up the ballots... if it is determined... if the

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

lock is broken but there are ballots that are inside, what does that mean for those ballots? If there's been some type of damage done to that box?"

Burke: "So, you would have a similar situation if there were some sort of damage to a post office box. Or some..."

Durkin: "Does that say that in the Bill?"

Burke: "No, but I think this is the guidance that the State Board of Elections can give."

Durkin: "They could give but we're just speculating at the moment, correct?"

Burke: "There's not going to be specific guidance on every single possible permutation of what could, may, might, et cetera happen. Obviously, there's been some very active imaginations about things that could happen to the lock box. So, no, I don't think the guidance from the State Board is going to anticipate every single possible thing that could happen. But they're going to be able to issue guidance that will cover, in general, problems that could happen with any type of deposit box, just as they have provided the guidance and the election authorities have learned to deal with problems the ballots that run into issues just going through the U.S. mail."

Durkin: "Well, I guess the... if a lock has been broken, don't you believe that the integrity of the ballots should be in question?"

Burke: "I think it would depend on the situation. I mean, you're giving a hypothetical. I don't know all the other details on it..."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Durkin: "Well, I know that we're not going to have..."

Burke: "...and I don't think this is the format to go through a bunch of hypotheticals about something that the board can certainly work through as well."

Durkin: "Well, I disagree with you. And I think that what we're doing is... and I'll just leave it at this, is that yesterday we talked about the uncertainty because there's really no guidance that has been given on the boxes, which we've argued should be followed in other jurisdictions. And we can talk about hypotheticals but the fact is that's what this job is, is to try to provide some guidance or to give some legislative debate about a scenario that might arise. And I think it's completely within our purview to make these types of inquiries. So, the Bill didn't get any better overnight and I would encourage everybody to vote 'no'."

Speaker Davis: "Representative Skillicorn, for what reason do you rise?"

Skillicorn: "Thank you, Mr. Speaker. I just want to speak to the Bill."

Speaker Davis: "To the Bill."

Skillicorn: "Well, I just heard moments ago that this Bill adds... this Bill we're speaking about here adds a provision to the Bill that passed yesterday. I am shocked to hear to this chamber passed a Bill that allowed harvesting boxes that sit out there that weren't locked. You hear that right? Harvesting boxes that were not locked, allowing these ballots... anyone could access them. That doesn't sound very secure to me. I also am shocked that this was purely a partisan Bill, with

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

one party voting for it and one party voting against it. And it proves to me that there is one party that is more interested in election integrity than the other. Thank you very much."

Speaker Davis: "Representative Stuart, for what reason do you rise?"

Stuart: "Thank you. I spoke yesterday about the importance that I felt about this Bill and about having an active and engaged electorate. And I was actually going to thank the Members from the other side of the aisle because during the debate when Leader Burke did such a great job representing the Bill for so long, I think some very good points were brought up. And I think that this trailer Bill is clarifying those things and making what was a really good Bill an even better Bill. So, I disagree with the Gentleman who just said that it didn't get better overnight. I believe that it actually did and I wanted to thank the points made on the other side of the aisle for helping us to do that. So, thank you, again. I think this is a very important Bill. I want more people to vote because that's what democracy is about, people voting. And I want them to be able to be safe and not have to put their health in front of their right to vote."

Speaker Davis: "Representative Reick, for what reason do you rise?"

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

Speaker Davis: "She indicates she'll yield."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Reick: "Representative, we're still five, six months out from the election and I realize that a lot of things have got to be done in the interim time. However, is there any provision in your Bill to provide for emergency rulemaking, or even regular rulemaking, where the State Board of Elections can promulgate rules that would go through the normal rulemaking process and then be able to be disseminated out to our county clerks so that they can make that determination? I think if what we're going to do is rely specifically and solely upon statute, this statute is woefully insufficient in providing this kind of safeguards that the Leader so plainly pointed out. Would you please answer that?"

Burke: "There is a provision in the vote by mail Bill, Senate Bill 1863, that allows the State Board to make rules as needed for the implementation of that statute."

Reick: "But those are not emergency rules."

Burke: "Those are not. The emergency rules are for the reimbursement."

Reick: "I believe, Ma'am... I was eating, I'm sorry. I believe that we do have ample time for this... would you explain the juxtaposition between the rules provided that you just talked about and the rules that would interpret this statute?"

Burke: "I don't understand your question."

Reick: "Well, you just said that there's a rule that would cover this but it's a rule under a different statute. Would you please explain how those come... where are you? Oh, hi."

Burke: "So, the statute allows for rules to be... I believe... I thought what you asked me was whether there's rulemaking

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

authority for the State Board of Election to implement the vote by mail program and all the different aspects of it. Are you only speaking to the lock box... or the secure drop boxes?"

Reick: "Actually, yes, I am. I'm only speaking to the drop box aspect. But you know, if there are other areas..."

Burke: "That's in this Bill."

Reick: "...where rulemaking is appropriate, I think that that ought to be addressed through the provisions of this statute or at least by reference."

Burke: "They are in the... in Senate Bill 1863. This Bill also allows the State Board to do rulemaking regarding the secured drop boxes."

Reick: "Okay. So..."

Speaker Davis: "Representative, would you like more time?"

Reick: "Yes, please."

Speaker Davis: "Representative Miller offers you his time."

Reick: "He's a good guy. I guess what I'm saying is, is that then there is... there should be rules that... are there rules currently written dealing with the security of ballot boxes, in general, under 1863?"

Burke: "So, Senate Bill 1863 allows the State Board of Elections to implement rules for everything contained within Senate Bill 1863. With this Bill, we did make a change to provide further statutory guidance on the drop boxes. And in that, we also gave explicit authorization to the state board to do rulemaking regarding those boxes. Does that answer your question?"

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Reick: "No. Well, it answers my question but it brings up a further question as to whether or not we are actually going to see rules that guide our county clerks in the conduct of maintaining safety of these boxes. I mean, you didn't answer the question as to whether the rules under 1863 specifically dealt with the safe-keeping of ballots and things like that. And since we're going to be adding another element of custody here, that custody should be addressed in a separate fashion and/or at least expanded... expand the current rules regarding custody of ballots so that we can anticipate and clerks can have guidance as to what is and is not the proper conduct and the proper manner in which these ballot boxes should be kept, stored, placed, and retrieved."

Burke: "So, maybe just to clarify, I'm just going to read verbatim the portion of Senate Bill 1863 that regards rulemaking by the State Board of Elections. It's on page 20, starting on line 6, 'Except as provided in this Article, the State Board of Elections does not need to adopt rules to administer or enforce the duties and requirements set forth in this amendatory Act... but may adopt emergency rules if deemed necessary by the State Board of Elections. The absence of rules or emergency rules does not eliminate or reduce the rights, duties, or responsibilities set forth in this amendatory Act of the 101st General Assembly.'"

Reick: "So, basically, what you're talking about is a rule or is a provision that's silent as to the actual physical custody of something that we've never seen before."

Burke: "So..."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Reick: "I think that what we're..."

Burke: "So, 1863 also contains the authority for election authorities to use the drop boxes. It's not only in this current Bill. So, there is authority already for the State Board of Elections to put in some sort of guidelines. In this current Bill, as we were clarifying and reinforcing, we put it in again. So, I guess you could view it as a belt and suspenders."

Reick: "No, as one who probably needs both, I take umbrage with that. But anyway, what you're not doing, however, is saying what happens to the ballots that are in a box that is found to be defective, broken, broken into, or anything like that."

Burke: "There are... there are currently laws regarding what happens to ballot boxes."

Reick: "But are..."

Burke: "Those would apply to this situation. 1863 made no changes to the laws that affect determining the validity of ballots that are in ballot boxes. And those..."

Reick: "Then tell me what happen..."

Speaker Davis: "Representative, would you like more time?"

Reick: "I would, please."

Speaker Davis: "Representative Keicher offers you his time. Please proceed."

Reick: "Thank you. He's a good guy, too. But you've not answered my question as to what happens and what is the disposition of a ballot that is found in a ballot box, whether under current rule or current law, and..."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Burke: "There's an entire process that's in current law that I don't really think we have the entire time to go through here. You're more than welcome to go look it up. But there is a process for verifying those ballots and steps that an election authority can take in the investigation of something that may or may not have happened to a ballot while it was in a ballot box that would apply in this situation."

Reick: "With all due respect, I find that to be an unpersuasive explanation, however, we're not going to stand here for three and a half hours like we did yesterday. But I would also strongly urge a 'no' vote on this Bill. Thank you."

Speaker Davis: "Representative Stava-Murray, for what reason do you rise?"

Stava-Murray: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "Yes, she will."

Stava-Murray: "I just want to clarify, will this Bill go into effect if the Bill yesterday does not go into effect?"

Burke: "No, it's contingent upon the Bill yesterday going into effect. But it has passed the Senate and I do anticipate that the Governor will sign it."

Stava-Murray: "Okay. So, does a 'no' vote on this Bill, somewhat like many Members of the other side of the aisle were opposed to marijuana but then follow-up approved the trailer Bill because it did make fixes that they asked for, similarly does a 'no' vote just mean that locks are not going to continue to be required?"

Burke: "No. Locks will..."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Stava-Murray: "I mean, if you vote 'no' on this Bill, that means that you don't want to add in the requirement for locks, correct?"

Burke: "I think you can interpret it that way, for sure."

Stava-Murray: "Okay. To the Bill. I think that what we see here.. or what I'm hearing here is a lot of debate on yesterday's Bill and not a lot of debate on what's actually before us. And so, I want to thank the other side of the aisle, similarly to one of my other Representatives who did so, for providing some good feedback. But I think that... I know Representatives, at least from the areas nearby in the western suburbs, I know that people would want locks on those boxes. And so, I think that... and our people are looking for us to not be so partisan and to actually do the right thing at times. And I think this is a clear example, whether or not you agreed with yesterday's Bill, to require the locks. So, I'm not really understanding a lot of the grandstanding that's happening today that doesn't necessarily have to do with the content of this Bill. And certainly, you may think that this needs to do more, but that's a separate Bill and not the one before us. So, I urge an 'aye' vote."

Speaker Davis: "Thank you. Representative Ammons, for what reason do you rise?"

Ammons: "Question of the Sponsor, Mr. Speaker."

Speaker Davis: "She will yield."

Ammons: "Thank you. Can I clarify that the process of this lock box or whatever provisions that are given to the State Board

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

of Election, the agency has to write rules for all the Bills that we pass, correct?"

Burke: "This allow... it allows them to write rules, but they don't have to write rules in order for these provisions to be implemented... excuse me, implemented. But there is a time frame in the Bill, I believe it's 10 days where the... where the Bill requires the State Board of Elections to start notifying the election authorities about the process that is going to happen for the provisions to be implemented."

Ammons: "So, under the current process when we pass Bills, some agency has to do something in order to implement the process?"

Burke: "In many cases, yes."

Ammons: "Yes. Are there other states that have ballot boxes that have been utilized in this same process?"

Burke: "Yes. My understanding that numerous states do this."

Ammons: "And have you, as you have worked on this Bill, found any of those states where tampering, stealing, or demolishing any of these ballots out of the ballots boxes have been a significant problem for those states?"

Burke: "Not that I have heard. And in our conversations with the clerks, as we were working through the specifics of this Bill, the clerks seemed very knowledgeable about the different options that were available to them to utilize these secure boxes."

Ammons: "And would you say, out of courtesy to the clerks, would the agency allow for input to come from the clerks?"

Burke: "I'm sorry, Carol. I was distracted."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Ammons: "That's okay. In your experience, as you've been here a little longer than I, would you say that it would be pretty normal procedure for an agency to work with the clerks, in this case, when they're writing rules about this provision?"

Burke: "Oh, absolutely."

Ammons: "Thank you. To the Bill, Mr. Speaker. I do understand my colleagues on the other side of the aisle's concern because this is a very big change for the State of Illinois, but it is not a new opportunity for other states who've been doing this for quite some time. I'm going to lower my mask for a second. This is not new in many of the states to the western part of the United States who have had drop boxes for five years, some of them three years, many of the others. And they do not report in any research that we have found that people have stolen the boxes, damaged them, took the ballots, or any such thing that is being expressed here today. And I do understand that we want secure locked boxes that cannot be tampered with or provide any of our voting public any sense of insecurity about drop boxes or vote by mail. And so, I want to echo with my colleagues that this is an issue that is pretty clear, as has been demonstrated on the floor, has been turned into a partisan issue because some don't want people to vote by mail or to get applications to do such. But we are standing firm on making sure that during a world pandemic, every single voter who is eligible to vote in the State of Illinois gets that opportunity and are not hindered by a pandemic or closing of poll locations or people's decision to not be election judges. This has to be done to make every

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

opportunity available to our residents of this state and those who are really eligible to cast those ballots, and we want to remove any potential hurdle. And so, through the process here, we will see agency involvement. We will see involvement from the clerk's association and we will see involvement from JCAR that will have an opportunity to make sure that these provisions are written in a way that not only protects the public but also protects the sanctity of our democracy and our vote. Thank you, Mr. Speaker. And thank you, Leader Burke."

Speaker Davis: "Representative Mazzochi, for what reason do you rise?"

Mazzochi: "To the Bill."

Speaker Davis: "To the Bill."

Mazzochi: "Thank you. So, it was suggested that because you put lipstick on this pig by saying, well, we're actually try to put a lock on the ballot box, that that somehow makes this Bill okay, and it doesn't. Because, for example, it still makes it easier to bribe election judges. South Philadelphia recently reported that someone was indicted for stuffing ballot boxes for a Democrat candidate. I don't think that's a good thing. There was another thing that's still bad about this Bill is that it does... it enables all sorts of additional ballot fraud by not... and while I appreciate that you're now going to put locks on some of the boxes, if you look at the California statute that you're trying to model yourself on and some of the implementing rules, they have a whole laundry list of things that they've had to put into place to try to

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

make sure that people aren't damaging, vandalizing, or otherwise tampering with the ballot boxes. You also haven't addressed my concern about copycat ballot boxes, which I think is going to be a huge problem because people have not done this before. So, you're not actually making this Bill better and, in certain ways, you're making it worse. You're continuing to enable fraud and I can't support it for that reason. Thank you."

Speaker Davis: "Leader Burke to close."

Burke: "This is an excellent improvement on a great Bill. So I ask for an 'aye' vote."

Speaker Davis: "And the question is, 'Shall the House concur in Senate Amendment #3 to House Bill 2238?' This is final action. All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a vote of 72 voting 'yes', 43 voting 'no', and 0 voting 'present', the House does concur in Senate Amendment #3 to House Bill 2238. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Slaughter, your light in on. Do you wish to speak? No. Well, you have to turn your light off. Thank you. Mr. Clerk, what's the status of Senate Bill 471?"

Clerk Bolin: "Senate Bill 471, a Bill for an Act concerning employment. The Bill was read for a second time, previously. No Committee Amendments. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Hoffman."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "Representative Hoffman on Floor Amendment #2."

Hoffman: "I would withdraw Floor Amendment #2."

Speaker Davis: "Speaker seeks to withdraw Floor Amendment #2. Mr. Clerk."

Clerk Bolin: "Floor Amendment #3 is offered by Representative Hoffman."

Speaker Davis: "Representative Hoffman on Floor Amendment #3."

Hoffman: "Yes, this was discussed in the Executive Committee this morning. Since it had not been to the Executive Committee, we made everyone aware of it. It is technical changes to Floor Amendment #2. I asked that it be moved to Third Reading and we can debate the Bill then."

Speaker Davis: "Representative Hoffman moves that we... moves for the adoption of Floor Amendment #3. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yeses' have it. And the Motion... excuse me... the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

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

Clerk Bolin: "Senate Bill 471, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Davis: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 contains three provisions that I think are extremely important for working men and women in Illinois. The first provision concerns the firefighters in Illinois and it is an initiative of the Illinois Firefighters Association. What it indicates is that it would provide 60

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

additional days of paid disability leave to an eligible public employee who's recovering from a line of duty physical injuries hindered by the circumstances under COVID-19. What this means is that, currently, if you are injured in the line of duty, you can receive up to one year's pay and you can get your health benefits and rehab paid for. What this would say is, if you could not do your... if you're hindered because of COVID-19 and you couldn't get the medical attention or the physical therapy you needed, that you would get a 60-day extension. It also indicates that that 60-day extension and those provisions would end at the end of this year. In addition to that provision concerning firefighters in Illinois, this Bill also ensures that if you are a retail worker and you work in retail, and an individual, because you are... your supervisor indicates or the health department indicates that you are to make people who come to your store aware of health and safety directions or guidelines, and then you are assaulted as a result of that or battered as a result of that, this would make that an aggravated case. This is a Bill that Representative Marcus Evans had in and we put it under this piece of legislation so that it could pass because it is an emergency piece of legislation. And then finally, this would provide for the peace and labor relations regulation that would indicate that if you are a horse track in Illinois and you are going to expand into a racino, it would regulate labor relations and ensure that the individual employees would have the information that is necessary in order to determine whether they would like to be a part of a

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

union. It would also indicate that the collective bargaining agreement would be a minimum of 3 years and would prohibit those employees from striking. I ask for a favorable roll call."

Speaker Davis: "Representative Evans, for what reason do you rise?"

Evans: "I want to speak to the Bill."

Speaker Davis: "To the Bill."

Evans: "Thank you, Leader Davis and the great Members of this Assembly. I want to thank Leader Hoffman, and especially shoutout to Zach Koutsky from UFCW for working with me on the language to help and protect the workers that are working on the frontline. We do a lot of talking about our nurses and our police officers, but each and every one of us are going into a grocery store or retail establishment to garner the supplies to help survive this very challenging time. And many times we take our impatience with us, and there's been incidents across this nation where retail workers are being attacked or been the recipient of verbal abuse, and that must stop. So, I stand for the workers on the frontline that are doing the work within our retails stores across the country. Just anecdotally, yesterday I was on Bruns Lane at the Walgreens and a young man reminded me that I did not have my mask on. And we talked about what he has to go through reminding folks on a daily basis to follow the guidelines and how many times he's the recipient of foul language and near attacks. So, this sends a clear message to the workers, not just Illinois, across the country, that they must be respected

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

and protected. So, thank you, Leader Hoffman. And thank you, Leader Davis."

Speaker Davis: "Representative Wheeler, for what reason do you rise?"

Wheeler: "Question of the Sponsor."

Speaker Davis: "Indicates he'll yield."

Wheeler: "Thank you, Mr. Speaker. Leader Hoffman, I'd like to talk first about the firefighter's initiative there. I think you and I've talked before, we talked this morning in committee about that. I want to just let everybody on... at least on the floor and certainly my side of the aisle understand that that's really an important element we want to get right for the firefighters who are injured in the line of duty and couldn't get treatment because of the COVID-19 outbreak and they needed additional time to get that done. Is that a reasonable characterization of what we're trying to do with that part of it?"

Hoffman: "Yes, it is."

Wheeler: "Thank you. So I know... I wholeheartedly agree with that and want to support that. I also support the part I think that Marcus was referring to with respect to the frontline grocery workers that could be battered. In fact, it'll elevate that penalty to an aggravated battery, correct?"

Hoffman: "Yes."

Wheeler: "And I think we're all in agreement with that. There's questions come up here on a couple of things, and that has to do with the horsemen's... or with the racetracks and how we're looking at the collective bargaining requirements there. On

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

one hand we're looking at the element where we want to extend collective bargaining rights to those who may not be underneath that umbrella right now because the racetracks are part of the agricultural industry. Do I understand that correctly?"

Hoffman: "It's my understanding, and I've got to be honest with you, I'm not a labor lawyer, but it's my understanding that because a racetrack is viewed as under agriculture it is not under National Labor Relations Act."

Wheeler: "So, this would then give them the collective bargaining rights that most other workers have in other industries that are affected by the National Labor Relations Act. That's the intention, is that..."

Hoffman: "The intention is to give them rights and right to organize and to get the information so that they could possibly organize and let them make that determination."

Wheeler: "And that is how I read the beginning part of the changes that we're referring to in the language that is in your Amendment. At the same time, I look down... and I can refer you to a specific piece of language there, Jay, that is... it's Section 6 on page 4... I'm sorry, page 8, not page 4, of the language. I'll just read it. It says, 'A copy of the fully executed labor agreement shall be submitted to the Illinois Racing Board prior to the issuance or renewal of any organization gaming license required under this Act.' Now, the preface to that... those six requirements, is a 'shall'. So, all those things would then be required by the licensee.

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

And I'm going to run out of time, Jay, so I'm going to actually ask the Chair if I can have another three minutes."

Speaker Davis: "Let me see. Pick one. Pick one. Pick one. Wehrli gives you his time. There we go. Please proceed."

Wheeler: "Thank you, Representative Wehrli. Jay, did you find the language I'm referring to?"

Hoffman: "Yes, I did."

Wheeler: "You see where the confusion could be that if you don't supply a copy of the fully executed labor agreement, then you would not be then allowed to get a license."

Hoffman: "Yeah, but if you... I understand what the... the point that you're making, but if you were to look to page 6(b), it says, 'Before an organization gaming license may be granted or renewed, the applicant or licensee seeking an organization gaming license or renewal shall enter into the terms of the collective bargaining agreement with any labor organization seeking to represent a majority of the licensee's employees in a bargaining unit consisting of all non-supervisory and non-management employees.' I think that, by its very nature, indicates that the majority of the employees have to say that they want to be part of... represented by a union. And if that then happens, then there has to be... there would be an agreement between the employer and the employees' organization."

Wheeler: "I agree, but that says it for Section 1, but Section 6 applies to the 'shall' as well. And I guess that's my concern, Jay, is if it had a clarifying sentence at the end of 6 that said that only if the workers had determined that they wanted

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

to collectively bargain, then I think that we could all agree that that would only apply then. My concern is the way that the language is in place today, we're actually requiring a labor agreement before a license... a gaming license could be issued by the racing board."

Hoffman: "I can tell that it's my intent that a majority of the employees have to indicate that they wish to be organized and be represented by a labor union, and then they would enter into the negotiations. It's not a condition precedent if a majority of the employees don't wish to be represented by a labor union."

Wheeler: "Okay. And then the implication... there would be nothing required by the licensee to supply to the racing board that delineates that, correct? Because they have nothing to say that they..."

Hoffman: "Because a majority of the employees would not have indicated that they wanted to be represented. That's correct."

Wheeler: "So, they can supply then a license... they can apply for their license without that particular document based on what we're saying on the floor, not necessarily what is in the Bill though?"

Hoffman: "Yes, that's my intent."

Wheeler: "All right. Thank you. Excuse me one second. Thank you, Leader Hoffman. To the Bill."

Speaker Davis: "To the Bill."

Wheeler: "Ladies and Gentlemen, there's a lot of good stuff in this particular Bill. There's Amendments that affect people

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

we all care about with respect to firefighters, respect to the frontline workers and our essential workers we've been... we are so grateful for over the last several weeks. And I want to support all those things. I really have concerns here with what's in the part of the Amendment that addresses the racing, with respect to the fact that when they want to go from just being a racetrack into being a casino, we haven't left enough options in the language, specifically to clarify that they don't have to have a labor agreement in order to be eligible also to get their racing license... or their casino license... or the gaming license is a better way to put it. With this fact, I do appreciate all the things that Leader Hoffman mentioned as intent. I think that's helpful. With that, I'll listen to the rest of the debate. Appreciate your comments. Thank you."

Speaker Davis: "Representative McCombie, for what reason do you rise?"

McCombie: "Will the Sponsor yield for a couple questions of clarification?"

Speaker Davis: "Yes, he will. Please proceed."

McCombie: "Thank you. Thank you. Thank you for bringing this Bill forward. I just wanted to clarify a couple of things. This is a penalty enhancement on a portion of this, correct?"

Hoffman: "I don't believe that I would call it... no, I don't believe it's a penalty enhancement. No."

McCombie: "Well, yeah, it upgrades a criminal penalty of aggravated battery if... so, my question I'm asking that is because my next question would be then... so this is to help

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

protect our frontline workers. So my question is, do you believe that increasing penalties deter crimes?"

Hoffman: "I don't know what you're getting at. This is not a penalty enhancement. What this says is it creates an offense of aggravated battery by simply indicating that if you are performing... if an individual is performing his or her duties, including, but not limited to, relaying directions for health care or safety from his or her supervisor, so the supervisor tells the employee they have to do this, or relaying health or safety guidelines or recommendations, regulation, or rules from a federal, state, or local public agency, during a disaster declared by the Governor, this time, this time, or a state of emergency declared by the mayor of the municipality in which the merchant is located, due to the public health emergency for a period of six months."

McCombie: "Leader, I don't mean to interrupt you, but I'm going to for a second 'cause I have to... you're going to run out my time. This definitely is an upgraded criminal penalty and one I agree with. It goes from a Class A misdemeanor to a felony. And this is just a point I'd like to make that sometimes it is okay for us to increase penalties when it is going to deter crimes. So, thank you."

Speaker Davis: "Representative Cassidy, for what reason do you rise?"

Cassidy: "To the Bill."

Speaker Davis: "To the Bill."

Cassidy: "This is actually nice and timely. Many of us who have been working in the space of criminal justice reform for

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

several years have felt good about our desire to not enhance penalties, and I had some conversations today with advocates around this issue. We all maintain, contrary to the previous speaker's assertion, there is zero data that supports that enhanced penalties actually deter crime. In this instance, what it does do is let these frontline workers who are facing a once in a lifetime, we hope, experience, and putting their lives on the line for no living wage, the certainty that we have their back. And the value of that is important. What's even more important here is that this is time limited to this crisis. And for that reason, I urge my colleagues to work in partnership with me to reform our criminal justice system to stand with these frontline workers today and vote 'yes' on this Bill."

Speaker Davis: "Representative Demmer, for what reason do you rise?"

Demmer: "Thank you, Mr. Speaker. Point of inquiry of the Chair. I know that we're called in a Special Session with specific limitation on topics that are eligible to be discussed. This Bill clearly has a couple components that affect... that are related to COVID. My question is, under which category of this Special Session does the Amendment to the horseracing Act fall?"

Speaker Davis: "I'm sure we will get an answer for you momentarily."

Demmer: "I'd appreciate that. And... after the vote?"

Speaker Davis: "Well, the question is out there."

Demmer: "Thank you."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "I will answer when the Parliamentarian gives me an answer."

Demmer: "To the Bill here, too."

Speaker Davis: "To the Bill."

Demmer: "In response to a previous speaker about the importance of showing that we stand with people who put themselves in harm's way, Representative McCombie has been working on, for several years, a Bill that would've added that very protection to DCFS workers after a constituent of mine was murdered in the line of duty. Let's remember that's been opposed because it was a penalty enhancement. Do DCFS workers not deserve the same protection that we're granting here today?"

Speaker Davis: "Representative, we will get you your answer as soon as we can. Representative Willis, for what reason do you rise?"

Willis: "Question for the Sponsor, please."

Speaker Davis: "Please proceed."

Willis: "Thank you, Mr. Speaker. Mr. Hoffman, this Bill has a part in there that I'm pretty familiar with and that is disability extensions under PEDDA. And one of the things that's really important in here is it could be.. it is giving it a 60-day extension. What would happen to somebody that is in the process of rehab to try to get back to work and they haven't been able to do all their rehab because a lot of things closed down because of COVID? What would happen to them in terms of their workman's comp money?"

Hoffman: "So, first of all, Leader Willis, you've been at the forefront of these issues for many years, and I appreciate

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

all your work on these types of issues. What would happen is, if you would've had a surgery the beginning of March and you need physical therapy or rehabilitated services and all of a sudden all those physical therapists or rehab locations are shut down, you wouldn't be able to go through the rehab and your year from the time that you were injured may be running out. So, you then would lose your benefit. And so, we're just saying if, as a result of COVID-19 crisis, you weren't able to go through that necessary medical procedure because it wasn't available then you would get an extra 60 days."

Willis: "Right. So, we're really looking to help our employer... employee that has been injured on the job because the ultimate goal is to have them be able to rehab and get back to work, get back to the job that they love and know and want to do. And if we allow that year to expire, they will then lose that benefit. And more than likely then, they will apply for permanent disability because at least that's some money in and that would not be the way we'd want this to go, correct?"

Hoffman: "Exactly."

Willis: "Thank you so much. That is why this is so important to do. Through no fault of people's lives, and we've seen this on everything... to the Bill... that COVID has just disrupted everything. And we need to make sure that we can try to get people back to normal, or the new normal, as soon as possible. This is one component in this Bill, Members throughout this Assembly have talked about all the others. If nothing else, just for this one to get people back to work, we need to pass this Bill. I urge everyone to vote 'aye' on it. Thank you."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "Representative Demmer, the answer to your inquiry is COVID and economic recovery."

Demmer: "You're suggesting that changing collective bargaining policies at a horseracing track is COVID related?"

Speaker Davis: "Well, I'm providing you the answer that was given to me by the Parliamentarian. Thank you. Representative Stava-Murray, for what reason do you rise?"

Stava-Murray: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Stava-Murray: "So, it was stated, or my understanding from the earlier conversation, that this is to provide... the part that is a penalty enhancement, which it... let's call a penalty enhancement what it is, it's a penalty enhancement... was written out of support of frontline workers. I'm wondering where this language came from. Did it come from frontline workers requesting you directly?"

Hoffman: "First of all, it is not a penalty enhancement because the individual action that would be a crime doesn't exist. So, you can't enhance something that didn't exist previously."

Stava-Murray: "Okay. So, we're creating a new crime where one didn't exist before?"

Hoffman: "Exactly. And..."

Stava-Murray: "Okay. And so, where did..."

Hoffman: "And I'm not..."

Stava-Murray: "But my question... I only have three minutes."

Hoffman: "Representative. Representative."

Stava-Murray: "So, can you answer my question..."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Hoffman: "I heard your question, okay? I'll attempt to answer it. So, this is taking out of a Bill that Representative Evans had drafted. I believe it came from the United Food and Commercial Workers. The language."

Stava-Murray: "And so, what is the... what is the increased cost to the state of the increased incarceration rate that we can expect from this?"

Hoffman: "Well, can I tell you something? If someone is working at a grocery store and their supervisor says that you have to tell anybody who comes in here that they have to wear a mask, and that person hauls off and hits that worker..."

Stava-Murray: "That's already a crime."

Hoffman: "...hauls off and hits that worker, I personally believe they should be prosecuted."

Stava-Murray: "That's an existing crime they can be prosecuted for."

Hoffman: "Now... well then, vote 'no'. Just vote 'no'. It's okay. The world will keep moving on without you. Vote 'no'. If you don't want to help..."

Stava-Murray: "I have my time to speak..."

Hoffman: "If you don't want to help the people who, every day, are on the frontline..."

Stava-Murray: "I do want to help people..."

Hoffman: "Then vote 'yes'."

Stava-Murray: "...everyday on the frontlines and the laws that exists already do that. And my concern..."

Hoffman: "Then vote 'no'."

Stava-Murray: "...my concern..."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Hoffman: "It's already... it's okay."

Stava-Murray: "I'm allowed to speak for my time, am I not? Am I not allowed to speak? To the Bill."

Speaker Davis: "To the Bill."

Stava-Murray: "I would like to point out that while advocates might've been okay with this for this limited time period, that I agree with Representative Demmer that this is inconsistent on our part. And I don't think that this is an instance where we should look the other way because creating different guidelines for, okay, it's only six more months. Well, we did it and look, it seems to be... should we not protect them further when someone gets mad because they're out of applesauce? Like, how could this not be easily extended into some other time period? I think... there's already a law for getting hit and we don't need to incarcerate people for it."

Speaker Davis: "Representative Mazzochi, for what reason do you rise?"

Mazzochi: "Will the Sponsor yield?"

Speaker Davis: "He indicates he will."

Mazzochi: "All right. So, I'm looking at the three different sections, Representative Hoffman, starting on pages 2 to 3. So, can you just give me a one- or two-word subject as to what Amendment you're actually doing here on pages 2 to 3? Like, what's the subject of it? This is a COVID extension, right?"

Hoffman: "Yes. This is for the firefighters so that if you are on disability and you get it for a year, if as a result of COVID-

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

19, that occurred on or after March 9, that you weren't... you could get an additional 60 days. And we..."

Mazzochi: "Okay."

Hoffman: "We timed it out on December 31 of 2020 at the end of this year."

Mazzochi: "Okay. So, the changes on pages 2 to 3 is basically firefighter COVID disability benefits. Then if we go, starting at the Amendment that's in the Bill on page... the bottom of page 5 over to 6, this starts off labor agreements. And this relates to creating collective bargaining rights for horseracing... for a horseracing facility, right?"

Hoffman: "Yes, it's a labor piece provision."

Mazzochi: "And that's not COVID related."

Hoffman: "I think it's economic recovery related according to the Parliamentarian."

Mazzochi: "Okay. And we're not appropriating any money or anything like that in this Bill, are we?"

Hoffman: "No. This is not an appropriation Bill."

Mazzochi: "All right. And then if we go to page 13, this is where we're changing the... we're expanding on the scope of identities of people who can be... identities and victims who can be eligible for battery, right?"

Hoffman: "Aggravated battery."

Mazzochi: "Aggravated battery. Okay. So, why aren't these in three separate Bills?"

Hoffman: "Or I can... you want me to give you the legal answer or the practical answer?"

Mazzochi: "Give me the practical answer."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Hoffman: "The practical answer is, we believe these are emergency situations that should be passed and this is a Senate Bill that's in the House and is available to use.. that could be sent for concurrence to the Senate. That's the practical answer."

Mazzochi: "Okay. So, basically, if I understand you based on the timing of where we are here today, you simply don't have an additional Bill vehicle that you could bring to the floor to put these into as separate Bills and still get them passed before the... within the next day or two?"

Hoffman: "This Bill... yeah, that's fair. Yes."

Mazzochi: "Okay. I just wanted to make sure that I understand that. And one of the reason why I'm very concerned about this is because even though there's concepts in each of these Bills that I probably do support, I'm worried that what you're doing is you're setting this Bill up to eventually fail because it's going to violate the single subject rule that we have under the Illinois Constitution, including how it was recently interpreted by the Illinois Supreme Court. And as a consequence, you're going to make this thing fail. And I really wish that you could've done this differently procedurally because... and I'll ask for a ruling from the Parliamentarian on this because I don't understand how this can possible comply with the single subject rule, particularly in view of the Illinois Supreme Court finding precedent. Thank you."

Speaker Davis: "Are you finished, Representative?"

Mazzochi: "Yes, Sir."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Speaker Davis: "Absent of your answer, are you done?"

Mazzochi: "Await the ruling by the Parliamentarian, obviously."

Speaker Davis: "All right. Thank you very much. Representative Ammons, for what reason do you rise?"

Ammons: "Thank you, Mr. Speaker. Question of the Sponsor."

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

Ammons: "Thank you. Let me clarify from the conversation that we've had pre and currently around the provisions of this Bill. Does the current language that is in this Bill recommending this new creation of this new kind of offense, does it go away at the conclusion of the Executive Order under COVID or is it a general emergency order that can be acted upon if there's a massive flood and a disaster is declared there?"

Hoffman: "It doesn't... it is not specific, but I can tell you for purposes of legislative intent that this is... my intention is for COVID."

Ammons: "As legislative intent, which is a really important as people who are responsible for drafting rules need to understand the legislative intent. So, it is your intent that if the Executive Order is lifted on May 31, that this provision goes away?"

Hoffman: "It says within six months."

Ammons: "So, within six months of the conclusion of the Executive Order, under COVID, this provision would then go away?"

Hoffman: "The disaster declaration by the Governor and then this provision would... could not be utilized six months after that disaster declaration."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Ammons: "Thank you. I understand the debate on this issue. This is troubling, certainly, for people like myself in this Body who've been working to turn back the hands of time since the 1980s of rules and laws that specifically targeted African American communities for criminal penalties and enhancement. And some state's attorneys use the highest possible level that they can to force plea agreements. So, this becomes a real difficulty for me to support a new law that provides a new offense, especially at a time where most of our frontline workers, A) don't make a living wage and we're unable to provide them adequate health care, which is two of the major issues that those workers need. Because of the time limited nature of this request, and only because of that, will I... I can't even say the word... am I willing to provide support on this legislation, Leader Hoffman. But it is indeed an enhancement and we don't want to send it to the community as if it's really not. It really is, because current law exists that could deal with this kind of offense. As long as the legislative intent is very clear here that this provision goes away within six months of the conclusion of the Executive Order or the emergency. Let me close with this in 16 seconds. If there is another emergency, will this automatically come back or does it have to come back to the General Assembly?"

Hoffman: "It is my intent that this would only apply to the situation with COVID-19 and a disaster declaration by the Governor. I guess... I hope it goes away, okay? I guess if there's a second wave and there's another disaster

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

declaration, then it could be another six months. But that...
I hope that does not happen, and I think we all do."

Speaker Davis: "Representative, do you need more time?"

Ammons: "Let me just say... I understand Leader Hoffman's position
here."

Speaker Davis: "Representative Jones offers you more time."

Ammons: "Thank you. Thank you, Leader. I just want to clarify
that... and I do understand what Leader Hoffman just said, very
clearly. Which... (audio malfunction)... we have no medication so
we have no way to really deal with the spread of COVID-19.
And so, it is realistic, Leader Hoffman, that there could be
another general emergency declaration that follows this one
which extends this beyond six months, and beyond six months,
and could be in effect. So with that, I'm going to yield this
time back to Representative Jones in case he wants his two
minutes and I'll stop there. Thank you."

Speaker Davis: "Representative Mazzochi, the answer to your
question is that all of the provisions relate to unemployment,
therefore, the single subject rule applies."

Mazzochi: "All right. I think that that's insignificant... that
that's not sufficient under current case law, so... but thank
you for your answer."

Speaker Davis: "Thank you. Representative Flowers, for what reason
do you rise?"

Flowers: "To the Bill. Will the Gentleman yield?"

Speaker Davis: "Yes, he will."

Flowers: "Representative, I want to have an opportunity to talk
about the crime enhancement as well. My concern is, we're

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

talking about only the frontline workers and if someone commits a crime against them, the battery is increased to aggravated battery. Why is it that a law enforcement person would not be hired to monitor what goes on in the store, as opposed to the worker?"

Hoffman: "Well, that's a great question. That's a really good question."

Flowers: "Okay, while you're pondering on that, I just, for the sake of time..."

Hoffman: "Can I just... I'm not trying to take your time and..."

Flowers: "Okay."

Hoffman: "I'll yield you my time if we go over."

Flowers: "All right. Thank you."

Hoffman: "But, Representative, I think that's the reason we need this 'cause we don't have security officers who are requiring people to have... put on masks or do other social distancing things. And some of the hardest working people who are working on the frontlines, even at... or at a grocery store or any other retail establishment, are having to enforce and make sure this stuff happens. They shouldn't be abused. They should be respected."

Flowers: "Well, I agree, they shouldn't be abused. And so, therefore, they should not be... they should not be pushed to work in an area in which they are not familiar with. You're putting them in a situation that they can get hurt. And if we want to really do something for the frontline workers and protect them as well as their families, we could start by giving them a pay increase. We can start by making sure that

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

they have the proper equipment. But more importantly, this is only applicable during the pandemic. I find that rather concerning because if the pandemic is over within six months and these people got two to five years, will they get out? Are we going to let them out when the pandemic is over because they've been sentenced for two to five years? I guess, Representative, I understand what you're trying to do but I think you and I have been around long enough to know that these enhanced penalties has not served us well. It caused our pension payments to go up. It caused monies to be taken away from health care and education to enhance penalties and nothing good came out of this. I think it should be incumbent upon that store owner to hire the proper protection. When I think about the worker that got shot in the back of the head, this would not have helped that worker nor his family. It would not have brought him back to life. It would not have protected him. There's already penalties for those types of situations. And the other portion that's kind of concerning to me is the medical portion that if a pandemic occur..."

Speaker Davis: "Representative, would you like more time?"

Flowers: "Well, the..."

Speaker Davis: "I'm asking you."

Flowers: "The... yes. The Sponsor offered me more time. So, yes."

Speaker Davis: "Well, Representative West and others will offer you more time."

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

Speaker Davis: "Thank you."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Flowers: "In regards to the medical procedures... you know, if you are having back... (audio malfunction)... accident on your job and you can't get to your doctor that accident on your back can only get worse instead of better. And so, to give me another six months, that's not helping me. Had I gotten the services six months ago, I would probably be able to walk. But as a result of me not being able to get it, I'm stuck in a wheelchair. I really think we need to rethink what it is that we're doing here. We think we're doing something in the best interest of people, but what we're doing is really hurting ourselves as well as the very people that we're trying to help. And I cannot say enough, if we want to help the frontliners, let's give them and their family some protection, some health care, and a pay increase. Thank you."

Speaker Davis: "No one else seeking recognition, Leader Hoffman to close."

Hoffman: "Thank you. And I do respect all the individuals who spoke's opinion and agree with many of the concepts about civil justice reform that I've supported along with many here. I think this is just an unusual situation. Representative Evans had a Bill. We needed a vehicle to put it on. It's a good Bill. I think it's going to protect frontline workers by making sure that we're respecting them and the job that they're having to do. Secondly, the firefighters put forward a provision. It's not my provision, it's their provision, to help out their members during this pandemic who have been hurt in the line of duty. And finally, all of us on our side of the aisle, generally, support the right to organize, this

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

would give individuals the right to organize who are going to be working at racinos. I ask for a favorable roll call."

Speaker Davis: "And the question is, 'Shall Senate Bill 471 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. And the voting is open. Ding. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. And on this question, 95 voting 'yes', 10 voting 'no', and 5 voting 'present', this Bill is hereby declared passed. The Clerk is in receipt of a Motion in Writing to waive the posting requirements for a Bill. Leader Willis on the Motion."

Willis: "Thank you, Mr. Speaker. I move that the posting requirements be waived so the following Bills can be heard in the Executive Committee, House Bill 3933."

Speaker Davis: "Leader Willis has moved to waive the posting requirements. All those in favor say 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. And the posting requirements are waived. Representative Bennett, you've asked for a point of personal privilege? Representative Bennett, point of personal privilege."

Bennett: "Thank you, Mr. Speaker."

Speaker Davis: "Please state your point."

Bennett: "Thank you for your patience. I truly appreciate that. We've had a long day of good discussions all the way around. Personal privilege, please, Sir."

Speaker Davis: "Please state your point."

Bennett: "Thank you for personal privilege. Mr. Speaker, we are now in the third month of the statewide stay at home order."

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

And the situation is critical for our small businesses. And, of course, everyone's first priority should be health and safety, but we need to be very mindful of the small businesses that are the backbone of our communities. For weeks now, I've been hearing from small business owners in my district who are desperate for help. They understand the need to keep people safe and healthy, but they also know that time is running out and that their business is going to survive. They're determined to find a way to open the doors and protect themselves and their customers and I believe they can do that if we allow them to. In our area, the data indicates that we are well within the Department of Public Health's parameters for moving forward with a reopening. And we need to do so for our small business owners who are barely hanging on. Jeanine Litwiller owns a clothing store called Strictly Kids. She moved her employees' desks 6 feet apart and spent \$800 out of her own pocket to install plastic shields around her cashiers' counter. Karen Brasel is the owner of the Sugarcreek Boutique in Milford, which shares space with a hair salon and they disinfected their entire building. And before they were shut down, they already had a process in place of following customers around and disinfecting everything they touched before allowing others into the area. Carolyn Ledford, business of Pontiac, the General Store kept afloat by making face masks for firefighters and correctional workers, but that isn't going to be enough. She pledged to do whatever was required of her to keep customers and workers safe. It requires face masks, has 6 foot spacers, hand sanitizer

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

stations, also spray behind each customer. These small business owners are not sitting in a faraway corporate office risking the lives of their employees. They are people like Jeanine and Karen and Carolyn who are in their store with their customers and their employees. And many of them are their own family. They know them personally and share the same concerns about health and safety and they want to reopen and provide for their families. They are determined to keep themselves and those around them safe, and they are the lifeblood of small towns like the ones I represent and across the State of Illinois. I urge the Governor to continue to think about safety but also help us find ways for the businesses to open up in a safe way and as soon as we can. Thank you, Mr. Chair."

Speaker Davis: "Thank you. Representative Rabbi Kalish, do you wish a point of personal privilege? Go right ahead. Almost."

Kalish: "There we go."

Speaker Davis: "There we go. Please, state your point."

Kalish: "Thank you so much. Just a quick point of personal privilege. Three things, number one, today was Yom Yerushalayim in Israel. It's the 53rd anniversary of the reunification of Jerusalem and I just wanted to congratulate the State of Israel on this wonderful holiday. Number two, I'd like to thank the House Democratic staff for really taking care of my Sabbath needs, I'm a Sabbath Observer. Maybe John Amdor can look to see if there was ever a Sabbath Observer who served in the House. But as a Sabbath Observer, it's a lot of challenges and tomorrow we'll come in and the House

STATE OF ILLINOIS
101st GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE
FIRST SPECIAL SESSION

3rd Legislative Day

5/22/2020

Democratic staff has really gone above and beyond. And I just want to say a public thank you. And finally, I'd like to thank the Governor for recognizing that religious institutions are very critical during this time, and we appreciate the IDPH and all of the advice and guidance that the science and the doctors have given our houses of worship. And I thank the Jewish community, the Catholic community, the Muslim community for following those guidances and making sure that those houses of worship open when safe for everyone present. So, thank you so much."

Speaker Davis: "Thank you. Representative Zalewski, for what reason do you rise?"

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

Speaker Davis: "Please state you point."

Zalewski: "Can we just make a point to thank... I know she's over at the table but she's worked very hard to keep us fed the last three days. And staff has worked very hard to make this as comfortable as possible. So, could we give a brief round of applause to Jennifer Davis and the entire staff that got us really good food the last couple of days?"

Speaker Davis: "Ladies and Gentlemen, the House is prepared to adjourn the First Special Session and proceed with regular Session. Representative Harris moves that the First Special Session adjourn until Saturday, May 23, at 10 a.m. Saturday, May 23, at 10 a.m. All those in favor say 'yes'; all those opposed say 'no'. The 'yesses' have it. And the First Special Session is adjourned."