

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "The hour of 10:00 having arrived, the House will be in order. Members and guests are asked to refrain from starting their laptops, turn off all cell phones, and pagers, and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Wayne Padget, the Assistant Doorkeeper. Mr. Padget."

Padget: "Let us pray. Bless this House and all who serve here, Amen."

Speaker Mautino: "We shall be led in the Pledge today by Representative Mayfield."

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

Speaker Mautino: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representative Miller is excused today."

Speaker Mautino: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Mulligan is excused on the Republican side of the aisle."

Speaker Mautino: "Mr. Clerk, take the record. 116 voting 'present' and a quorum is present. And the House is prepared to do its business. Mr. Clerk."

Clerk Mahoney: "Committee Report. Representative Bradley, Chairperson from the Committee on Judiciary-Civil Law reports the following committee action taken on January 06,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

2011: recommends be adopted is Floor Amendment #2 to Senate Bill 3322."

Speaker Mautino: "The Gentleman from Bond, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. I know we have some guests in the gallery and I want to make sure that everyone in Illinois understood our applause to the prayer today. It had nothing to do with the brevity, but the economy of the words."

Speaker Mautino: "Thank you, Sir. Representative Mayfield."

Mayfield: "Thank you, Speaker. I rise on a point of personal privilege. I would just like to point out to everyone, in the Gallery is the family of the late Representative Eddie Washington. His mother, his brother, and his wife, Flor, are all here. So, if we could all give them acknowledgement."

Speaker Mautino: "Mr. Clerk, place Resolution 1317 on the board. I would all... ask that all Members be at their seats. I would ask staff to retire to the rear of the chamber, as we are preparing to do a Resolution honoring Representative, former Member, Washington. Mr. Clerk."

Clerk Mahoney: "House Resolution 1317, offered by Representative Madigan."

WHEREAS, The members of the Illinois House of Representatives are deeply saddened to learn of the death of our friend and colleague, State Representative Eddie P. Washington of Waukegan, who passed away on June 5, 2010; and

WHEREAS, Eddie Washington was born in St. Louis, Missouri on June 8, 1953; he grew up in East St. Louis, taking great

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

pride and inspiration in the number of East St. Louisans who made major contributions to American arts, letters, science, sports, and civic life; he moved to Waukegan in 1985; he quickly became known as a passionate advocate for equal rights and for helping marginalized groups gain empowerment through the political process; and

WHEREAS, He was educated in the public schools of East St. Louis and received a bachelor's degree from Southern Illinois University at Edwardsville and East St. Louis, majoring in political science and journalism; he also graduated from the College of Lake County; and

WHEREAS, He was a trailblazer for African Americans across the State and in Lake County; a plaintiff in a federal court case, *Washington vs. Walker* (1975), he was subsequently credited with breaking down institutional barriers that had kept blacks, Latinos, and women from gainful employment as Illinois State Police officers; he began his long road of public service in 1986 as a precinct committeeman; he started the first African American Police League of Waukegan and North Chicago, became the first African American to be elected Trustee of the North Shore Sanitary District, and the first to serve as Chairman of the Waukegan Democratic Organization; in 2002, he became the first African American State legislator elected from Lake County and was re-elected State representative three times; he was a member of the Legislative Black Caucus; and

WHEREAS, He spent decades working with community organizations in the Metro East and Northeastern Illinois, even founding his own activist group, P.O.W.E.R. (People Organized

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Working for Equal Respect); he collaborated closely with the Lake County NAACP to improve the quality of life for local residents; he was a stalwart ally of John How... the John Howard Association and supported its efforts to provide more humane living conditions for the incarcerated and to equip them with skills needed to become contributing members of society after their release; and

WHEREAS, He served as the Director of Employment and Economic Development for the Lake County Urban League, solidifying his commitment to the cause of prosperity through job creation; he was an active voice to encourage new businesses to open in North Chicago and Waukegan, particularly in the Tenth Street Corridor; he promoted the development of green jobs and was outspoken on the need for Illinois to become a leader in renewable energy; and

WHEREAS, He served as an advocate for at-risk youth by promoting programs to provide them with positive alternatives and direction so that they might achieve their fullest potential; he was especially concerned about youth unemployment and the need to extend job creation efforts to help young people as well as adults; he worked closely with local youth organizations and schools to encourage students and guide them towards a positive future; and

WHEREAS, A former Corrections Deputy Officer with the Lake County Sheriff's Department, he had the unique experience of working both in law enforcement and as a mentor to help ex-offenders turn their lives around; he worked with local law enforcement to further public safety by curbing gang and gun violence; he was a strong advocate for prison

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

reform, believing that a criminal justice system that ignores rehabilitation and simply churns ex-offenders through a revolving door does nothing to better society or prevent crime; he was Chairman of the House Prison Reform Committee, presiding over many hearings and offering guidance on legislative measures dealing with prison reform; and

WHEREAS, He maintained a close relationship with organized labor in Illinois, helping in the fight for better wages and opportunities for working families; he was a member of the United Transportation Union through his job as a Metra conductor and took pride in maintaining commuter safety; and

WHEREAS, He was an advocate for a strong education system and fought for resources for the schools in his district, including new greenhouses for the Neal Math and Science Academy and Jefferson Middle School to help students interested in agricultural science gain firsthand experience; and

WHEREAS, He was particularly passionate about issues affecting senior citizens; he served as Chairman of the House Aging Committee and held numerous public events and educational forums for his district's older adults; of particular importance to him was helping grandparents raising grandchildren, and he was instrumental in passing legislation to provide assistance and guidance to the thousands of older Illinoisans who answer the call to help ensure a strong upbringing for family members whose biological parents are not able to care for them; during

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the 96th General Assembly he also served as a member of the Human Services Appropriations committee, Labor, Mass Transit, and Workers' Compensation committees, as was... and was Vice-Chairperson of the Public Safety Appropriations Committee; and

WHEREAS, He was a deeply religious man; he was baptized and joined the Straightway Baptist Church under the leadership of Reverend Tolliver and was called later in life to the Nation of Islam through the guidance of Minister Louis Farrakhan; and

WHEREAS, He was preceded in death by his father, Edward E. Washington, Sr.; and his brother, David C. Washington; and

WHEREAS, Representative Eddie Washington is survived by his wife, his three sons, his four daughters, his mother, Rose Washington; his two brothers, his 10 grandchildren; as well as many aunts, uncles, cousins, and friends; and his passing will be felt by his constituents in the 60th House District; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his friends, family, and constituents, the passing of a man who worked tirelessly to be a voice for all the people he represented, one who refused to accept the status quo and always sought new ways to better the lives of Illinoisans, State Representative Eddie P. Washington; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of State Representative Eddie Washington as a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

symbol of our sympathy for their loss and of our deep respect."

Speaker Mautino: "On the Resolution, the Gentleman from Cook, Representative Riley."

Riley: "Thank you, Mr. Speaker. To the family, we all share your sorrow for the loss of your loved one. Eddie was an extremely good friend of mine, and just a quick story of when I was sworn in in 2007. Walking over at the UIS, going to pick up some tickets, and all of a sudden there's some arms around me throwing me up in the air. And you know, I didn't, you know, know what I was going to do. It was Eddie. 'So glad to see you, brother. I heard that you were coming. I'm so glad.' He's tossing me up in the air and everything in his unique way. Just a tremendous friend, very unique. Each one of us, each one of the 118 Members of this Body are unique, as unique as our districts that we come from, but we share common goals. And one of the things that we share is the concern for our districts, and I just want you to know that he always talked about his district. He always talked about Waukegan. He always talked about many of you, all the time. That was what Eddie was. And you know, no matter what the issue was, I would suspect that the people in his district just wanted someone that they felt would fight for them. You know, maybe the Bill wouldn't be passed, maybe he couldn't get something introduced, but as long as they knew that he was fighting for them, then that was good enough for them and that's something that he always did. So, he'll always be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

remembered and as I say, a very good friend, and God bless you and the family."

Speaker Mautino: "The Gentleman from Cook, Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. Eddie Washington. I recall coming here eight years ago, probably one of this chamber's largest class we've seen recently, probably in the last 15 or 20 years. Eddie was one of the newer Members, and you're right, he was very unique, one of a kind. He was a strong black man who gave voice to issues that were recently read here by the Clerk. I didn't realize how intense and deep he was in terms of, you know, the history and the fighting and the giving of himself to so many causes for other people. Eddie was never afraid of any issue, any person, any cause. He gave voice to issues that all Illinoisans, all Americans, would benefit from. He and I talked a lot, talked about travel. We talked about health, which is something that Members here, sometimes we just take it all too for granted. That we don't need to take care of ourselves, diet, exercise, a sense of clarity with some of these issues and... 'cause everyone is drawn in or coming from us. So, that's a real issue. He and I talked about his health. But he was a person that you really couldn't put in a particular box. Especially, and Flor, you know this, he would always... first of all, you know, he loved Oprah Winfrey, and he made it sure that somehow I got you on the show a couple of times to see, and we took pictures in the back with her. He insists that, you know... you have... he was a very strong willed individual.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

He was relentless and he loved her, and he actually wanted to honor her. I know a lot can be said about Eddie. To hear him in committee, to hear him down in that front row, again, you know, he would bust me up sometimes with some of the debate. He'd go at it with Members on... not only just the Republican side, but over here as well. Bill Black, Ron Stephens, I can go on and on. I mean, he... Eddie Washington was a poetic warrior for causes that needed to be addressed, especially with our most vulnerable citizens here, prisoner reform, discrimination and employment, and contract allocation here in this state. He gave voice to that, consistently. He gave you a big bear hug, gave you a strong handshake. He took his time, and his word was bond. Eddie was nobody's flip-flop. If he said he was with you, he told you that, and he stood by it strong. I will miss Eddie tremendously. I could always get a good laugh, and quite frankly, when he would get up and speak I would hush up and listen because I knew it was going to be sort of a pretty animated experience here because Eddie would take on anybody. Right or wrong. And to see him at such a young age, mid-fifties, to leave us on short-order based off of health conditions, sometimes we just let ourselves... we neglect ourselves. 'Cause all of us have big hearts here; we want to help others. He's a good friend. I know it's painful for a mother, a parent, to bury their child. This place is a little different without Eddie, and hopefully this state's a little bit better because of Eddie. Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "The Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you... thank you, Mr. Speaker. Ladies and Gentlemen of the House, for those of you that are newer and did not have the privilege and opportunity of knowing Representative Washington, you really missed something which has already been alluded to so eloquently by the former speakers. Eddie and I shared a very unique bond. When the Prison Reform Committee was instituted, Eddie was appointed the chairman and I was appointed the Minority spokesman. And like Representative Dunkin, we all came in in that class eight years ago, and all I can think of with Eddie, what keeps coming to mind, is what an unbelievable legacy the man left. It's been so eloquently stated already how Eddie had an ability of expressing himself. You never wondered for one second where Eddie Washington was coming from. You knew exactly where he was coming from, and he backed up not one bit. And his causal factors, I've had the privilege of being on this planet quiet a few years, and I don't think there has ever been a man of another race that has touched me more deeply about the importance of understanding how he saw the world, how it was in many ways different from the way I saw the world, that our growing up experiences, though very different, we could arrive at such a common bond. The Gentleman educated me. He so educated me on the plight of African Americans in the prison system, of African Americans in big cities, in African Americans and the causes they fought. You see, my situation... the first African American I ever dealt with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

was when I was a private in the army and my platoon sergeant was an African American in 1962. And that was the first African American that I had ever had a close bond with, an understanding with, and Representative Washington and I one day were talking about my experience, and I shared with him that in 1962, in Waynesville, Missouri, after five weeks, we finally got a weekend pass and going down the main street, and main street in Waynesville, Missouri, isn't much of a main street, but there was a lavatory, a bathroom, and it said whites only. I was shocked. I grew up at a farm town in rural Wisconsin. And there is this bathroom that says whites only, and later that night I was in a part of town where we shouldn't have been in, and I won't go into why I was in that part of town, but I was there, and there was a shabby, shabby bathroom and the word, literally with a paint brush, shabbily written Negroes. And I remember sharing that story with Eddie. And he found the words that Art Turner used on this very floor Art's last day, when he said it's not what it used to be... I'm sorry. 'It's not what it should be, it's better than it used to be, and it's getting better all the time.' And Eddie had that big grin on his face when he said that. And he just was such a believer in causation factors. And we had become very close because of our work on prison reform, and due to that closeness I shared with him that my wife and I loved a certain type of dogs. Now, it was just a conversation, I said we really like Jack Russells. The next day, he walked over to here. He said, 'Do you still want a Jack Russell?' Cause I had shared with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

him that one of ours had just died. I swear, Eddie Washington had a friend here in Springfield that had a Jack Russell that they needed to get rid of. True story, I went over with Eddie, the lady gave me the dog. As I'm driving home, the dog bit me. I'm not making this up. And I'm thinking, Eddie, I thought you were my friend. We still have the dog today, and we love her, we truly do. But again, for those of us that did know him, knew of his passion, his unbelievable to (sic) commitment to causes and his relentless effort at never stopping on whatever that commitment happened to be. He left us a tremendous legacy. Years ago, with the passing of Dave Wirsing, I remember introducing legislation that would have a picture of those who had died, while in service to this Body, that there would be a wall in here somewhere, perhaps on the back, and of course that Bill went nowhere, but you know, when I think of people like Eddie Washington, they should be remembered. We should be able to walk out a door and see the picture of that big lug and that smiling face, 'cause he really left us something. May you rest in peace, Eddie."

Speaker Mautino: "The Lady from Cook, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, and Members of the House. Representative Sacia, thank you. That was tremendous. Representative Dunkin, you used the word deep. Marlow Colvin always used to talk to Eddie about being so deep. That's what he called him, 'Deep Eddie'. Eddie Washington was a man on a mission. He wanted to get everything done

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

for everybody, and who knew he had such a short time to be here. He was misunderstood. He was a fierce opponent, but now, I think many of us understand that Eddie was on a mission. He had to right all the wrongs, correct all the mistakes and he had to get it done in a short period of time. Eddie didn't take care of his health, and I'm glad you brought that up. You know, we're all here in this Body and you know, this is like a big mixing bowl with all kinds of emotions and tension, and all of that and I can... I'll never forget one day, when he walked in this chamber and he was ringing wet. I asked him what was wrong. He says, 'Oh, I'm okay, I got a pill. I'm going to go down here and I'm going to sit down for a moment.' I said, 'I don't think so.' I said, 'Why don't we go over to the nurse's station and let's, you know...' He said, 'I've been there.' And I said, 'Well, you know, humor me. Would you just kind of go over there?' We went into the nurse's station, and she said, 'Oh, he's back.' And I said, 'Oh, he really has been here?' She said, 'Yeah, he needs to be in the hospital.' She took his blood pressure and it was some outrageous 190 something over 110 or whatever. I mean he was a walking heart attack. And I asked him, I said, 'Eddie, why are you here?' And he said, 'I have a Bill that I got to get through; the people are counting on me.' And I said, 'Well, they can't count on you if you're not here.' So he said, 'Well, I can't go out of this chamber in an ambulance.' And none of us would want that. And so we went down the back corridor, got in my car, I took him over to the hospital. He wouldn't even let me stay there

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

with him. He said, 'I'll be okay.' Well, I felt like he was in the right place to be okay. He called me later and said, 'I'm okay. I'll be back tomorrow.' And I'm like, 'Why?' And he said, 'Because people are counting on me.' Now, that kind of dedication speaks volumes to me. He talked about his health a lot. We spent a lot of time talking about this chamber, we spent a lot of time talking about the injustices that he was here to try to do something about. But the one thing I just couldn't get across to Eddie, and God knows I had to talk him off the wall so many times because, I mean, when you would debate Eddie, you better be right on and know what you're talking about. But he couldn't debate me on his health. He didn't have good health. When we were here last, I was going through my desk and I found an unopened letter from Eddie Washington. I said, 'Oh my God, a letter from Eddie Washington. He's gone, isn't he?' I hesitated to open that letter; God only knows what he would be saying in this letter. But I did, I opened the letter, and here it was Eddie Washington, again, saying, 'We've got to keep working on this issue. I would be proud if the Black Caucus would take this up and do something about this.' And I could hear his voice; I could hear his words that were written on the page. I showed it to some of my colleagues. And one other of my colleagues said that they have an unwrit... they have a letter from Eddie Washington that they found that was sealed. So, if any of you have letters from Eddie Washington, even today, that are still sealed, open those letters and hear his words. Eddie was on a mission. He

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

left here too soon, but he impacted every person in this chamber. May he rest in peace."

Speaker Mautino: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. As Representative Dunkin, we all came in together with Eddie, and you know, Eddie Washington may have been the happiest guy in this whole House of Representatives. It could have been the worst day ever, and you'd go by and he'd be smiling and, 'What's up, Rose?' Still to this day, I don't think he knows how to say Chapin, it was always Rose, but Eddie was my friend and Representative Dunkin, you said, you know, we hope it's better, I know it's better for having Eddie here. I don't have a prison reform story or getting bit by a dog story like Representative Sacia, but Eddie and I did a Bill together on cars... car insurance. And people are getting fined 7 - 800 dollars in fines, and people don't have the money to pay. It's a big fine. And Eddie and I got together and we said, 'Why don't we... instead of getting fined, why don't we use that fine money to go buy insurance and get court supervision, lower the fine, as long as you get court... get insured. That's better.' There's more cars insured on the road today because we're taking that money, and rather than fining people, we're putting it into productive use to put insured cars out there, 'cause if you've ever been hit by an uninsured driver, it's a real sinking feeling. And so, it is better today 'cause of Eddie Washington. And there's a hundred stories like that that any one of them maybe doesn't set the world on fire,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

and any one of them doesn't solve a budget or anything else, but you take them together and Illinois is a better place 'cause Eddie Washington was here. And I'm sure he's hugged virtually everybody in heaven by now, but I wanted to just say one final thing and it's a word of thanks to his family, for sharing with us here, for sharing with the people of Illinois. I wish when we were freshmen, in happier and healthier times, he and I would often joke about walking together and somehow we could never find our shoes to actually do that, but I wish we had actually done that because it's a big loss. So, thank you, Mr. Speaker."

Speaker Mautino: "The Lady from Lake, Representative Osmond."

Osmond: "Thank you. Eddie had the district next to mine, and he constantly would share his views on issues for the City of Waukegan, and his love for East St. Louis. And those two areas were first and foremost, as far as Legislature, but his family was number one always. And during my time of having the district next to his, he would call upon me if there was any kind of meeting in his district that dealt with health care insurance. And he'd say, 'Now you come over and you help me out here and we'll be a team effort', and I'd say, 'Sure, I'll be there.' And I'd come in and I'd sit down. On one occasion, Eddie walked in and greeted all his people, we had about 40 people at that meeting, and he said, 'You know, I've got a lot things going on today and Representative Osmond's here to help you.' He'd always give me one of those big bear hugs, and those bear hugs were big on me. I mean, he just held you tight. I can remember one occasion where he was not seeing eye to eye

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

with the Leadership and he wanted some support on our side, and he walked over and he sat down and talked about the issue and that, and he said, 'Can't you give me just a little vote?' I said, 'Eddie, if you're having so much trouble on the other side, why don't you come over here with us? There's plenty of desk space. You can join us over here.' And he looked at me and he goes, 'There's just not enough color over here.' He was always such a dear friend to me. On more than one occasion he would send me one of those little notes and they would have a little, just a little personal touch from him that would make sure that I knew that he was always supporting me. I did receive one of those notes with a small campaign contribution. He said, 'I don't like the guy running against you. I want you to win and this is going to put you over.' And it was small, but it meant a whole heck of a lot to me. He will be missed and I can say honestly, he was my friend."

Speaker Mautino: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. To the family of Eddie Washington, I hope it's clear to you that we loved Eddie, too. We thank you for sharing him with us, and that we share in your loss. I'm sure that message is getting to you. He gave us, all of us, many things. There are two specific gifts he gave me that I just want to mention briefly. One day we came back, I think it was after holiday break, he says, 'Don, I got something for you.' Got for... Maybe some of the others got some... something too,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

but the first was a book, and it was a book, Lincoln On Leadership. He said, 'I want you to have this. When I saw it, I thought of you. And I have that... keep that book in my desk over at the Stratton. The second box wrapped up and I often, all of us, I think, admire Lincoln and so I wasn't surprised at that, but the second item he gave me I opened it up. It's a box and it said, 'Party animals'. And I thought that... I'm not sure that fits. And as I looked at it, it was actually a wine stopper with a... and then little metal tags that you could put on your wine glass so that if you, you know, had a party you could... and each one was different in a combination of red, white and blue. The animal part of it was the ones he gave me were elephants. He said, 'I got another set with donkeys and I kept those, but I wanted you to have the ones with elephants.' And I have those at home and think of Eddie every time I see the party animal wine stopper and the tags for the glass. On the very last Bill that I presented, when Eddie was still here, it was one that raised a fee on serious traffic convictions. And Eddie disagreed and Eddie spoke very strongly against that Bill. And I thought I might just be in trouble, but he was so nice about it, how he respected the Sponsor and knew my heart was in the right place, but he just was concerned about adding that cost to anyone who'd been convicted of those crimes. And I knew that Eddie's heart was in the right place. I know you all want to know, yes, the Bill did pass, but he had me scared there for a little bit, but we were able to get that passed. And I respected him for what he did. I oftentimes, because he

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

would speak of his family and to his family and his children, I just want you to know I would frequently think how lucky you are as children of Eddie Washington, 'cause we knew the person he was here, and I thought, wow, the kids, grown kids that had him for a father, those of you who had him, family member, husband, son, your uncle, whatever, you're very, very lucky to have been... had Eddie in your life and your family. Eddie was a father, husband, son, uncle, mentor, leader, Legislator, man of his word, man of integrity. Eddie Washington made a difference. We have all lost a dear colleague; we've lost a friend, but we can truly say this General Assembly, because Eddie Washington served here, this General Assembly is more civil, it's a better place, and the State of Illinois is better because of his service. Eddie Washington, he left us a legacy, he left us an example, and he left us being better people. God bless Eddie Washington. We love you and thank you for being our brother and friend."

Speaker Mautino: "The Lady from Cook, Representative Howard."

Howard: "I first met Eddie Washington several years ago when he came to one of the Black Caucus sponsored conferences that we held periodically. And we got into a discussion and he said, 'You know, I think I would like to be a State Representative.' I said, 'Well, go for it.' And of course he did and of course the rest is history. He joined us and he became my seatmate. To say the least, Eddie Washington was very outspoken for the issues that he was very passionate about. And I was always appreciative of the fact that he was very supportive of the things that were

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

passionate in... important to me, especially ex-offender issues. And this snazzy dressing person who was always a gentleman was my friend, and that above all I miss him, the fact that my friend is gone. To the family, again, condolences for your loss, and I join others, many, many, many, many others, who hope that he will rest in peace."

Speaker Mautino: "The Lady from Lake, Representative Mayfield."

Mayfield: "Thank you, Speaker. I believe I speak on behalf of the family when I say thank you to everyone for your kind words, your stories, your accolades, and your fond memories of Representative Eddie Washington. In the 60th District, Eddie has a special name and a special meaning. He was the first African American to hold this seat. And it really meant a lot to our community that is approximately 80 percent minority, mostly Hispanic and African American. So, this was a huge triumph for us in our area. Eddie's legacy was that he fought for the least of us, you know, and when it came time for him to run for this position, when it came time for him to be reelected to this position, unlike others, Eddie didn't have to pay for campaign workers, they came out in droves to volunteer for him. You know, his support was there. He had a very firm base in our community and had he not passed, he would still be occupying this seat. That was how strong his legacy is in Waukegan, North Chicago, and Park City, the district in which he served. Eddie had an open door policy, he was available all times of the day or night. You could hit him up on his cell phone at midnight and Eddie would answer the phone. 'Hello, my sister, what can I do for you?' And he

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

would do his best to address your concerns. He really fought for what he believed was right. He had a larger-than-life personality. So, whether you were his friend or his associate, or whether he just felt as if he felt he was bearing down on you, just know that he did that because he really felt strongly about the individuals that he represented. And I'm thankful for the family for coming out today. I want you to know how special Eddie was, you know, to his mother, he is a great man, to his brother as well. Flor, to his wife, this is a very difficult job and I just have to give special recognition to his wife, because she was truly his backbone. He would not have been able to achieve the things that he did in our community had she not provided that foundation for him at home. Flor, we... you know, you were there, you were always in the background. You were always pushing him on. You were the wind truly beneath his wings, you helped him to be the great man that he became, and we thank you for that."

Speaker Mautino: "The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. And when I came here, you know, the... just by my choice of committees and where I got assigned, I got to be on a lot of committees with Eddie Washington, and I was learning how to be a Legislator then. I'd never done this before, you know, and so I watched and learned. Here was a man who was never at a loss for words, including some words that I had not previously heard. But I learned some very important things from him that so many of the other speakers have talked about. 'Cause here's a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

man who could stood... stand for what he believed, and advocate for the people he wanted to support, but never be disagreeable and never tear down someone else, who talked about the good that we need to do here as Legislators. And Representative Mayfield just mentioned the phrase, you know, that we're here to look out for the least of these, and you know, no matter which book we worship from or you know, whose house we worship in, you know, every one of us exhor... is exhorted to always look out for the least of these. And you know, there are a lot of people who have lobbyists and what not, who are outside the door, you know, who can afford to have someone come down here and advocate for them, but there are a lot of folks who cannot. And the man, Eddie Washington, advocated for those people. He was their voice. He stood for them, whether it was children, you know, who had been put out of their homes from one reason or another who didn't have the blessings that a lot of us have. If it was children whose parent, one parent may have been incarcerated, and who needed the support to make something of their life, that was Eddie Washington who was there. You know, we were all blessed to know him, to know his name and to know the man, but there are thousands of people across this state who will never hear of the name Eddie Washington, never had a chance to meet the man, never had a chance to get to know him as we all have, but whose lives, thousands of people whose lives are better today for the work that he did. Thank you, Eddie."

Speaker Mautino: "The Lady from Cook, Representative Davis, Monique."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Davis, M.: "Thank you, Mr. Speaker. Eddie Washington was an umbrella individual. When I first met him, of course, it was in the General Assembly and we had attended a meeting downtown Chicago, near the Goodman Theatre. I don't know if you've ever been downtown Chicago at noon on Michigan Avenue, traffic is wild and crazy. I mean, pedestrians are going across the street, people are... but it's... the traffic doesn't stop, there's continuous traffic. So, I said to Eddie, 'Eddie, excuse me, would you help me get across the street?' He said, 'Yeah, my mother told me to always help old ladies.' So, then I knew I would like Eddie Washington. He came from very humble beginnings, his mother Rosy picked cotton in Mississippi. She rose to the level in St. Louis of working for a bank. Eddie has a brother whose name is also Eddie. I don't know how she distinguished who she was calling when she wanted Eddie 'cause they did have the same last name. The father's name was also Eddie Washington. I think one of the things Eddie Washington stood for in this Body was fairness and equity for everyone. We had a situation in the Black Caucus, and it was before the Latino Caucus had enough Members to have their own caucus, and they had refused to let Eddie in their caucus, but they wanted to be in the Black Caucus. So, there was great discussion in our Black Caucus meeting and Eddie said, 'Two wrongs don't make a right.' So he was willing to accept the Latinos in the Black Caucus. He was a person who believed in fairness. He wanted African Americans to have equal opportunities to work, and he worked very hard in reference to apprenticeship programs or

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

training programs and in some instances, he was successful. I think one of the reasons that Eddie was ill and so ill was because the stress of his success not being quick enough helped him to leave here. The last Black Caucus meeting he attended... after the meeting he stood by the... he went and sat by the security guards and I went over, I said, 'Eddie, is anything wrong?' 'No, Representative, everything's fine, everything's fine.' 'Do you need a lift?' 'No, I don't need anything.' But the truth was, he did need a ride, but he was so proud, he didn't want anyone to know that he was not perfect. Many people don't know this, but the last time he visited his mother, he told the Speaker he wanted to go to St. Louis and he didn't have a way to get there. And the Speaker said, 'We don't have that kind of service.' But in the end, the Speaker got someone to drive him to see his mother. I think perhaps we should not mourn his death, but celebrate his life. Thank you. We ask... be added as Sponsors of the Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Burns."

Burns: "Thank you, Speaker, Members of the House. To the family, when I came here a couple years ago and I was with some of the Members in my freshman class and we were sizing up different Members of the Body and who's cool and who's not and who to watch out for, I remember talking about Eddie Washington, and Eddie reminded me of my father. You know, he came from that generation; folks born in the 40's and 50's who didn't have access to the opportunities. The walls were just coming down, and there was a lot of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

resistance when they got on the other side of those barriers, a lot of people who didn't want them to have those jobs, didn't want them to have those opportunities, who remembered how their grandparents... how their parents and grandparents had maybe been in poverty, didn't get the opportunity to go to good schools, didn't get a lot of good chances in life, missed out on a lot of things, and they kept that with them. And they were strong people. I mean, I don't know and I say this as a child of the post civil rights generation, I don't know if our generation could handle that kind of pressure. I don't think we could have handled that kind of disappointment. I don't think we could have handled that kind of frustration. And so, just his physicality, his size, his burliness, my father was a big man and a big personality because you had to have a big personality, you had to be a strong-willed individual in order to make it out of wherever you were coming from, 'cause no one was going to give you anything. And as a consequence, when some of the folks from that generation see young folks like me, they assume we're soft, they assume that we don't care, that we... our heart's not in the right place, we're, you know, we got all the blessings, all the benefits from all their hard work, and we weren't going to be as committed to the cause as they were. But Eddie didn't act like that. Eddie gave me the opportunity to share my story with him, where I came from, and what I had learned as a consequence. And we talked about, you know, Black Nationalism and Kwame Nkrumah and Malcolm X and what the res... concrete responsibilities are to help our people.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

You know, when I first met Eddie he called me, 'Little brother' and within a couple months he called me, 'Leader'. As a freshman, Eddie Washington called me a leader, and that was high praise. He looked over the edge of his sunglasses so he could make sure I saw his eyes, and said, I'm with you, Leader, and that vote of confidence, from a man like him, meant all the difference to me. And you know, I appreciate the fact that he was the agitator. Will you... Every organization, every group needs someone to be on the tip of the sphere, the one who's willing to go right out in front of the machine guns and take all the fire and make it easier for other people to get the deal done. And that's what Eddie did. It was very strategic. It was very smart. It was very well-thought-out. He wasn't crazy. He knew exactly what he was doing so that other of us could cut the deal and find the votes. And because of his advocacy, we got so many things done. We didn't talk about it today, but Eddie was real big on the weatherization initiative, making sure there... we got money to train people to do green jobs work and create jobs throughout the State of Illinois for people in low-and moderate-income community. And for his leadership and for his devotion to the cause, I will always be grateful, and you should be very, very, very proud."

Speaker Mautino: "The Gentleman from Kane, Representative Schmitz."

Schmitz: "Thank you, Speaker. As I look around the audience today, this is not what Eddie wants. I see droopy heads and shoulders and I see frowns. Eddie wasn't about that."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Eddie was about your shoulders being up, you're smiling and you're working hard. Eddie was a character. We talked about him being a fighter, but Eddie was a character. When he stood up on that floor to speak, you shut up to listen because you knew there was one hell of a fight coming and you never knew what he was going to say. He always kept you at the edge of your seat. We love that man for that. Eddie came over to my desk one day and he'd just lost a Bill, I don't know, like 58, 59 votes. He put it on Postponed Consideration. He comes walking over here. He has the Roll Call sheet in his hand and he stands up and I... you know, he's a big guy, he stands here and I look up. I said, 'Yes, Sir, Representative.' He goes, 'Reb, you voted against my Bill.' And I said, 'Yes, Sir, I did.' And he said, 'I thought we had a deal; I voted for your Bill, you were going to vote for my Bill.' And I looked at him and I said, 'Representative, I don't remember talking about your Bill at all. I mean, I had some issues with it; we never debated it or anything.' He looked at his sheet again, he took a step back, looked at my name plate, and he goes, 'Damn, you all look alike.' He left my desk and he walked over to Joe Dunn's seat. And Joe Dunn did vote for his Bill by the way, they had an agreement. To the family... That's a true story. To the family, I deeply pray for your loss. It's a great loss for us, but I'll tell you what, and do not take this the wrong way, I don't pray for Eddie Washington today. I pray for God, and I pray for Jesus because heaven is not up to snuff. They got Eddie Washington up there now that's going to get that baby in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

order for us. So, Eddie, I'll miss you, you did a lot of good work here. I have a feeling your fight's not over, but God bless you, my friend."

Speaker Mautino: "The Gentleman from Cook, Representative Will Davis."

Davis, W.: "Thank you, thank you very much, Mr. Speaker. I certainly want to extend my condolences to the family. Thank you for coming down to be a part of this celebration of Eddie's life. And I, too, was a Member of Eddie's class, the large class that came in in 2003. And as you got to know Eddie, obviously, you realize that he was a passionate individual, a lot of fire, a lot of brimstone and that's what he displayed here on the floor. But if you ever went to Eddie's office, you saw a different Eddie, a more kindler and gentler Eddie. Tranquility in his office, candles lit, the sound of running water, and you kind of wonder, well, I guess this is where he needs to come to kind of depress a little bit. You know, to kind of recharge himself, so that when he comes back to this place, in this chamber, he can continue to fight and be the person that we've come to know and to love. And Eddie had a... you know, if you listen to some of the floor debates, he said a lot of interesting things when he was debating Bills. But one thing that he would always say that I always thought was kind of funny is he would say, 'Well, you know, I'm a freshman in my sophomore year.' or 'I'm a freshman in my junior year.' And what that was like... 'What really does that mean, Eddie?' And he was like, 'Well, you have to understand that no matter who you are in this place, you

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

should still always be learning and trying to learn and understand and get better.' And if any of us in this place gets to the point to where we can't learn anything from one another, or learn anything about issues and the people of the State of Illinois, then the reality is that we don't need to be here. You've done everything you can do; you should just walk away from this place. But I appreciate him saying that and he used to open up most of his speeches in that way, and it just put in context really why we're all here. Because were here to try to accomplish something for someone, for somebody an... and while we call ourselves State Representatives of a district, which means we have 110 thousand people that we have to represent, the reality is that we're actually State Representatives and the things that we do, the policies that we enact, sometimes have implications all over the State of Illinois. So, you're impacting the lives of people all over the State of Illinois, but one thing about Eddie is that he was also a State Representative, primarily for the will of African Americans. And it's not to say that Eddie was necessarily prejudice and didn't care about anybody else in the state, but I think what Will Burns said about having grown up in a generation where doors were closed for African Americans, you know, Eddie wanted to make the State of Illinois a better place for African Americans and other minorities to live in. That was his goal. That was his objective. And while we never know how long we're going to be on this earth, we don't know that, and nobody would have ever guessed that Eddie would have left us so soon. So, if

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

anything, he puts in context the fact that while we are here we have to put our foot on the gas pedal and go 100 miles an hour to make sure that we are doing everything possible for the people that we represent. You never know when you may not have the opportunity to be in this chamber again, one way or the other, so it's incumbent upon us to make sure that we do everything that we can, every time we have the opportunity to do so. And we always talk about, or say, you know, may he rest in peace or continue to rest in peace, I think Tim put it best. Eddie's not resting. He's still up there working, trying to make sure that through angels dispatched all over this state, who are touching the lives of people and presumably touching the lives of people still in this chamber, he is still trying to enact the things that he thought that we needed to do to make the State of Illinois a better place. Thank you."

Speaker Mautino: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, and the family. I too am a part of that big freshman class, that big class that Eddie was a part of and many of us haven spoken to. My first year here my office was on the same hall, same wing as Eddie Washington's. And I was in the office one evening and I wasn't sure if there was anybody still around, I didn't know if there were any secretaries, it was pretty quiet. And a button had come off of something I was wearing and so I went out to see if there were any secretaries around to ask if anybody had a needle and a thread. And because it was quiet, the one

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

other person who was in an office noticed that I was walking by, and it was Eddie. And we would stop and talk sometimes anyway, and I said, 'How are you?' and he said, 'You look like you're looking for something.' I said, 'Yes, I was looking to see if anybody had a needle and thread. And we chatted a little more and the next morning when I came in, there was a sewing kit on my desk. The needle and several different colors of thread and so, I went over to Eddie's office and I said, 'Do you know anything about this? Does it have something to do with our conversation last night?' He said, 'Well, I knew you needed that, so I got that for you.' And I said, 'Oh, is this like insurance in case you lose a button, you'll know, not only, you know, where there's a needle and thread, but maybe you'd ask me to sew it on?' And he said, 'No, Naomi, I was taught that replacing my buttons is my responsibility.' Somebody up there I think taught him that. Thank you very much for all of the things, but even for needles and thread."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. You know, those of us who have been around here a while, like myself, we've gone through this many times, far too many times, and we lose too many people far too quickly. Certainly Eddie was one of those, losing him in his fifties at a time where he was vibrant and vital and giving all he could to us and to his constituents. He was, I think, and many would consider a gentle giant. I think we can't deny that. He's a guy who

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

worked this job that we do every day from his heart. He didn't do it from his politics, he didn't do it to help a lobbyist, he didn't do it to do anything other than to improve the lives of the people that sent him here, and our constituents as well. And I think there's a lesson there for all of us, to come here and do our jobs as he did with energy and with a full heart and with the knowledge that we are sent here to do our best to improve people's lives. Eddie as you heard was independent. It didn't bother him at all to say to a Leader on either side of the aisle, 'No, you're wrong, I'm doing it this way.' Didn't bother him at all to say to a Member on this side of the aisle, 'I'll help you with your Bill, but not if I don't like it.' - another lesson for all of us. Eddie was a fierce defender of human rights. That's what he stood up on the floor to talk about mostly. Human rights, the dignity of people, how they live their lives today, how they live their lives... how they want to live their lives in the future. And so, he's a defender of what he felt was best in people and demanded that of us, that we set aside all those other issues and just talk about the people we are sent here to represent. He also had a tremendous respect for this process, and when he got here he certainly didn't understand it, but he learned it very quickly, and he had a tremendous respect. He never... whenever he came to my desk, which he did often to ask for my help on something or to explain a Bill or what it might... whatever it might be, he always called me, 'Sir', and I really told him, 'You know, Eddie, you can really stop doing that.' He said, 'Okay,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Sir, I'll stop doing that.' That was the kind of guy he was and he felt a certain place in this process that I don't think any of the rest of us ever felt. Eddie was unique. We all are unique in our own special way, but if I can use the phrase, Eddie was more unique than the rest of us. And so, Eddie had an impact on this process. He actually taught me a lot. I think he taught all of us a lot. And I think to his family, to whom we send our best wishes, and our sympathies and our love today, I think that you should know that what Eddie gave to us - we respect. And you know, the families back home don't always know how we feel about our own colleagues. They see how people in our districts feel about us, but they don't necessarily see on a regular basis how we feel about our own colleagues and so I'm happy the family's here today to hear what we have to say about Eddie. And I think the other lesson we need to learn is that we need to celebrate each other while we're here. And we need to work together in a closer way while we're here to do the jobs we are sent here to do. Eddie would expect that of us, so let's honor Eddie's memory and his service here by doing that for him. God bless Eddie and again, our love to the family."

Speaker Mautino: "The Gentleman from Cook, Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. As another Member of Eddie's class and somebody who... I was privileged to serve on the Prison Reform Committee with him. My example of his thoughtfulness, which I thought he... what always struck me about him was how curtis... courteous he was. Five or six

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

years ago he said, 'Representative, I saw this beautiful tie' and it was a hand-painted with an African elephant on it. He said, 'So I bought it and I just knew there'd be a Republican who would really appreciate it, I'd like you to have it.' Okay. So, you know, I did appreciate it. There is a certain irony in that, but what I think Eddie did, he left us an example, people have been talking about it, his passion, especially for the powerless, his thoughtfulness and courtesy, his willingness to walk across the aisle and build relationships, excellent example for all Legislators. For that, I'm grateful having served with him."

Speaker Mautino: "The Lady from Cook, Representative Hernandez."

Hernandez: "Thank you, Speaker. And this is to the family. I did not have the opportunity to say good-bye to our Representative. I was unable to attend the wake and the funeral. All intentions were there, but when I realized that the funeral was going to be in St. Louis, it just made it impossible. So, I really truly appreciate that we're getting the chance, right now, to thank him for everything he's done, wholeheartedly. Thank you, Representative Eddie Washington, for caring, for your valiant service to this state. It's been for me, at least, and I still consider myself very new to this Assembly. I've learned a lot, the courage, the valiancy that he portrayed in speaking on behalf of the little people, thank you very much, and God bless."

Speaker Mautino: "The Lady from Cook, Representative Soto."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Soto: "Thank you, Speaker and Members of the House. I'd like to take this opportunity to thank his mother, his wife and family. We love them. We've been blessed to have served with him and we will miss him. And all I want to say is, Eddie, we're always going to be thinking of you. Thank you for being here with us. We're going to miss you. Thank you."

Speaker Mautino: "Mr. Clerk, there's been a request that all Members be added as Sponsors. And with that, Representative Davis moves the House do adopt House Resolution 1317. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Resolution is adopted. Would ask now for a moment of silence. The Resolution has been adopted. And thank you to the family for sharing Eddie with us and with the people of the State of Illinois. I would ask that Members remain standing. Representative Beiser is acknowledged for a moment of personal privilege."

Beiser: "Thank you, Mr. Speaker. Sadly, I rise and acknowledge the passing of a Marine from my district, Lance Corporal Kenny Corzine. He suffered serious injuries on December 5 in Afghanistan and he died on Christmas Eve from his injuries. I, along with Governor Quinn, attended his wake last night. I was impressed by the tremendous outpouring of support for the family. Over a thousand people attended his wake. I spoke to his mom and dad, Ken and Carla, and his grandma, his aunts and uncles and I ask about how his daughter Macy's doing. And they pointed Macy out and she was sitting there in a beautiful dress and beautiful flower in her hair, and they said she's doing fine, a four year

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

old has many ways don't... doesn't know what's going on. They said but what's sad six days after he passed, we had to celebrate Macy's fourth birthday. I said, 'How do you do that?' And she said, 'We just do it. We do it for Macy, we do it for Kenny.' So, I think at times like these, we acknowledge the service that those men and women give to our country. Many times we're able to welcome them back, like we did Jim Watson, like we did Ron Stephen's son, but many times, unfortunately, we're not able to welcome back in the living flesh. So, I would ask for a moment of silence. I have assured the family of the commitment of this Body to the memory of Kenny and all the members of the service and I ask for a moment of silence for Kenny Corzine and his family, at this point."

Speaker Mautino: "The Gentleman requests a moment of silence."

Beiser: "Thank you, Mr. Speakers (sic) and Members of the House."

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

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 06, 2011: approved for floor consideration is Amendment #2 to Senate Bill 1927 and Amendment #3 to Senate Bill 3322."

Speaker Mautino: "Mr. Clerk, Committee Reports. Committee schedule."

Clerk Mahoney: "Committee schedule. Meeting at 12 noon will be the Mass Transit Committee in Room C-1, Mass Transit, C-1. Special Medicaid Reform will meet in Room 114. Executive will meet in Room 118 and Revenue & Finance will be in Room

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

115. Schedules are being distributed. All committees meet at 12 noon."

Speaker Mautino: "Mr. Clerk, on page 4 of the Calendar, under House Bills-Third Reading, appears... excuse me... Senate Bills-Third Reading appears Senate Bill 1927. Representative Reitz. Out of the record. Representative Burns, on page... Representative Burns, ready to go. On page 5 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 3952. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3952, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "The Gentleman from Cook, Representative Burns."

Burns: "Thank you very much, Speaker, Members of the House. Senate Bill 3952 permits the Calumet-Surmac TIF to be reinstated. Chicago recently repealed the TIF. There's a new project that's happening there. This is a very important development for a portion of my district. I know of no opposition. City of Chicago is a proponent. And I would appreciate its passage."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3952. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Would the Sponsor yield? Representative, what's the necessity of... there's a... It appears as if Chicago gets to reverse a repeal to reestablish this for what purpose?"

Burns: "Right. There are a series of developments that are being planned near McCormick Place and on Michigan Avenue,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the Motor Row Development and because... if the TIF is not reinstated, then those projects will be upheld. The Chicagoland Chamber of Commerce is supporting this Bill because it's going to create significant jobs and bring new economic activity and development to that corridor."

Eddy: "You mentioned that there wasn't any opposition. On the other side of that is there a... as we do in... is there a request for this? This is something that they have gone on record as supporting and we're just affirming that?"

Burns: "I've worked closely with Alderman Bob Fioretti, who's the alderman of the Second Ward, Senator Kwame Raoul, who also represents that area. The Chicagoland Chamber of Business and Chicagoland Chamber of Commerce and the developers themselves have come and asked for our support for their legislation."

Eddy: "Okay. Thank you. I appreciate the clarifications, Representative."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3952. No one seeking further recognition, all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang, McAuliffe, Mitchell, Wait, do you wish to be recorded? Representative McCarthy. Have all voted who wish? Mr. Clerk, take the record. 109 voting 'yes', 3 voting 'no', 4 voting 'present', Senate Bill 3952 is declared passed. If I may have the Members' attention. When we do break for committees, it is the intent to be at ease in the House and then return after committees. We will recess... we will recess for one hour

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

and then return after the committees. No further business at this time. The House will stand in recess until the hour of 1:00. Please check your committee schedules. The House will be in order. On Supplemental Calendar #1 appears House Bill 3659, under the Order of Concurrence. Representative Verschoore. Representative Verschoore on Senate Amendments 1 and 3 to House Bill 3659."

Verschoore: "Thank you, Mr. Speaker. This is the Internet sales tax Bill and I just got this Bill yesterday, actually today. And what it does is now there's a voluntary sales tax as such, this would automatically make anything you order over the Internet would be charged the sales tax. And in the first year that it was introduced and in place in New York, it brought in \$70 million. And they think it will bring the budget... Revenue Department thinks it will bring in about that much. And what I'd like to do is have concurrence on these Amendments #1 and 3 and I'd be glad to answer any questions."

Speaker Mautino: "Gentleman moves that the House does concur with Senate Amendments #1 and 3 to House Bill 3659. On that question, the Gentleman from Winnebago, Mr. Sacia."

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

Speaker Mautino: "He indicates that he will."

Sacia: "Representative Verschoore, ironically while we were on the hour break I got a call from a major law firm in the Rockford area expressing grave concern with this Bill. And I have not, to be very candid, Sir, I have not had a chance to read it. I didn't think we would see it come up so quickly. The concern shared to me by the law firm is that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

if there is, say, an Illinois business and again, I'm groping a little bit here, and the sale is made out of state, it's going to come around and affect the business that is in this state in a negative way. Is that correct?"

Verschoore: "Well, what the IRMA and all the business people are behind this. I've got a long list I could read to you all the people that's for this, but what it..."

Sacia: "Well, I'm sure I have the same list."

Verschoore: "What it does, Representative Sacia, is it kind of levels the playing field for our businesses in Illinois. They're at a disadvantage now to the tune of six and a quarter percent interest and... or six and a quarter percent tax. And so, and I don't know if you mentioned about lawsuits, but there have been lawsuits that have been tried in New York and both... in both cases the courts came in favor of the state being able to do this. So, I don't believe it's going to have the effect that they're telling you."

Sacia: "Well, I guess my grave concern here, Representative Verschoore, is all of a sudden I have a law firm calling me, asking if this Bill can be slowed down, that they have a client that is being very adversely affected. It's a business in Illinois and again, it... would you be willing to take it out of the record until we can get some further clarification on this?"

Verschoore: "This Bill is not going to hurt Illinois business. I don't know why they're telling you that. And in New York, they said the same thing. They said if they put this Bill in place they were going to leave New York and that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

did not happen. So, it's... I don't where they're getting their information, but I don't believe that's the case."

Sacia: "Would you explain the Bill in detail to me, then, Sir?"

Verschoore: "Well, what it does is it's a... an Internet sales tax. Anything that's bought over the Internet would be charged tax."

Sacia: "Re... With all due respect, Pat, is there any reason you can't pull it out of the record until I can get a handle on why a law firm is calling me out of the clear blue, asking to just get a look at this. Is that too much to ask?"

Verschoore: "Jim, that's their opinion. We have the Department of Revenue saying that that's not the case."

Sacia: "Thank you, Representative."

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Mautino, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on January 6, 2011: recommends be adopted a Motion to Concur in Senate Amendment #1 and 3 to House Bill 3659. Representative Arroyo, Chairperson from the Committee on Mass Transit reports the following committee action taken on January 6, 2011: do pass as amended Short Debate on Senate Bill 2797. Representative Currie, Chairperson from the Committee on Medicaid Reform reports the following committee action taken on January 6, 2011: recommends be adopted a Motion to Concur in Senate Amendments 1 and 2 on House Bill 5420. And Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

January 6, 2011: recommends be adopted a Motion to Concur in Senate Amendment 1 to House Bill 5727."

Speaker Mautino: "Thank you, Mr. Clerk. There were some reports that needed to be read into the record. We will continue with the debate. The next Gentleman to speak is the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates that he will."

Eddy: "Representative Verschoore, I... I'm try... I'm going to try to capsulize the concern that Representative Sacia has expressed this way. It's been mentioned that there was a potential in the short-term, at least, for some of the companies that domicile in Illinois, Overstock.com and some of those types of coupon-type Internet sales bases, that they will leave, that they will take jobs and I'm... Would you address the potential for that happening because that seems to be the big concern?"

Verschoore: "Representative Eddy, that was the same argument that they used in New York, that they said if they put this in, they were going to leave the state and go elsewhere to do business, and that has not been the case. They have not left. I mean, it's a... it was a... it's like crying wolf, I guess, for lack of a better terminology. So, I think that it's... that they're just threatening to do that, but in actuality they did not do that."

Eddy: "Well, they haven't done it, but I think what they've done instead is there's pending litigation there based on this issue so that their... there's concern about the implementation and it's currently in court, but didn't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Rhode Island, didn't some issues occur in Rhode Island where these companies actually left, or they did have some job issues?"

Verschoore: "It did happen in Rhode Island, Representative Eddy, but the Rhode Island is like 1 million people and Illinois is, as you know, 13 million people. So... but as far as New York, which is I think the third largest area for this and we're fifth, and they did not leave New York."

Eddy: "So..."

Verschoore: "But that did... they did, you're right, they did pull out of Rhode Island."

Eddy: "And I know the intent and I know you're not in any way intentionally trying to pass a Bill that's going to cost jobs."

Verschoore: "No."

Eddy: "That's not... but it's... There are unintended consequences here, especially with something that seems to have rocket sled speed and this has moved pretty quickly..."

Verschoore: "Right."

Eddy: "...after sitting a while, so there are concerns I think that need to be answered. What about enforcement of this? What... How are you..."

Verschoore: "Revenue... the Rev... the Department of Revenue would be enforcing it, Representative."

Eddy: "It's been kind of difficult, as far as Internet sales tax reporting, collecting, and enforcement. Do they have... How is this going to improve that enforcement, the statute? Are they going to have to add some type of mechanism to track sales?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Verschoore: "Revenue already knows that they're not collecting this tax now, and this... an... but... and they know who these people are. So, this will put more, I guess, for a lack of a better word, put more pressure on them to comply with this 'cause there... there's... there is a... I think there's provisions in this Bill for fines if they do not collect it."

Eddy: "If they don't collect. So, here's... and I understand why people might be conflicted here, because the basic fairness issue has to do with the fact that everyone should pay the six and a quarter percent tax. If they don't have to, then retailers and others are going to be at a disadvantage..."

Verschoore: "Disadvantage."

Eddy: "...because people can just go to the Internet, purchase the item and get it at a discount of six and a quarter percent, basically."

Verschoore: "Right."

Eddy: "So, we're trying to pass something that will tighten that up and level that playing field."

Verschoore: "Level the play..."

Eddy: "And I understand your intent, I just wanted to try to explore this other concept that's come up, that this could be harmful to jobs, that there is a problem with the possibility of enforcement. So... you... on both of those, you just don't buy those concerns or those arguments."

Verschoore: "No."

Eddy: "You think that they're..."

Verschoore: "No."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Eddy: "...they're not accurate and that this is the right thing to do."

Verschoore: "They used the same thing in New York, like I've said a few times, and that did not happen."

Eddy: "Okay. How much revenue? You probably mentioned it."

Verschoore: "Approximately 70 million."

Eddy: "Approximately 70 million."

Verschoore: "That's what the... McCaffrey from the Department of Revenue has told me."

Eddy: "Is there a way to track that?"

Verschoore: "I don't have the data for that. I don't..."

Eddy: "Okay. It would be interesting to see if we can verify what the intention was by tracking that re..."

Verschoore: "According to IRMA, that's what it is."

Eddy: "Okay. Thank you, Representative."

Verschoore: "Thank you."

Eddy: "I, again, I just want to voice those concerns on the record 'cause they were brought up and I understand Representative Sacia's concern because I've had some calls as well. There's people stopping me. They're really worried about the other side of this, but certainly you have, I think, researched this to the point that you feel confident that this isn't a jobs issue and there's an enforcement that will yield \$70 million."

Verschoore: "Right."

Eddy: "Okay. Thank you."

Verschoore: "Thank you."

Speaker Mautino: "Further discussion? Representative Osterman."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Osterman: "Thank you. To the Bill. Ladies and Gentlemen, this is a very important piece of legislation for our state, and one that will help small businesses around our state. There have been concerns brought up about losing jobs. The reality is this is going to help keep small businesses in our state and working. Currently, if someone goes out of state and uses the Internet to make a purchase, there's no sales tax provision. This will require that the state be able to get that sales tax. The Department of Revenue did a study about a year ago that said that the state's losing anywhere from 100 million on up in unrecouped sales tax. That's money that could be used in many ways here in our state. This summer we had a subject matter hearing in the City of Chicago and we heard from advocates regarding this issue and the business community is squarely behind this. They want to make sure that Illinois businesses are treated fairly and that those... they're not put at a competitive disadvantage, which is why IRMA and many other businesses, including many small businesses that came out to testify, are in support of this. This issue also relates to the growth in the Internet sales and over last year, 20 percent increase in some of these large companies Internet sales. That's, again, money that's leaving our state in the sales tax that can go to help us with the desperate financial situation that we have here. There's been talk that some of these big businesses are going to leave and they're not going to compete. Well, I would remind everyone that we've got over 12 million consumers here in Illinois. They give all these big companies a reason to stay and do business in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the State of Illinois. And like New York, where they did not leave after threatening to leave, Overstock.com, it would be my guess and I think the business communities' guess that they would stay here. This is an important piece of legislation and one that will help bring in needed revenues to the State of Illinois, one that's supported by small businesses around the State of Illinois. And it... one piece of legislation that should get 118 votes and I'd ask for its support."

Speaker Mautino: "Further discussion? The Gentleman from Champaign, Representative Rose."

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

Speaker Mautino: "He indicates that he will."

Rose: "Representative, let me help you out here. What you're trying to do is collect tax that's already due by having online retailers collect and remit the tax just like the brick-and-mortar retailers do, correct?"

Verschoore: "Correct. Correct."

Rose: "So, it's not a new tax. It's tax that's already due."

Verschoore: "Right."

Rose: "Okay. And a previous speaker asserted that in-state Internet companies don't have to pay this. Under the Quill case that's inaccurate because they're domiciled in Illinois and if they're domiciled in Illinois, they have a nexus to Illinois and therefore, they have to collect and remit just like any other business in Illinois, even on their out-of-state online sales."

Verschoore: "Right."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Rose: "So, what you're going after are the out-of-state domiciled Internet retailers. Is that all accurate?"

Verschoore: "Right."

Rose: "And you're asking them to collect and remit. And if there is no enforcement mechanism, isn't... is to... They have to collect and remit at point of sale... at time of sale just like the in-state brick-and-mortar retailers. Right?"

Verschoore: "Right."

Rose: "So, as a public policy we should either have all retailers collect and remit a tax, or no retailers collect and remit a tax. That's what you're suggesting. That as long as the brick-and-mortar guys have to do it, the online guys should do it. Right?"

Verschoore: "Right."

Rose: "Okay. Here's my questions though, you've got this cart well before the horse. Have you talked with the Governor about him backing off his assertion and this year's tax return filings to require people to pay their back sales taxes due from Internet transactions?"

Verschoore: "Well, the way I understand how that works, Representative, is there's a scale of how much your... pay on your income tax, and you pay a percentage of that. And if you pay a percentage of that, let's say \$50 thousand, it's like \$33. That gives you a 10-year back exemption, it goes back 10 years."

Rose: "Right. But here's my point. I have no idea what I bought on the Internet 10 years ago..."

Verschoore: "Right."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Rose: "...five years ago, last week, neither does anybody else in this room, neither does any one else in the whole State of Illinois."

Verschoore: "Right."

Rose: "I mean, since this ill-conceived notion was put forward by the Department of Revenue to collect the back tax, everybody's going to... How am I supposed to know what to pay? What if you put zero, are you guilty? What if you happened to... What if you forgot you bought something? If you put zero, are you guilty?"

Verschoore: "That's... Well, I don't..."

Rose: "Here's my point, you're making this prospective in doing this the way it works, which is by collecting at the point of sale at the time of sale. The Governor's Office, before we ever even consider this Bill, ought to agree to drop their plans at trying to collect the back tax that no one in the State of Illinois, including you and me, Representative, will know how to answer that question. No one."

Verschoore: "Well, I guess someone... I guess you'll have to talk to the Governor on that. I don't know."

Rose: "Well, so you haven't talked to the Governor."

Verschoore: "The Governor's Office sat in on an hour meeting. He wasn't there, but the Governor's Office sat in on this."

Rose: "Did they say that they would suspend their..."

Verschoore: "No."

Rose: "Enforce... Okay."

Verschoore: "No."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Rose: "The second thing is, we shouldn't be talking about any taxes of any nature until we take up the spending cuts that are pending elsewhere in this chamber and a couple other reforms that have been mentioned in the last few weeks. I mean, I..."

Verschoore: "What... th..."

Rose: "Look in the purest world, either all retailers online or not, should collect or none should collect, and what you're trying to do is put everybody on the same playing field. I get that. But before we even begin to talk about this Bill or any other tax Bill, we ought to get the reform Bills passed, get the cut Bills passed and then sit down and talk about this. And that includes having the Governor agree to eliminate his ridiculous intent to collect back taxes that no one in the entire State of Illinois will know what they paid."

Verschoore: "Well, what I'm trying to do is generate income for the state. As you well know, we need it. And this... they're estimating, as Representative Osterman said, it could be as much as a \$100 million. There saying \$70 million. And..."

Rose: "Well, actually, I'll tell you what, Bruce, Fox and Luna in a 50-state survey from the University of Tennessee in April of last year... did a 50-state survey, they say it's worth \$467 million this year, and over \$500 million next year..."

Verschoore: "Well, that's better yet."

Rose: "...on what you're trying to do."

Verschoore: "That's better yet."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Rose: "Which actually brings me to another point why this cart is before the horse, you are raising revenues potentially and no one in this room knows how they fit into the overall... overarching piece of the puzzle. Where is the final solution? Where are the cuts? How much are they? Where are the revenues? How much are they? Where are the fundamental structural reforms of State Government? I mean, you just said this is only worth 70 million. The University of Tennessee's where it says worth 500 million. So, where's that money going?"

Verschoore: "We're not including everything in the... our estimate that they included in theirs. That's why there's the disparity."

Rose: "So, we're not accepting all of their estimates?"

Verschoore: "No."

Rose: "Okay. So, the University of Tennessee estimates that there's going to be over a half a billion dollars of the revenue, we're only estimating 70. So, where's the rest of it going? Well, suffice it to say, Representative, this cart is well before the horse. I know what you're trying to do, but we got a bunch of other roads and bridges to cross before we ever come to this one. Thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. Will the Sponsor yield? Assuming that he will..."

Speaker Mautino: "Yes, he will."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Winters: "Thank you. Pat, I wanted to bring to your attention one company in my district has about 15 employees earning between 40 and 100 thousand dollars a year. They're computer engineers to a large extent, FatWallet that deals with coupons and out of state shippers into Illinois. Now, as I understand, one of their major clients is Amazon. If Amazon cuts ties with FatWallet and has no other brick-and-mortar location in Illinois, would FatWallet be subject to the sales tax under this Bill?"

Verschoore: "It's not FatWallet's responsibility. It's Amazon's responsibility."

Winters: "I understand. If Amazon has no Illinois nexus, no bricks-and-mortar connection to Illinois other than across the Internet, are they subject to a sales tax when they sell to an Illinois consumer?"

Verschoore: "Yes, but they already are."

Winters: "Is it being enforced?"

Verschoore: "As far as I know, I mean..."

Winters: "Well, I'm not aware that if you buy something from..."

Verschoore: "If they're domiciled in Illinois, they're paying it."

Winters: "Amazon is not domiciled in Illinois."

Verschoore: "But FatWallet is."

Winters: "I understand. The whole thing that I'm driving at is FatWallet, a company in my district, has a relationship with Amazon. If they move three miles north to Wisconsin, they're not subject to Illinois law anymore. They could then say, 'You know what, this tax is a great tax, but we're not paying it and we moved out of state and we're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

moving all those jobs with us.' Amazon, itself, it's only connection with Illinois is probably through Fat Wallet. So, Amazon... you're not going to pick up the revenue from Amazon if FatWallet leaves this state."

Verschoore: "That's true for that company, but..."

Winters: "That's true for that company, and the company we're talking about is Amazon. Much of your revenue estimate is based on companies that will cut ties to Illinois contractors with them, not sign anything that would tie them down to this state. The reason they stayed in New York and have not left New York is because they wanted to file a tax... or excuse me, a court case declaring it unconstitutional. And my understanding, they have pulled out of Rhode Island, they did not New York solely because they wanted to have a reason to challenge this in state court."

Verschoore: "Well, they've challenged it twice and the state court has... the courts have come down in favor of the state."

Winters: "I don't believe those have been appealed all the way up through the chain. So, possibly the first court decision, but that may well be overturned."

Verschoore: "It hasn't run the entire course, but out of the two cases that they've had, they've ruled in the state's favor both times."

Winters: "Okay. Well, I'm just trying to raise with the Body, with the House, the fact that, as this is crafted, companies do have alternatives and one of the alternatives is to not contract with Illinois companies so that they can

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

break that connection with Illinois. They won't pay any tax and what they've done is hurt Illinois businesses. And I urge a 'no' vote on this Bill. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this is quite simply, as the... a Member of the Democrat side explained, tax fairness. This is not a new tax. This is about fairness and trying to make sure everybody remits the tax that is due on these items. We really should be thinking about this more of protecting our local businesses, your mom and pop stores on Main Street that are being hurt and driven out of business. We all know 70 percent of businesses are small businesses. This is about small business. So, what we're talking about is tax fairness, not a new tax. There has been some discussion about what some of these big corporations might do in dealing with their affiliates in the State of Illinois. Ladies and Gentlemen, the State of Illinois is the fifth largest economy in this country. It is the twentieth largest economy in the world. These people are not going to leave Illinois. That is a red herring. So, let's get back to what this Bill truly is. It's about tax fairness. It is about our small businesses in the State of Illinois. Please vote 'aye'. Thank you."

Speaker Mautino: "Further discussion? The Lady from Brown, Representative Tracy."

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

Speaker Mautino: "He indicates that he will."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Tracy: "Representative Verschoore, it's been kind of noisy in here and I wasn't able to answer, and I'm... I've been going through the Bill. I was just wondering the procedure in which the tax is going to be collected. When a person uses their Internet connection to purchase something, say from Amazon, will Amazon then be responsible for..."

Verschoore: "They're responsible for collecting that tax."

Tracy: "Okay. And I apologize if this has already been gone over, I just couldn't hear it and I can't find it specifically within the Bill, but I wanted to know if it's the sale... the vendor..."

Verschoore: "Right."

Tracy: "...the retailer will be the one charging the tax based on Illinois sales rates in whatever geographic area that person lives in."

Verschoore: "Right."

Tracy: "And then that will be the charge on the person's bill."

Verschoore: "Right."

Tracy: "Okay. And then that retailer then will bear the responsibility to pay that to the State of Illinois."

Verschoore: "Correct."

Tracy: "Okay. Thank you. That answers my question because I do have concerns that we might have a great deal of litigation over this with the Commerce Clause and I think you've gone over that, but like Representative Sullivan just mentioned, this is a recapturing of a tax that could have been imposed but we haven't been able to have a vehicle to capture that. Is that how you see it?"

Verschoore: "Correct."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Tracy: "Thank you."

Speaker Mautino: "Representative Sacia, your name was used in debate."

Sacia: "Thank you, Mr. Speaker. Pat, in the time the conversation ensued the lawyer called me back. His concern is that a business such as Amazon, which sells a product, rightfully so should be taxed. But an intermediary, which is a facilitator, i.e., in this case FatWallet, there is no carve out provision. They are not a direct sales entity. They are asking for a carve out. Is this something you'd be willing to put in your Bill? And I realize it's here on concurrence."

Verschoore: "This is... the whole intent of the litigation, Jim, and like I've said before in both cases, or when both trials they've had on this, or both hearings they've had on this, they've ruled in favor of the state. So, I don't think that there is a problem here."

Sacia: "I would ask one more time, Representative, would you be willing to pull this out of the record until we could get a better handle on it? I... that is such a common procedure here and I always get really gun-shy when somebody says no, they don't want to pull it out. It's like we really want to make this happen and I know you're not saying this, but the feeling I get is shut up and sit down. And I'm very concerned about that."

Verschoore: "Well, we got one law firm that's concerned about this, Jim. I mean, if it... I think if there was, you know, more merit that there was..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Sacia: "Representative Verschoore, I'm mentioning one law firm that called me today with grave concerns which leads me to believe that there are many others out there that have no idea that this is, in my opinion, Sir, being rammed through. And when the law firm explains to me that FatWallet, which is their client, is a facilitator and not a sales organization, but they are not being carved out. They're going to be forced to pay tax and they are not a selling entity."

Verschoore: "The Illinois business is not going to be forced to pay any more taxes, Jim."

Sacia: "FatWallet is an Illinois business, Sir."

Verschoore: "Then they won't be charged then."

Sacia: "So, you're telling me, on the record, that FatWallet will not be charged, or will not be paying..."

Verschoore: "Not any more than they are right now. They're paying right now. Well, they won't pay anymore than they are right now. They're already paying it."

Sacia: "The way the law firm explained it to me is Amazon, using Amazon as an example, is a selling entity, which does rightfully so owe a sales tax. I get that; they get that. FatWallet is a facilitator. They are going to have to pay sales tax if they say that that product is a good product, as I understand it."

Verschoore: "No. It's Amazon's responsibility to collect the tax and send it to Illinois."

Sacia: "I guess your answer to pulling it out of the record is no. Is that correct?"

Verschoore: "Yes."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Sacia: "Thanks, Pat."

Verschoore: "Thank you, Jim."

Speaker Mautino: "Further discussion? The Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "He indicates he will."

Franks: "Thank you. I'm reading our summary and the one thing that caught my attention is... and I want to verify this. Is the effect of this legislation is to establish a nexus or a physical presence in Illinois for the retailer or servicemen that otherwise would not have one? Is that correct?"

Verschoore: "Yes."

Franks: "Okay. So, that's how... that would be the basis for collecting the tax."

Verschoore: "Right."

Franks: "Okay. Would it also then make them a legal resident of the state?"

Verschoore: "It would make them a retailer in this state."

Franks: "Okay. So, they'd have a legal standing as a retailer in the state, correct?"

Verschoore: "Right."

Franks: "As such then, they would be availing themselves to the... all the laws of the State of Illinois, correct?"

Verschoore: "I believe that is correct. I don't know, but I believe that is correct."

Franks: "I see this as a great expansion because if... what I'm looking at as an attorney, if I'm able to establish a nexus with a business that does business in the State of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Illinois, that means that I would have jurisdiction then to go forward if I had a complaint to sue wherever the transaction would take place. Would that be correct?"

Verschoore: "We'll check on that."

Franks: "I think that's very important. I think this may be an unintended consequence of the Bill, but should this pass, I would think that this would extend the long arm statute of the law to the entire world. In one of the... may I give you this example, I'd like you to check on. For instance, if I wanted to fly to Singapore and I wanted to fly on Singapore Airlines, but they don't have a terminal or a gate in Chicago O'Hare, but I had to pick up the flight when I go to L.A. So, then I would buy my ticket online sitting at home in Marengo, Illinois, right? So that would be McHenry County. I get an e-ticket, which they... under this legislation, they'd be a retailer. Then if for some reason the flight... something bad happened on the flight, you know, they... something happened or a contract dispute, they canceled the flight, and as a result I lost my trip. I would then, under this Bill I think, be able to sue them in McHenry County, Illinois, though they have no physical presence whatsoever in the State of Illinois."

Verschoore: "I can't answer that, Jack."

Franks: "I think we need to find that out. Could we pull this out of the record and... or maybe Jessica can find out."

Verschoore: "Let's... Give us a minute here, Jack."

Speaker Mautino: "Representative Verschoore."

Verschoore: "Okay."

Speaker Mautino: "Representative Franks."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Franks: "Thank you. Thank you for the brief intermission brought to you by Singapore Airlines. So we had a brief discussion here and the... I guess the answer is it's open for discussion."

Verschoore: "It's open for discussion, but we don't... Revenue doesn't believe that it will be a problem is what they're saying."

Franks: "But are you aware... Are you aware of any ongoing litigation in other states that have implemented similar laws to this effect?"

Verschoore: "Well, like I said, in New York they've had a couple... tested it a couple times and in both cases they ruled in favor of the state being able to do this."

Franks: "Oh, I'm not questioning that at all. I think a state is able to do it. My only real question is though whether this will extend the long arm statute and I tell you, it'll change, literally, centuries of case law on how business has been done, because we are saying in this legislation that we are actually creating a nexus and physical presence in the state. I think it'll allow for an opening of litigation in this state."

Verschoore: "That's always a possibility I guess, Jack."

Franks: "Okay. All right. Thank you. I just wanted the Members to be aware of that. Some would think this is a good thing, that you'd be able to sue pretty much any company from anywhere in the world, anywhere in Illinois. I think lawyers in Madison County might like this the most, others might not like it as much, but I think it's a real issue that one ought to consider when placing a vote."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "Representative Verschoore to close."

Verschoore: "Like I said before, I'm looking for revenue for the state and I think this is a great way to get revenue for the state. Will there be challenges? If there is, I guess there'll be challenges. We'll just have to see if it holds up, but I would ask for an 'aye' vote. Thank you."

Speaker Mautino: "The Gentleman has moved that the House do concur in Senate Amendments 1 and 3 to House Bill 3659. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Stephens, Representative Nekritz, do you wish to be recorded? Mr. Clerk, take the record. 88 voting 'yes', 29 voting 'no', 0 voting 'present' and the House does concur with Senate Amendments #1 and 3 to House Bill 3659. The Gentleman from Bond, Leader Stephens."

Stephens: "Thank you, Mr. Speaker. The last Bill, notwithstanding, on our side of the aisle we have been wondering for months and certainly the last few days, and as we wind down this Session we would like a better understanding of what the Democratic party's priorities are for Illinois. Are you most impressed with raising taxes or are you most urgent about borrowing us... borrowing more money? Or are you most concerned about increasing spending, or could it be putting us in more long-term debt? Well, one of you just said all three."

Speaker Mautino: "Today, my..."

Stephens: "So, that tells me a lot. There were four choices."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "Today my choice is to try and call as many of the Members' Bills and issues remaining on the stand... on the Calendar as we move towards the close of the Session."

Stephens: "And with that in mind, I don't think that there are any revenue enhancements, as you like to call them, no tax increases filed by us on this side of the aisle. I don't believe you're going to see us begging for more borrowing. And we're willing to live within our means and not ask for more spending, and certainly, we don't want to increase our long-term debt."

Speaker Mautino: "I look forward to working with you towards solutions."

Stephens: "On all three issues?"

Speaker Mautino: "All four issues and many others. Mr. Clerk, on... House Bill 5420, Representative Currie."

Currie: "Thank you, Speaker. I move the House concur in Senate Amendments 1 and 2 to House Bill 5420. About a month ago, we created in this House a bipartisan special committee on Medicaid reform. The Senate did likewise. And we were hard at work. All the Members of the committee and the Department of Health Care and Family Services and the Department of Human Services and the Governor's health advisors, all through the month of December, and we think what we bring to you today is the result of an excellent experience of collaboration and cooperation. We think that we are going to improve health care and also create new efficiencies and new integrity in the state's Medicaid system with passage of House Bill 5420. Let me thank the director of the department, former Representative Julie

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Hamos, Mike Gelder, the two Senate cochairs, Dale Righter and Heather Steans, and especially my cochair Patti Bellock, not to mention all the Members of the committee. So, briefly, what the Bill will provide is that we are going to rebalance long-term care by virtue of encouraging more community placement. We'll have a unified budget, so that we know whether the money came originally from the Department of Human Service or the Department on Aging, what all those pieces are and we will permit the Governor to use his discretion to transfer money, up to four percent a year, from the long-term facilities to the community itself. As you know, we've had a very contentious issue for many years. Section 25 permits us to pay this year's Medicaid bills out of next year's budget. Over a 10-year period we will reform that system so that the Medicaid liabilities will be paid out of each year's appropriation. I think that will encourage greater integrity and fiscal responsibility on the part of the state. We will, in the All Kids program... we will verify income, not just with the single pay stub but with a reporting of a full month's of income. We will establish, indeed, that the individual does live in the State of Illinois and at the end of every 12-month period, we will actually verify, in person, that the individual still qualifies for the Medicaid program. When it comes to fraud and abuse, we are going to provide additional civil remedies... civil enforcement remedies and the department will look at a proposal from one of the committee Members from the opposite side of the aisle to think about using private sector resources to help us

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

recoup dollars that rightfully belong to us. In the pharmacy program, we are going to agree with the retail merchants to cut the prompt pay penalty, to require prior approval and track utilization with some additional provider groups and in certain circumstances, the department may actually authorize a 90-day supply of particular maintenance medications which will save the state money in the long run. We have not done well in the state on the information technology front and in order to make the new system work, we have to invest real dollars in an improved information technology system. The feds happily will pay 90 percent of our information technology work. So, we will be hard at work on that over the next several months. In the All Kids program, we will, in the future, limit family participation to those whose incomes on an annual basis is under 300 percent of federal poverty. For a family of four, that's about \$66 thousand, but people who are currently in the All Kids program above that limit will be able to retain participation until July 1, 2012. And then finally, by January 1, 2015, we will provide that 50 percent of our Medicaid clients are in a coordinated care program. That doesn't necessarily mean an HMO. There are many different models in which people are getting their health care through network service providers, some of them through hospitals, some through other kinds of provider networks. But what we have not done well in the state is to make sure that people get care that is coordinated, that is integrated. We have a fee-for-service system in which somebody may go to one doctor's today and a different

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

doctor tomorrow. That is not the best way to contain costs, and it most certainly is not the best way to guarantee health care quality for our recipients. So, I think this new system, if we monitor it carefully, will in fact improve health outcomes. The whole Bill will improve the integrity of the state's Medicaid system, and I think we will find that there are cost savings to come. I would be happy to answer your questions. And I'd be grateful for your support for this concurrence Motion."

Speaker Mautino: "The Lady has moved that the House concur in Senate Amendments 1 and 2 to House Bill 5420. And on that, the Lady from DuPage, Representative Bellock, Cochairman Bellock."

Bellock: "Thank you very much, Mr. Speaker. This is to the Bill. I want to thank Representative Currie for her leadership in this. I also want to thank Senator Righter and Senator Steans, Director Hamos, and Mike Gelder from the Governor's Office, in all the work that they did in bringing this Bill to fruition. I think in the 12 years that I have been here, this is a Bill that is a bipartisan Bill from both the Senate and the House. In all the meetings we had down at the Bilandic Center over Christmas, of which I want to thank all the committee Members on the Medicaid Reform Committee for taking the time out of their holidays to go down there and they were firmly committed to making major changes within this system. It's not an easy system. There are a lot of special interest groups. There are a lot of groups that provide the best health care in Illinois for our nursing homes, our doctors, our hospitals.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

All of those people are affected by this Bill. We tried to address those issues in the best way we could. Representative Currie mentioned the major things that this Bill did. One of the things that I want to stress here is that our main goal in this Bill was to provide good health for the children in Illinois that were part of the safety net that the Medicaid system was designed to help out. That was what our main issue was in this, was to provide integrity into the Medicaid system, which had somewhat fallen into disrepair. And I think the major reforms in this Bill, that were brought about by all the Members of the committee... This Bill was not directed by one Member of the General Assembly or by one person in the administration. This Bill was driven by the recommendations of all the people that sit on this floor in the House and the people that sit on the Floor in the Senate. One of the major considerations that's of concern in this Bill is the comments on the care coordination in the Bill. I just want to address that the intent of this Bill will allow the department to work with providers to implement various shared risk and shared saving approaches. It is not solely based upon full capitation approaches with HMOs which is what a fear of some of the organizations in the hospitals are. Under this Bill, a variety... we tried to promote a variety of new and innovative care coordination approaches many of which, we hope, will be led by the providers and will emerge in future years. Under these arrangements, providers have financial incentives to meet performance. That was one of the main concerns, was pay

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

per performance, quality of savings targets. And additionally, the care coordination would include programs where a provider is working with enrollees under different certain conditions. It is not intended to change or limit a hospital's ability to manage the care of complex or chronically ill children. I wanted to make sure that we put that out there so that people on this floor understood because that issue, of the 50 percent of the Medicaid population in care coordination, is of a major issue to all of us. So, I'm telling... asking you to look at the dot points that we provided to everybody that are in the Bill. It's an extremely complicated Bill, as is the Medicaid system. The Medicaid system provides... 50 percent of all the births in Illinois are on Medicaid. One out of every five Illinoisans is on Medicaid now, and one out of every three children in Illinois is on Medicaid. Our goal here is to make reforms, to have this system have some cost containments, to address the issue of waste and fraud, which were brought to us by some of our own Members. The main goal is to provide medical homes, to have people on the Medicaid system, to be able to have a primary care physician, be able to go to the hospitals when they need that care, but to make sure that their bills are paid for and that they receive the treatment that they need. Thank you and I ask you for support to this major reform on Medicaid in Illinois. Thank you."

Speaker Mautino: "The Gentleman from DeKalb, Representative Pritchard."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Pritchard: "Thank you, Mr. Speaker. And to the Bill. Ladies and Gentlemen of the House, as the previous speaker mentioned, you've got dot points that talk about some of the major provisions. One of them though that I would like to underscore is one that affects a number of our human service agencies, and that's our information management system. This Bill provides and reflects the department's energy in trying to get federal grants to update our computer systems, which are nearly 20 years old and as Director Hamos mentioned today, we're now finding it very difficult to find programmers able to speak the language of the system we're using. What this system does... or this Bill does is looks at coordinating the information systems in the medical managed care portion that combines better management of records that helps reduce the duplication of citizens as they go from agency to agency with health care issues related to Medicare. It looks for all of the agencies that deal with Medicare to work together in a better management system for this data collection. It's one of several positive features of this Bill that I think deserves our support. And I ask for a 'yes' vote on this Bill."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Does the Sponsor yield?"

Speaker Mautino: "She indicates she will."

Mendoza: "Representative Currie, as you may know, children's hospitals in this state now currently manage the care of the medically complex chronically ill children. Can you

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

confirm that this legislation is not intended to change or limit the ability of those hospitals to manage the care of these very fragile children?"

Currie: "No. It is not intended to do that, but what the Bill does do is to say the department that they may contract with various entities including exactly the one you described to provide for coordinated care. So, I think... and I think Representative Bellock mentioned this as well, that we're hopeful that there will be all kinds of risk management groups that will come forward including networks of doctors, including those that are organized through the hospitals, as the one you described. There are many different models that show that you can provide quality care through a network at... and you can do so with better outcomes and at lower cost."

Mendoza: "Thank you, Representative. In addition to that question, I'd like to ask you another question. In the Senate, Senator Righter, who cosponsored this legislation with Senator Steans, stated that the primary problem facing Medicaid is the lack of access to necessary care for those who are truly in need, and in particular he identified the frightening lack of access for sick children. This legislation does not appear to address the lack of access to pediatric specialists for children insured by Medicaid. As we move into the future, Representative, it will be very important for us to ensure that the Legislature and HFS work to address this problem. In your view, will this problem be part of our longer-term plan to improve Medicaid?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Currie: "I do hope so, and while this Bill does not deal directly with rates, I think it does deal with the underlying issue and that is that we have been so rate driven and so fee-for-service driven that we have driven some providers out of their willingness to provide services to people on the Medicaid program. But through networks, through coordinated care, I think we can bring those specialists back into the Medicaid program and that is really the hope of this kind of approach which would mean really redoing the way we've done business in Medicaid, but would do so in a way that I think will provide more access to quality specialists than we are able to do today."

Mendoza: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. To the Bill. Since utilization of Medicaid in my district runs about twice the average of the state, this has been a process that I've tried to follow very closely and watch very closely. So, I first of all want to extend thanks to Representative Currie and Representative Bellock for allowing some of us to come and, you know, audit their hearings. But more importantly, given the cost pressures that we're under to make substantial reforms, we could have enacted things here that could have hurt families in our state and their ability to get health care. Instead, thanks to the work of the committee, we have before us very sensible reforms that are not only going to save us hundreds of millions of dollars going forward but will actually, over time, improve the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

health outcomes for our families and improve the delivery of health care in our hospitals and to our primary care providers. So, I just want to thank the committee for their work and Representative Currie and Representative Bellock and ask people to vote 'aye' as well."

Speaker Mautino: "The Lady from Cook, Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This is an issue that I have spent many, many years working on and it is very important to me. I think that historically, when we looked at the Medicaid program, the two things that we've always been worried about is, 'Are there enough providers in the system, and then what is the quality of care that the children and primarily women are receiving in the program?' I appreciate that this Bill is going to address those two issues. We're going to be looking at it. There are... have been some great ideas that have come out and we will be looking at those and implementing them and I think that it is going to be incumbent upon this Body to really monitor this program. I think in the past, when we tried to do managed care before, we had some serious problems and it failed dismally. So, I really want to encourage all of us to take this seriously, to continue to monitor it and I just... I have to say that, you know, the All Kids program was initially put out because we wanted to get rid of the stigma of a program, of having there be children who can just afford the program because of financial reasons and with All Kids, it was for every child in Illinois. So, I am a little disappointed that we weren't able to keep that, and that now only children up to 300 percent of poverty

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

will be able to be in the program. It's also unfortunate because those higher income folks were actually paying the premium for the program. So, there really wasn't that big of a reason to take them out. So, I am disappointed about that, but I am excited about the new concepts and the new ideas of being able to do coordinated care and to really improve the quality and make sure that we have all the providers in the program. So, thank you to the committee for working so hard on this."

Speaker Mautino: "Further discussion? The Lady from DuPage, Representative Senger."

Senger: "Thank you, Mr. Speaker. To the Bill. I also want to say thank you for the hard work that Representative Currie and Representative Bellock did and Director Hamos. This is a good example when you put a group of talented women together what they can get done. So, thank you."

Speaker Mautino: "Further discussion? The Gentleman from Champaign, Representative Rose."

Rose: "Okay. To the Bill, Mr. Speaker. It's rare unfortunately in this chamber that you get a chance to vote on something that frankly is historic, something you go home and talk to your constituents about and be proud of. And in this instance I'm not only proud of the substantive product, but I'm proud of the process by which this was derived. I have immense respect for the time and effort that's... energy is put into by the two cochairs, Leader Currie and Chair Bellock, the Senate chairs, all the Members of the committee and at the end of the day, when you look at this and you go back just two months and I look

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

through this and I'm... ends pass of redetermination, actually... Gee whiz, this seemed like common sense, but now we're going to require income verification, puts limits on presumptive eligibility, a moratorium on new programs, think about that. We're actually acknowledging that spending is out of control. A moratorium on new programs, begins a movement towards managed care and change in the title of what it does with an in and an eye towards providing a better outcome for an individual in the day. Cracking down on frauds and cheats, the new Acts that forfeit your provision and the administered review that's in here, begins to phase out the slow payments to Medicaid providers that just get pushed from year to year to year. Talk about quality, pay for performance, makes sense. We should be paying as the taxpayers should not be paying for poor health outcomes. We're going to move towards a new indicia of quality, pay for performance. The analytics that are going to go into this. Reviews by external auditors, caps on eligibility. In eight years, every now and again, I've seen a Bill or two of this magnitude that can save a bunch of money. It's even rarer though that you can see one that saves money and provides a better product at the end of the day, and the thing that I think I'm most proud of with respect to this is it really was done in a bipartisan fashion. It wasn't particularly easy or fun, or we didn't have all the time in the world to do it, and there's going to be a lot of things people aren't going to like, a lot of things people are going to like and we're going to have to keep working on this. I mean, this isn't

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

over today, we're going to have to work out some kinks and we're going to have to do some other things, but it was truly done in a bipartisan way and it's a very, very good product. And I'm going to be proud to go home and talk to my constituents about, not just the substance of this Bill, but the way in which it was done. So, thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? The Gentleman from Menard, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Mautino: "She indicates she will."

Brauer: "Representative, I have a couple quick questions. We went over this in great length during the legislative audit commission hearings, and there were several things in there that was brought at least to my attention, and I see in here you're going to from the passive determinant back to the active determinant. Is that right?"

Currie: "That's right. On an annual basis recipients will have to come in and show that they still qualify for Medicaid."

Brauer: "What sort of information will they have to bring in? They're at one time with the passive. They talked about just bringing in one pay stub. Will they have to bring more than that in?"

Currie: "And as you know, we've changed the eligibility determination in the Bill. So, they'll have to show one month's worth of income and they'll have to show proof of Illinois residency, and they will have to show those same two things at the end of 12 months when there is a redetermination that they still are eligible."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Brauer: "So, we've gone back now to an active determination."

Currie: "An active redetermination."

Brauer: "Yes. Okay. And then also, the one thing that was talked about was the fraud investigation. Four years ago they did away with that. Is there anything in this Bill that brings back fraud investigation?"

Currie: "There is not a new unit, but we are, in the Bill, providing for the opportunity for civil enforcement. Many times we have situations where the amounts of fraud are not great enough to encourage a state's attorney to prosecute and this will enable us to provide for small fines but also for recoupment in the event that somebody has been defrauding the system."

Brauer: "Well, I guess I would encourage you to bring a trailer Bill on this at... after this passes because I think it is a very good bipartisan effort, but I think the one thing that is missing from this Bill is the fact that four years ago, we had the fraud investigation. And I think it's important that as part of DHS that they will actually go out and look at possible fraud cases."

Currie: "And I will check with them to see whether they have found a way to reinstitute the activity, even if they have not reinstated the specific department, but I appreciate your comment."

Brauer: "Well, four years ago the cost of this one line item was 7 billion, today it's closer to 15 billion. Do you have a... some sort of estimate of what this will be then after this gets passed?"

Currie: "I'm sorry. What will be after this is passed?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Brauer: "Four years ago the cost of Medicaid to this state was 7 billion, today it's 15 billion."

Currie: "Right, right."

Brauer: "What will be the cost..."

Currie: "Well, I can only tell you that I think for many of us the issue of making sure that the health care we provide is quality health care with good outcomes, but the department estimate is that this will save, over a five-year period, up to \$775 million, almost a billion dollars over that five-year period. And many believe that in fact, if the coordinated care works as effectively as we hope it will, that in fact the savings will be far greater."

Brauer: "Well, I'm guessing it will be far greater because I'm guessing there's a lot of fraud out there and if you can get that taken care of... I was talking to an investigator before the passive determination and he talked about one person have 30 different aliases and was actually taking that for Medicaid. And without fraud investigation, the last four years, I have a real concern as far as what's out there."

Currie: "Yeah. And in fact, actually, just one more point on... one more item on that point and that is, right now, if there's a pattern of abuse, you know somebody's going to a doctor five days in a row and getting Vicodin, for example, pretty clearly, that individual is not taking the medication, more likely selling it on the streets. Well, this Bill will expand the kinds of providers for whom that overutilization will trigger a decision by the department

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

to limit that individual's access to those providers for that product."

Brauer: "Well, I think this is a very good Bill. Couple more questions. You talked about the actual savings being around 800 million, was that after the growth in the program?"

Currie: "After the which?"

Brauer: "The growth. I mean, you're... will you..."

Currie: "Well, yeah. Again, the estimate varies, but yes, taking into account anticipated growth, but we do anticipate significant savings from the coordinated care part of the program, as well as efforts to stop over utilization, held the pharmacy prompt payment fee and so forth."

Brauer: "You have in here that All Kids was limited to 300 percent of poverty level. Four years ago, the actual level that people could become eligible was 400 times... 400 percent of poverty. It went back to 150 percent of poverty. Is that the level it is now?"

Currie: "It... this will be 300 percent of poverty."

Brauer: "That's for All Kids. I'm..."

Currie: "That's for All Kids. Yeah. For Medicaid, it's 133. I think for pregnant women it's actually a higher number, 185 is what sticks in my mind."

Brauer: "I think this is a very good Bill. I support an 'aye' vote."

Currie: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Peoria, Representative Leitch."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to be among those who congratulate the leaders of this effort, Representative Currie and Representative Bellock, together with our colleagues in the Senate and certainly our friend Julie Hamos and others. In my tenure here, this is... this exercise was I think the most productive bipartisan and well-thought-through exercise that I've ever encountered, and certainly, in the area of Medicaid. There are many, many reforms, long overdue reforms, things that for whatever reason have been set aside, neglected, and failed to be accomplished even though it had been the intent of the General Assembly to accomplish those issues for a long, long time. So, I think it all speaks to the effectiveness of pulling all of these parties together, working very hard, very intently, in very good faith to produce a product of this quality. So, I would like to recommend a 'yes' vote and I'd like to, again, congratulate those who led this effort."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, would like to take this opportunity to thank the Members of the Medicaid Committee on doing a fantastic job in regards to bringing up all the ills in this state in regards to Medicaid and to show that we haven't been doing a very good job across this state in regards to the continuity and the quality and the access of care for the people of this state. Now, a lot of talk has

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

been stated on this floor... has been talked on this floor in regards to fraud, but we were talking about the fraud of the consumers, but what about the corporate fraud. So, I would like to ask the Lady, Representative, have we done anything in this legislation to deal with the scrutiny of corporate fraud, or is this..."

Currie: "We already have a very active program to try to go after provider fraud. And as you, yourself, noted in committee today, the Federal Government has been able to extract a very significant settlement from Caremark and from another health care company because they were in fact mischarging the State of Illinois Medicaid program for the products that they dispensed."

Flowers: "And what..."

Currie: "So that is to a great degree already under control."

Flowers: "And what about as far as the accreditation. Will the people... will there be some type of recertification? We have to have the people to be recertified, but what about the recertification of the program to make sure that the original owners of the program is still the owners of the program and they're still living up to what they should be doing. What type of mechanism is in place for that?"

Currie: "First of all, if it is an insurance entity, the Department of Insurance will continue to monitor. If it is not an insurance company, an HMO, then it will be up to the Department of Healthcare and Family Services to make sure that the care is quality care, that it is appropriately and adequately delivered, and that the people who run the program are the ones with the credentials that they were

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

given the contract in the first place. That will be part of the contracting arrangement, Representative. But I think we all know this is a program that we're going to have to monitor ourselves and several Members of the committee raised questions about care coordination. I think that this is a brave new world for the department and for us, and I think it behooves all of us to monitor what happens next, closely and carefully."

Flowers: "And how will we also monitor, Representative, the wasteful overspending from the companies that will be charging back to the state?"

Currie: "Well, I'm hopeful that we will be making good contracts and that most of them will not be with the for-profit sector, but as we've talked earlier, with hospitals, with doctor groups, with not-for-profits, that are prepared to do the network of care that can actually prevent hospitalizations can encourage a better outcome than the traditional fee-for-service arrangement."

Flowers: "We had a gentleman to become before our committee from an organization called SAS and that was his job. His job was to catch fraud and I asked him a question. I asked him how many people had he captured and how many companies had he captured and how much monies had he saved the state. He could not answer none of those questions. That concerns me, Representative, because we paid him a contract to give us the information in which we need in order to protect our constituents. But let me just say something else in regards to the passive redetermination. That was not our idea as Legislators. That is that our constituent's idea

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

who was in need of this service. That was the previous Governor's idea because he had bigger plans for himself. So, it was the agencies that was making it easy and allowing people... according to the Auditor General's report, it was the agencies who was making it easy for unqualified people to reap the benefits of this state. And as a result of that, that was a burden that we all have to bear today. So, I resent the fact that a lot of people are blaming the very people who are going to be in need of these services. And also I need to say, that this system is not prepared because we do not have the technology. Yes, the hospitals are ready. Yes, the doctors' offices are ready, but our Medicaid offices are not ready because the agencies cannot communicate with each other. I will be voting 'no' on this legislation, but I will be working with anyone who want to change this. I think it would be a lot easier if we were to implement a single payer health care system where we could negotiate for everyone because the emergency room will... the very people that we're going to carve out, that 50 percent, those people will still be seeing a doctor in the emergency room, the same emergency room that you and I will be going to, the same emergency room that the people on Medicaid will be going to. The people who are uninsured, cannot afford the insurance, will be going to those emergency room and guess who's going to be paying for it, Representative? So, once again, I want to commend you and I look forward to constantly and continually working with you. Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "The Gentleman from Morgan, Representative Watson."

Watson: "Thank you, Mr. Speaker. To the Bill. Leader Currie and to the Democrat staff and to Representative Bellock and to our staffer Clayton Klenke and the folks that worked on this, this, folks, should be a paradigm of how we work together to solve some of these issues. My hat's off to you guys. Patti Bellock came to our caucus every week and told us the issues and the challenges we face and made sure that everybody was informed. Folks, the lesson here is that we can put some of these partisan differences aside and work together and with the right leadership and the right people in place, we can make reasonable solutions, reasonable compromises. So, my hat's off to all of you, and Patti, thank you for your leadership."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Miller."

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

Speaker Mautino: "She indicates she will."

Miller: "I had a few questions regarding, and I apologize, I'm a little under the weather. You talked about in your opening remarks the practice of back billing and eliminating it, which I am in favor of, I think that needs to happen. What will be the process in which... with over the 10 years will the back billing process stop? So, for instance, if a provider... I assume that it will stop immediately, and then we have a log of bills from the previous year. How will they be rolled out, paid, whatever the course may be, and what is the implications on that on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

our budgetary process, because at some point we have to pay those?"

Currie: "Well, the legislation reads that in 10 year's time, there will not be an opportunity to go beyond last year's appropriations. You'd still have the four month lapse period, but it would be this year's appropriations paying for this year's Medicaid bills. So, yes, it's going to require a lot of all of us to make sure that we can be ready in 10 year's time to treat our Medicaid bills the way we treat all the other bills that are due and owing providers of services in every area of State Government right."

Miller: "Well, maybe... I understand that. But what... let me... I'm going to be very specific here. You just said that in this year a provider will bill a hospital, physician, whoever, that this year's budget will pay for this year's billing. That's correct."

Currie: "In 10 year's time we will have reverted to a system in which there will be a four month lapse period, but what pays those bills will be this year's budget, not next year's budget. Today... today under Section 25, a lot of our Medicaid liability in this fiscal year actually becomes the responsibility of the budget approved for the next fiscal year. That's not the right way to run a railroad."

Miller: "No. I'm not disagreeing with you, Representative Currie. I just want to be very understanding... very specific on the providers who've provided treatment for this year or last year, and that it's been back billed and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

considered. Now, when is... when and what I'm hearing is is that that process will not stop this year."

Currie: "That's right."

Miller: "Okay. So, the General Assembly, and I think people need to understand this, the General Assembly has a responsibility within 10 years to come up with a solution for this back billing process of those who are going to pay those providers who have provided services already."

Currie: "Right."

Miller: "Is it the potential that those services that have been provided, let's say today, will be stretched out for this amount of time?"

Currie: "No. No, no, no, no, no, no, no. And that's not been the practice, but the practice has been that we'll pay the... this year's... some portion of this year's bills out of next year's spending appropriation. And that... So, it's not that that's going to stretch out for 10 years. It's that over a 10-year period, we're going to reduce the number of bills that are relying upon next year's funding in order to make sure those providers get paid."

Miller: "No, I understand that, but once again, you're projecting something in the future where potentially could have some devastating effects or some effects to our future budget. Particularly, if this year a tax increase is passed, there's going to be additional budgetary pressures as we move forward as these bills are eventually taken care of, even though the rolls of Medicaid should decrease with this legislation, similar to the phenomena that we've had with our pension system and our accelerated payment system."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Is that pretty accurate what will happen within the next decade?"

Currie: "Yeah. There is a schedule... I mean, I think that the... your description of what's been happening is absolutely right, but if you look on page 24 of the Bill, there will... there's a specific reference year by year to how much can come out of the next year's appropriation."

Miller: "And then what..."

Currie: "So, we're going to have to learn to live with it."

Miller: "Once again, I think that's fantastic, but it's just very important to realize those pressures will be on the cake. The second point was access to care. I heard several Representatives talk about access to care, in particular with the coordinated care system. It's a coordinated... are patients going to be assigned to a particular coordinated care system based on availability, based on disease state, or based on proximity to their particular provider? Is there a possibility that some patients may be... may travel, for a primary care physician or hospital, miles just to be seen?"

Currie: "I don't think that will happen. There's no guarantee in the legislation, but the department will make contracts with various providers of risk based care, coordinated care, and again, I think you've heard from some of the comments on this floor that this is a brave, new world and it will behoove each and every one of us to monitor closely how effectively those care networks actually operate."

Miller: "Will the..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Currie: "So, the effort will be to find medical homes close to where an individual lives and that the people who provide service in the network will be available, accessible, and will provide quality care."

Miller: "Okay. Since dealing with the access to care, will the department decide exactly on where patients are being assigned, or will the patient have the opportunity to decide on where they would like to go. So..."

Currie: "I imagine..."

Miller: "...in a new model system..."

Currie: "Yeah."

Miller: "...for instance, where I live and represent, there are not many health care providers. Is it a possibility that they would have based on... be able to appeal them being into somewhere where there's difficulty in travel to a provider?"

Currie: "There will be client choice. At the end of the day, if the client fails to choose, the department will have the option of assigning that client to a medical home."

Miller: "Okay. Next question and I appreciate the Body, prompt payment. There's been... I see that the interest in regards to prompt payment has been reduced."

Currie: "For pharmacists."

Miller: "For pharmacists."

Currie: "Only."

Miller: "And it still continue with other providers."

Currie: "Right."

Miller: "Two percent, which is nominal..."

Currie: "Right."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Miller: "...for most providers."

Currie: "Right."

Miller: "Has there been any talk on terms of accelerated payment cycle to these providers? One of the reasons with lack of access to care is one of... as a health care provider has been when you wait 60, 90, 180 days for payment, that is a disincentive to take a third less or whatever less than your fee. Is there any talk, any indication in this legislation that providers will be paid promptly with any dedicated funds, any particular funds that could help them to increase access to care to their patients?"

Currie: "There's nothing in this legislation that does that, but that's certainly a continuing topic of conversation within the Assembly and within the administration. Currently, under federal rules for federal financial participation, we are required promptly to pay hospitals, doctors, and nursing homes, and we do."

Miller: "Well, if I remember, to receive the federal stimulus dollars we had to pay the docs down 30 days. What that did was cost shift... our social service providers to finance. So, now that the federal stimulus dollars are over, is it... the discussions with the department or the industry or with... within this legislation that providers will be paid in a decent amount of time to address this phenomena in terms of access to care to try to get more providers."

Currie: "There was not a specific discussion nor specific language except that, if we change Section 25, we will not be able to wait 'til the cows come home to pay the providers."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Miller: "Last question and I appreciate the indulgence. There was conversation by other Representatives talking about paid for performance. I have some concerns with that because everybody doesn't come in with the same health state, disease state, access to care, education and all kinds of factors that predicate on somebody's health care. Is there... what indicators or what model is being used in terms of pay for performance? It's an addition, particularly, if cost savings are the end of the road, then there could be some sense of impropriety of lack of access to care when pay for performance is... when pay is incentivized to try to reduce your costs."

Currie: "And that's, I think, why this whole program will need careful monitoring, but when they talk about pay for performance, I think the idea, if you have a network here dealing with patients with the same kind of demographics, the same background issues, and these people are finding it possible to control their diabetes, control their hypertension, control their weight, and over here a similar seeming network finds its clients are spending a lot of time in the hospital because they aren't able to do that..."

Miller: "And I guess one point..."

Currie: "...that's that's pay per performance."

Miller: "But one caution I want to remind you is that in the South Suburbs there's an issue in regards to, particularly, African-American women with higher incidences of breast and cervical cancer. Now, some of that is due to the doctor's ability to screen, some of that is due to the medical equipment that's available, some of that is due to access

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

to care versus in other parts of Cook County. And so when we talk about pay for performance, you have to be very careful because in terms of access to care, once again, everybody is not equally situated. Everybody has this maybe higher prevalence in certain diseases and disease states and the mere fact of the matter is, is that has to be and who... And my last question, who is monitoring..."

Currie: "It'll be..."

Miller: "...in terms of access to care?"

Currie: "It'll be the department and as I say, I would hope that they would find networks that are dealing with similarly situated populations before they determine that somebody is not performing up to snuff."

Miller: "And I guess my final point would be that if it is some discrepancies, particularly when we talk about breast and cervical cancer and the discrepancies in terms of race and geographical boundaries, that the department does look at why these differences are there, why is there... and what can they do to augment... to help the better outcomes of these patients. To the Bill. I want to commend Representative Bellock and Representative Currie and the Members of this committee for their leadership. I, unfortunately, was not involved with it direct, but some of the points I want to bring out are very important as we move forward in terms of trying to reform our Medicaid system. Folks, this is not the answer to all of our questions. It's clearly..."

Speaker Mautino: "I would ask the Members to bring the noise level in the Chamber down, please, the Representatives..."

Miller: "Excuse..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "To the Bill."

Miller: "Excuse me. I'll close. This is not the panacea to all of us solving all of our problems, but it is a step in the right direction that needs to be supported. And for those who have at least heard some of my comments, I wish to make sure that these issues are addressed in the future in terms of access to care, in terms of trying to help incentivize providers to participate, in terms of understanding the differences between racial and geographical boundaries, in terms of some of the things that need to be done, not just looking at the terms of cost savings, which is important, not in terms of reforming the back billing process, which is important, but also looking at a total comprehensive care of individuals as we have a better health in the State of Illinois. Thank you for everybody for listening."

Speaker Mautino: "Representative Bellock, are you seeking recognition?"

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I just wanted to follow up on all the discussions that everybody's had. I thank everybody for all of their comments. Again, I want to say that this was a bipartisan Bill. I want to thank Representative Currie, but I also want to mention something that I forgot to, is that this Bill also extends the All Kids program. That program was ready to sunset in June of this year. So, all of those children that we're going to be taking care of, that would have sunsetted in June. This extends the All Kids program to 2016. But also, what I want... something I want to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

address on the issue that Representative Miller brought up is that one-half of the cost of the Medicaid program is optional benefits that are not required by the Federal Government. Prescription drugs are not required by the Federal Government. Dental is not required by the Federal Government. We have kept in this Bill all of those optional benefits. We did not take out any of the optional benefits that we have provided because we felt that those benefits were essential to the quality and the access of health care for the people that were in the Medicaid system. So, I just wanted to remind everybody that that was a key element in keeping in those benefits where 20 other states across the United States have cut out those benefits in regard to their financial status of their state. We felt, all the Members of the committee felt, that those were essential to a better, quality health care in Illinois in the Medicaid system. And I want to thank, again, all the leaders, all the Members of the committee, and especially the staff who stayed up two nights in a row 'til 1:30 in the morning trying to draft this Bill to bring it forward today and especially Clayton Klenke on our side. Thank you very much."

Speaker Mautino: "No one seeking recognition. Majority Leader Currie moves the House concur in Senate Amendments 1 and 2 to House Bill 5420. This is final action. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mell, do you wish to be recorded? Representative Stephens. Mr. Clerk, take the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

record. 111 voting 'yes', 4 voting 'no', and 2 voting 'present' and the House does concur in Senate Amendments #1 and 2 to House Bill 5420. Supplemental Calendar #1 appears House Bill 5727, Representative Biggins. Mr. Clerk... Representative Biggins..."

Biggins: "Yes, Mr. Chairman (sic - Speaker)."

Speaker Mautino: "...on a concurrence Motion."

Biggins: "Thank you very much, Mr. Speaker. House Bill 5720... 27 does... presents the opportunity to present a redistricting plan to the seven affected counties in the state, where they're the only counties in the state where voters, not the county board, elects a chairman. Will County is included in this. It's the only county in the state that elects a county executive. I'll be glad to answer any questions. There's been a lot of discussion among the..."

Speaker Mautino: "The Gentleman moves..."

Biggins: "...counties so affected."

Speaker Mautino: "...and the House does concur in Senate Amendment 1 to House Bill 5727. No one seeking recognition... Excuse me. The Gentleman from Lake, Representative Mathias."

Mathias: "Can... Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Mathias: "Can you explain a little bit more in detail as to what this Bill actually does?"

Biggins: "Yes. It gives the affected counties, as listed, the opportunity to present a redistricting plan in a different format and fashion than they've been currently doing."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Mathias: "And why does it take legis... I mean, don't the counties have the right to redistrict... You're talking about for their own commissioners right?"

Biggins: "This Bill also allows the chairmen of those selected counties a chance to present such a plan. Currently, is not something that they have the authority allows them to do."

Mathias: "And again, which... could you enumerate which counties these are?"

Biggins: "Yes, I can. DuPage, Kane, LaSalle, Tazewell, St. Clair, Winnebago, and Madison, and Will County Board executive. This is a different format that Will County does opposed to the other counties."

Mathias: "Okay. Thank you very much."

Speaker Mautino: "Further discussion? The Lady from Will, Representative Kosel."

Kosel: "Thank you, Mr. Speaker. To the Bill, please."

Speaker Mautino: "To the Bill."

Kosel: "I've had several calls on this piece of legislation this morning and the County Board of Will County is very opposed to this piece of legislation and would like to have some changes done to it, and are really very, very concerned about what effect it's going to have on other counties in the state. So, if you are one of those counties that was listed and haven't communicated with your County Board, I would advise you to do so, and look very carefully at this. There is no need to hurry this through. We do not need to concur on it today. We can move forward

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

and address this in the coming weeks. So, I would urge a very strong 'no' vote on this, please. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This may seem like an innocuous Bill, but for the counties that it... that are represented in this legislation, I think it's a good idea to request the Gentleman to take the Bill out of the record. The... I have not had time to consult with the County Board members that I represent in Madison and St. Clair County. And as I understand it, what this does, the County Board can take action, put the... a proposed map out there, but then the County Executive can come in with his own version, which may or may not have... he may or may not have had a chance to, or the ability, to prevail before the County Board. So, I think this is extremely controversial. For Madison and St. Clair County, I would stand in opposition, and ask the Gentleman to take it out of the record until we can rectify."

Speaker Mautino: "Representative Biggins."

Biggins: "Well, I have some good news for the previous two objectors, and that is that the... there is a plan for an additional Bill to be filed whenever... who was ever here in that next Session of the General Assembly, they'll have an opportunity to vote on a follow up Bill, or if you will, to be also addressing this subject. And..."

Speaker Mautino: "The Gentleman has moved the House does concur in Senate Amendment #1 to House Bill 5727. This is final action. All in favor vote 'yes'; opposed vote 'no'. The

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lilly, Connelly, Miller, Mitchell. Representative Winters and Tryon, do you wish to be recorded? Representative Tryon, do you wish to be recorded? Mr. Clerk, take the record. 75 voting 'yes', 37 voting 'no', 4 voting 'present' and the House does concur with Senate Amendment #1 to House Bill 5727. Page 5 of the Calendar is Senate Bill 44, under Senate Bills-Second Reading. Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 44 has been read a second time, previously. Floor Amendment #5..."

Speaker Mautino: "Excuse me, Mr. Clerk. Would you take that out of the record. Page 5 of the Calendar, under Senate Bills-Third Reading, is Senate Bill 3539. Representative Yarbrough. Please move this Bill back to Second Reading for the purposes of an amendment. Representative Yarbrough on Floor Amendment #1."

Yarbrough: "Yes. Mr. Speaker, Members of the House, this Amendment abolishes the death penalty in Illinois and I would like to debate the Bill on Third Reading."

Speaker Mautino: "Lady has moved the House adopt Floor Amendment #1. All in favor say 'yes'; opposed 'no'. Opinion of the Chair, the 'yesses' have it. And the Amendment is adopted. Mr. Clerk, further amendments?"

Clerk Mahoney: "No further Amendments. No Motions filed."

Speaker Mautino: "Third reading, and read the Bill."

Clerk Mahoney: "Senate Bill 3539, a Bill for an Act concerning criminal law. Third reading of this Senate Bill."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Mautino: "The Lady from Cook, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of this august Body, today is historic for Illinois. We are about to take a momentous step to right a major wrong and for the good in the tragic story of the death penalty. Let me briefly touch on why this is the right move for us today. There is no better reason to end the death penalty now than innocence. We put 20 men on the death row, who shouldn't have even been there. That's 20 lives ruined when one is too many. This is the second highest number of exonerations in the United States. We heard a lot recently about not having enough time about this issue that we're rushing it through, but let me give you some other times to think about. Those 20 men on death row spent about 250 years on death row. Think about that. That's how long we've been a nation. We put executions on hold for 10 years because of problems with the system. For 10 years, we've studied the issue with parties on both sides. We've had hearings, commission report, debate while lives are simply torn apart. And yet today, we still put innocent men on death row. We know today that this system is broken beyond repair. We must end it now. Critics also like to argue that reforms have worked to fix the flaws in the system. And they are just plain wrong. Ask Natson Speil and Ronnie Kitchen if reforms have fixed the problems. They were wrongly sentenced to death row and released more than a year ago. The death penalty doesn't work because it can't work. There are humans involved in this system and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

we are not perfect. Let's talk about costs. The death penalty is extremely wasteful at a time where we can't afford any more waste. We spent at least \$20 million a year solely on capital cases. That's over \$100 million in seven years, and not one person has been executed. Let's instead put that money where it really matters. Let's give law enforcement some training that they need to wage the fight against crime. Let's give victims of these heinous crimes the support and services that they long deserve. Let's talk about these complaints that we're not being tough on crime here. In the gallery today we've got Randy Steidl. Where are you Randy? So, Randy is the exoneree and he served a dozen years on death row and 17 years behind bars for murders he didn't commit. There he is. Tell him you're sorry. Tell him you're sorry. Life in prison without parole is the answer here, people. It's the law of the land. It's what Randy says is the real punishment because he's lived through it, locked up in a small cage for the rest of your life to think about a future of nothing. I know I believe Randy because he's lived this nightmare. He knows death is a way out. Finally, let's talk about what this is really all about. We've seen this Legislature and the state struggle for the right answers for a long time now. We've paid dearly for it. We're at a crossroads now and ready to change it. Let's send a message to people across the state and around this nation that Illinois isn't a laughing stock anymore, we got it right on this issue 10 years ago, shining a spotlight on a broken system. Now is the time to finish

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the job. Stand with me today and in the death penalty and make this historic vote. This is the right move at the right time for the right reason. I ask for your strong support for Senate Bill 3539 today. And I'm happy to answer any questions."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3539. And on that question, the Gentleman from Cook, Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. To the Bill. I have the utmost respect for the Sponsor of this legislation. And in a vacuum I could understand the sentiment behind it, but unfortunately in Chicago, and throughout the state, we don't live in a vacuum right now. In Chicago and throughout the state, first responders, police officers, are frankly on the front lines and being targeted and I think it's the wrong signal to send to them to reduce the penalty for killing a police officer. Again, I have the utmost respect for the Sponsor and I think that, you know, we have a lot of work to do on this issue, but at this time I can't support her Bill. And Mr. Speaker, if she gets the required number of favorable votes, I'd ask for a verification."

Speaker Mautino: "Yes. Your... There has been a request for a verification and that will be granted. Further discussion? The Gentleman from Winnebago, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Sacia: "I have no doubt that the Sponsor knows that I hold her in the highest esteem. Philosophically on this question, I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

can't even remotely see the world as she does. She mentioned that we're dealing with a broken system. Ladies and Gentlemen of the House, we have evolved so far over the last 30 years and I ask you to think of DNA investigations and the people today who would be on death row as opposed to those who would have been put there years ago. There are untold numbers, as the previous speaker alluded to, in Chicago alone and throughout this great state. Untold numbers of successfully resolved crimes because law enforcement had the tool to say we have an opportunity here, young man, whoever they're talking to, for you to face the death penalty for the heinousness of this crime, or if you talk to us, maybe we can get you a lengthy prison sentence. Many of you here know I spent most of my adult life in the law enforcement capacity. I want to take you back to March 4 of 1975 in Rockford, Illinois. An 11-year-old boy, by the name of Joey Didier, is making his paper route. Some people hear scurrying, some noise, a car door slam and the car speeds away. Weeks later, FBI agents, State Police, City of Rockford Police, Winnebago County sheriff's deputies continue to search for the young boy. Investigators start zeroing in on a man by the name of Robert Lower. Robert Lower has a history of abducting and fondling small boys. I'm going to cut to the chase, Ladies and Gentlemen, 14 days after his abduction, he is found hanging by the neck in a cabin in Jo Daviess County with his penis chewed beyond recognition. I want you to think of some of the heinousness of these crimes. There's no doubt who committed the crime. He admitted the crime. And

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

yes, you can talk to me about false confessions, but all of the evidence pointed right at Robert Lower and the only way, the only way law enforcement was able to get that person to tell us where Joey Didier was, was to convince him he would not face the death penalty if he would talk. And he talked and he told us where to find the boy. Let me go to the mid-1980s and share with you the story of a beautiful 7-year-old child in Somonauk, Illinois. The beautiful child was Melissa Ackerman. I'll spare you all the details, but it's a beautiful, sunny morning, a Sunday, she's on a gravel road, pedaling her bicycle. Seven, 8:00 in the morning, along comes a man, a man that many of you in here know this heinous name, Brian Dugan. Brian Dugan abducts little Melissa Ackerman. For the next 16 days, investigators search for her beautiful, young body. We know this beautiful child has been abducted. We fear, we fear the worst, that she is deceased. I have never in my adult life seen such a concentration of law enforcement to try to find, number one, who was responsible for this heinous crime; number two, where the young child was, because we didn't even know at that time how heinous the crime truly was. All of the evidence pointed at Brian Dugan. His car had hairs and fibers in it that came from Melissa Ackerman. We knew we had our man."

Speaker Mautino: "Representative... Representative Eddy is seeking recognition. Next..."

Eddy: "Speaker, I'd like to yield my time to Representative Sacia."

Speaker Mautino: "Please grant an additional five minutes."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Sacia: "Thank you, Representative Eddy. I'll try to move rapidly. Melissa Ackerman is found after extensive investigation, 16 days into the investigation, when a sheriff's deputy thinks of a culvert and he goes out there and stuffed in the culvert is the beautiful child's body. Her body is brought back, examination is conducted. Ladies and Gentlemen, as you think of the death penalty, you need to think of the heinousness of crimes. The only way Brian Dugan admitted to abducting that beautiful, young child is when he was convinced that he would not face the death penalty. When investigative officers were able to convince him to tell the story of how that child's life ended, and you're going to hear it, because many of you don't think that this tool is so necessary to law enforcement. They took the necklace off her neck and they had it laying on the desk in front of Brian Dugan, and they played good guy, bad guy, and the good guy explained how he understood how he could have these feelings for a young child and Brian Dugan boasted, he boasted, Ladies and Gentlemen, how this beautiful child enjoyed the last four minutes of her life as she choked to death on his penis. Now, I want you to think of that. We wouldn't have had information on the heinousness of this crime had we not had the tool of the death penalty. And then, law enforcement had to go to that beautiful child's mother and ask to have her hands cut off and sent to the FBI laboratory because they were too badly decomposed to take prints. Let me take you to the mid-'90s, little Dougie Bartels, 11 months old, abducted, disappears. I'll save you all of who struck Jon and what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

happened during the day. Ten-thirty that night, the drop has been postponed a half a dozen times, a \$100,000 has been packaged up and we know that we're dealing with somebody on a motorcycle. We have the finest investigators available from the State Police, the FBI, the City of Rockford, Winnebago County Sheriff's Department; we're all zeroing in. Robert (Sic-Mark) Laliberte comes out of nowhere on a crotch rocket motorcycle, leans down, grabs the \$100 thousand and off and running. An FBI pursuit vehicle is right behind him, as Laliberte slows to make a turn, he's wearing a helmet, the FBI agent knows he has one chance and one chance only to stop him and he rams the motorcycle. Knowing there's going to be a lot of road rash, but he's got a helmet on. Laliberte is in custody. For the next three hours, he's interviewed in the backseat of that car and as he's talked to, Ladies and Gentlemen, he won't talk, he won't tell us where that beautiful 11 month old child is until Gary Fuhr, an FBI agent, who ironically was just elected to the Missouri House of Representatives in November, convinced him that you know what happens to people in prison if they have done something like this. Do you realize you're facing the death penalty if this child dies? And then, Ladies and Gentlemen, and only then, will he talk about where the child is, because he knows a life in prison, that goes just fine with his lifestyle, three hots in a cot, he can get the sex he wants, whatever. He can live large, but he tells us where the child is. I was among the investigators that night trenching through the woods, and finding the nude bod... he was still alive,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

thankfully. He's alive today, he's a young man, doesn't remember it. Dougie Bartels, his father a doctor at the Rockford School of Medicine, and the only reason we found that child alive, the only reason, is law enforcement had the ability to look that man in the eye and say if that child dies, you're going to face the death penalty. He sang like a canary, thankfully. Don't take that tool away from law enforcement, Ladies and Gentlemen. Give..."

Speaker Mautino: "The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Durkin: "Representative Yarbrough, in your opening statement you mentioned that there were currently innocent men on death row. Explain to me... you made that statement. Who is the innocent individual on death row?"

Yarbrough: "No, I didn't say that."

Durkin: "All right."

Yarbrough: "I didn't say they were innocent being on death row."

Durkin: "Yes. I heard that. Well, if you dispute that now that's fine."

Yarbrough: "They might be."

Durkin: "They might be."

Yarbrough: "Don't know. I don't know."

Durkin: "All right. Well, I'm not going to ask any more questions. I'm just going to speak to the Bill. I was a prosecutor in Cook County in the '90s. I did not try a capital case, but I've charged, I've investigated, I've

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

indicted an individual who was subsequently sentenced to death for a crime which was reprehensible and I'm very confident that that was the correct way to move forward. I also would have had the opportunity, it's a sad opportunity, to meet with many of the family members who've lost individuals in the most heinous of crimes and some situations where capital punishment was the appropriate sentence. The... what I think we just lose track of, the fact is that we've had... Back in the late 90's, I was involved with a lot of reforms within our criminal justice system. Some of you were here for that, and not only myself, but also at that time I had left the Legislature, Senator Barack Obama was very involved with making some very significant reforms and also to the Supreme Court. Now, each one of these individuals right now on death row were convicted post reform. I've looked at these cases. I am confident that these individuals are... were given more than due process. They were giving super process, if you want to say, because we do have more reforms in this state than any other state when it comes to capital punishment. But... I think that we need to let this process work its way through the courts. I've talked to you at length about this. We had a very lively debate on a radio station last week and if one of these cases does come back where there's actual innocence, I will change my mind. But the fact is, we do have a... We are a land of laws. We live by this and we do have... in the worst of situations, we have this option. And I can tell you that the attitudes within the prosecutor's office in this day, is much different than it

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

was in the 90's and in the 80's. They're very cautious about selecting this type of punishment in the most egregious of cases, but it's important because there also is another side. There is the family of the loved one who they've lost. And I... To me, I think it's very important to have that as an option and some people will disagree with this, but the fact is it does bring closure to some of these families who have lost a loved one and they've suffered. They've seen them suffer in the most horrible, horrible of manners and I think that... I respect your opinion, but I will say this, that we are... if we do repeal the death penalty in Illinois, it passes out of the House, goes to the Senate, we will be left with a situation very shortly I'm sure, because this is the State of Illinois, where there is going to be a heinous crime and then there will not be death penalty and the issue will come back and we will be fighting about reinstating the death penalty shortly thereafter. I will say that we have instituted substantial reforms to ensure that the individual that has been charged has more than due process, as I stated earlier. But I think that this is a mistake. I am sympathetic towards what has happened on those cases, but I was involved in a very direct and a very large way back in the late 90's on many of these reforms. So, I think that it is at this... Well, first of all, I don't think the timing of this is very good. I don't like doing these things, you know, in the last week before the Legislature is going to lose a lot of Members on this Lamé Duck Session. But I also think that it's important that we do

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

have an option that's left for the family who've lost somebody in these types of crimes and give them the option. Let them think whether or not this is something that's going to help them and bring closure to some tragedy that's happened in their life. So, I... you know, I do respect you. We've had this conversation time and time again, but I will tell you that we will be back if this is repealed within a short amount of time. Afterwards, there will be a Bill filed to reinstate it, because there will be a horrific crime. There will be a Brian Dugan that will return back to Illinois in some way or form, similar type of crime, and we're going to have this continuing debate. So... but I'm just telling you as a former prosecutor, somebody who talks to the prosecutors on a regular basis, that the penalty, the death penalty in Illinois, is not something which is... which they think of and in a quick decision. It's only the most extreme cases, and the individuals who are currently on death row are the extreme cases. And I think it's important that we have that option available for law enforcement, but also for the families."

Speaker Mautino: "Further discussion? The Gentleman from DeKalb, Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker. And to the Bill. Ladies and Gentlemen, I fear that probably all of us have experienced someone in our districts or that we know that has suffered from heinous crimes, someone that has no remorse for the victim as Mr. Sacia has related to you in several cases. It seems that more and more we're hearing on college campuses, murders and shootings. I think in all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

of these situations, the family, the loved ones that are left, want justice. They want justice that's sure and swift. Unfortunately, our current legal system doesn't provide that. When you look at the cases, and there's been some 700 murders in 19... or in 2008, only three of them were sentenced to the death penalty, and in these situations, the appeals, the trials, the gathering of information goes on interminably. We want swift justice. And I think by looking at the death penalty and looking at life imprisonment without parole, we're going to get that swift justice through life imprisonment. We can use the resources that we might save in that prosecution to help the victim's families, to help them recover, for some of the other programs that we have in the state, because the investment we make in those trials doesn't give us the kind of satisfaction that many people look for. I agree that there are cases that we would like to have that perpetrator put to death, but it's arbitrary how and who we pursue in those cases. And I think the final decision is arbitrary and slow in incoming. So, I support removing the death penalty and giving swift justice to these crimes in life imprisonment. I ask for your support of this Lady's Bill."

Speaker Mautino: "Further discussion? The Lady from Cook, Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. I, too, rise in support of passage of Senate Bill 3539. Yes, there are heinous crimes and yes, heinous crimes shock the conscience of the community and yes, we want justice, but let me tell you that a heinous crime in one county may get

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the prosecutors asking for a 10-year sentence, if the individual is convicted. The very same crime in another county may result in the request for the death penalty. The decision to have the death penalty in one case but not another that's a random decision in the State of Illinois. Counties and crimes are all over the map and a system of random death penalties is no way to run a criminal justice system. And there's another problem with the randomness of the death penalty and that is people who are poor and people who are members of minority groups are a whole lot more at risk of being socked with the death penalty than people who are members of the majority and people who are affluent and that is no way to run a criminal justice system. Many believe that the death penalty, were it a deterrent, might be worth having, but I'm here to tell you that study after study shows that the presence of the death penalty is no deterrent whatsoever. Most people don't know whether the state has a death penalty or whether it doesn't and most criminals go about their life of crime anticipating that they will not get caught, that they will face no penalty whatsoever. So, in my view, no deterrence means that there is no point in having the death penalty if you want to influence peoples' behavior. I fully support Representative Pritchard's analysis of closure. It is not closure for a family to wait 20 and 25 years for the final imposition of the death penalty. Life in prison without parole brings that closure soon and it brings that closure at a great deal less expense to all of us. Pursuing capital cases costs millions and millions of dollars and I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

believe, in my heart, that killing people is wrong and I think killing people at the hands of the state is wrong as killing an individual at the hands of another is wrong. I would invite the Members of this chamber to join our colleagues in New Mexico and New Jersey. In both those states, recently, the death penalty was abolished. There is too much uncertainty, too much randomness and too much likelihood of being wrong for the death penalty to continue in the State of Illinois. I hope you will join me in supporting passage of this Bill."

Speaker Mautino: "Further discussion? The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Mr. Speaker, will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Reboletti: "Representative, can you describe what would happen to an inmate once they were sentenced to natural life without parole? I'm assuming they would go to a maximum security prison or a super max maybe in Tamms. Where would they reside? What type of population, general population, segregation? Do you know?"

Yarbrough: "No."

Reboletti: "Do you know it's general population..."

Yarbrough: "I know that they would..."

Reboletti: "Representative, do you know which..."

Yarbrough: "I know that they probably would go to Tamms."

Reboletti: "I don't think they go to Tamms because when the Governor, Ryan, commuted these sentences, they went to general population and that's where they're going to go. To the Bill, Mr. Speaker. When Governor Ryan put the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

moratorium in place, all of those offenders went to general population, where they work out, watch TV, read books, go to class, do all the other things that other inmates in the Department of Corrections are able to do. You know where their victims are at? They're not reading books or working out or lifting weights. How about the families, the victim's families? They didn't have a chance to even testify here last week, you know, 30-minute hearing. What about those victim's families, what their thoughts and desires are? As I spoke to some of those families here the other day, the people of Illinois will believe that natural life without parole would mean that people were locked up for 23 hours a... out of the 24 hours in a day, and that's not true. I've watched on this House Floor and in the Judiciary Committee for the last four years Bills to diminish natural life without parole. As a matter of fact, in Chicago Reader today, there is an article about doing just that. We don't need to have 85 year old mass murderers in prison any longer. It talks about the famous lipstick killer. He should be released because he is a diabetic and he has cancer and he has everything else and it should be compassionate release. Where was the compassion for those victim's families? They don't want him out. But there the article talks about what a great idea, House Bill 45 said if you serve 25 years of your sentence and reach the age of 50, as long as it's not a capital case, you should be released or have an opportunity to be released from prison. That's natural life without parole? We can't guarantee natural life without parole

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

'cause every time this General Assembly meets, we could always change the rules. So, that is a fallacy. For eight years, I saw some of the worst things people can do on a daily basis. And sometimes you would think it could never get any worse, but all you had to do was go to work that day. What should the sentence be when you shoot a police officer? Six dead Chicago police officers, well, if it's natural life without parole for one police officer, what is the offender going to do when the next five police officers come to serve a warrant? Well, if you kill the five more police officers, that's natural life without parole also. So now you'll serve six natural life without parole sentences. I'm sure it's all one consecutive. So now, you get to prison and kill your cell mate, more natural life without parole. Now, you kill a correctional officer, more natural life without parole. Well, I know what we'll do we'll send him to Tamms. For the last four years, we've tried to eliminate Tamms as our super max facility. The death penalty is not random. I sat with prosecutors throughout this... from throughout this state and they have to sit down with their office to decide what to do. It isn't random, it isn't willy-nilly. They take great pride in their work. They know their job is to administer and seek justice. They review the case. They spend time with lifetime prosecutors, career prosecutors to determine if the evidence meets the criteria. This Body put in numerous reforms that are working, like video.."

Speaker Mautino: "Will the Gentleman bring his remarks to a close."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Reboletti: "Yeah, please."

Speaker Mautino: "Representative Reis."

Reis: "I'd like to allocate my five minutes to Representative Reboletti."

Speaker Mautino: "Gentleman yields his time."

Reboletti: "Of videotaping interrogations. As a matter of fact, I'm part of those reforms. I had to get certified to try capital litigation cases, which meant I had to try so many jury cases, had to be familiar with DNA evidence, be familiar with expert witnesses. What should the sentence be in a case in the Lane Bryant murder in Tinley Park? Killing five women, execution style. What about flying a building... flying a plane into a building, acts of terrorism. What should the sentence be? That's what you need to ask yourself, Ladies and Gentlemen. What is the appropriate sentence? I look at the list of the people on death row. Paul Runge wasn't poor, highly... he went to private school. I look at some of the cases that I dealt with when I was in Will County. One of those cases, if I can find it here, dealt with an individual who decided that he didn't like the fact that his girlfriend was breaking up with him, and so what he did was he broke into their home, while his newborn was sleeping there and he went in to kill his girlfriend and he systematically went room to room to look for her, but if I... my recollection of the case is correct, one of her parents came down stairs first. And he beat them with a crowbar, killed them. Went for the next person, the father or the mother came down and killed them, as well, the brother, killed him. Went through the house

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

to make sure he killed everybody in there and then took the child out, set the house on fire, because he wanted to make it look like an arson. It's these types of cases that demand the death penalty. I've seen it time and time again where people have done horrible things and they deserve the ultimate penalty. And we talk about cost, of these special cost savings, do we really believe that there will never be any appeals to natural life without parole cases. Do we really think that's going to happen? Some people will be convicted for natural life without parole and they'll simply go to prison and that's it. So, there's still going to be Appellate litigation, so that, I believe to be false. I think the death penalty is a deterrent. There are studies that show that it does work, and like anybody else, you can find some studies that say it doesn't, and some say that it does. Now I think it's something that has been worked on. I'm committed to continue to work on the reforms. If this Bill passes, this chamber, it passes the Senate, I would urge Governor Quinn to veto the Bill and I would look forward to working with the administration in this Body to reduce the aggravating factors and to implement additional reforms to make sure that we do prosecute the right people and execute the people that deserve that type of punishment. I, for one, agonize over every case I worked on. We want to make sure that when you are taking away somebody's liberty or their life, that you're doing it in the right way. We don't want anybody locked up for one second that doesn't need to be locked up. We've been working on this problem. We have time to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

continue to work on this issue, but it now needs to be resolved, not by eliminating it, but by reforming it. The commission has given us a road map. We have the time to implement additional reforms and it's also time then for the Governor to review every case of the death penalty on a case by case analysis. He has that ability to do that, even if he doesn't agree with what happened by the jury, then he can do that. And finally, Ladies and Gentlemen, natural life without parole.. I just need a few minutes. Let me just close up. Natural life without parole is not worse than the death penalty. I don't believe that to be the case, when you're still able to have human contact and be able to walk around a prison for however many years that may be. I don't think that is worse than death 'cause I guarantee that the victim's families wish that that loved one was back. I urge this Body to vote 'no'. Thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen, today marks the end of a long and difficult journey for me on the issue of the death penalty. Many of you may recall that I was one of the last Members in this chamber to pass an expansion of the death penalty. In fact, there was no issue that I was more passionate about than that one issue. Throughout my entire life, I've been a staunch supporter of the death penalty and a firm believer in the justice it serves and the punishment it represents for the worst of the worst in our society. I still believe that to be true.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

I want to leave no doubt that I feel no compassion or see any value whatsoever in the lives of the truly guilty on death row. I could administer the death penalty myself to a cop killer or a serial murderer and sleep like a baby at night, if I knew without a doubt of their guilt. As a matter of fact, I believe that our current manner of executing the guilty in Illinois is much too compassionate and shows respect for life where the killer had none. I believe that a sanitized death is too kind and that the guilty should die in a manner much harsher, truer to the crimes that they committed. I know that this may sound cruel to some of you, but it pales in comparison to the cruelty inflicted upon so many innocent victims by these murderous animals. But this debate for me is no longer about whether or not guilty killers deserve to die for their crimes, they do deserve to die, they do. However, over the 10 years that I have served in this chamber and having to acknowledge the indisputable fact that we have exonerated more innocent people in Illinois than we've actually executed, recognizing the fact that we have advanced only a handful, at most, of the many reforms necessary to ensure that we fix the system, and acknowledging the fact that we are human and prone to making mistakes, no matter how honest our intentions, I have come to realize that in order to ensure that justice is served in the form of death to an evil cancer in our society we must accept the possibility of executing an innocent person. I'm not okay with that and none of us should be okay with that. Illinois has the worst record in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the country when it comes to getting it right. We've come horrifyingly close to executing innocent men and it could happen again. Every time we punish an innocent man, we're rewarding a guilty criminal by allowing them the freedom to continue to harm others. This is not being tough on crime. That is why for the last five years, I've led the charge with your help to pass felony arrestee DNA. It shamefully stalled in the Senate. DNA will help us punish the guilty and exonerate the innocent, yet it shamefully stalled in the Senate. Over five years of trying hard and we still can't pass this sensible and necessary reform measure. I see little to no hope of passing the multitude of other reform measures recommended to fix our broken death penalty system. State's attorneys across this state and this General Assembly must do much more than has been done to address the 85 reforms measures that have still not been passed and that are necessary to lift the moratorium. At this pace, if it takes us five-plus years to pass a sensible tool like felony arrestee DNA, how long is it going to take to tackle the rest of the reform measures? Folks, my journey has been difficult and it's been wrought with self challenge and self reflection and self-doubt; however, over the years, I challenged myself to get out of my comfort zone and I did so when I personally met with death row exonerees. Four years ago, Chicago Alderman Joe Moreno, introduced me to Madison Hobley, one of the John Burge torture victims. Three years ago I met with Darby Tillis. These men were innocent. They were wronged by all of us because their wrongful convictions were on behalf of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the people of Illinois. Speaking to them and hearing their horror stories of being hours away from execution made me reflect on my own beliefs regarding our ability to apply the death penalty in a fair and error free way. I believe it can't be done. I can no longer stomach the idea of potentially executing an innocent person in order to ensure that the guilty pay for their crimes. That is why today I rise in acknowledgement of the fact that our death penalty system is broken beyond repair and that the right thing to do is to abolish it with the understanding that those who are on it today should be remanded to spending the rest of their lives behind bars with no chance of parole. Life with no chance of parole may not satisfy my or victim's emotional desire for justice, but it does meet our responsibility of keeping society safe from these animals. It means that their punishment will result in death but in jail and away from society. In the event that our criminal justice system once again wrongfully convicts an innocent person, there is still a chance.."

Speaker Mautino: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker. I'd like to give Representative Mendoza my time."

Speaker Mautino: "Grant the Lady five minutes."

Berrios: "Thank you."

Mendoza: "In the event that our criminal justice system once again wrongfully convicts an innocent person, God forbid, there is still a chance that that wrong can be righted. With death, that is not possible. I understand that this is a very, very personal, controversial, emotional issue

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

for many of us, and I respect each and every person in this chamber's position, but for those of you who are on the fence on whether or not to vote for this, I hope you can understand my reasons and consider voting 'aye'."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Burns."

Burns: "Thank you, Speaker. To the Bill. This is not a convenient piece of legislation. It's not an easy piece of legislation. It is a difficult issue to talk about and to think about. As a son of a law enforcement officer, who spent 25 years in the Cleveland Police Department, when I heard about cop shootings I wondered whether or not it was my father who might have been shot that day. And I empathize with the families of victims and with their plight, but the simple fact of the matter is this, that the death penalty is not applied equitably across our society, that the application of the death penalty, in fact, in many cases, enforces many of the inequalities that currently exist in our society, that if you live outside of Cook County, you are more likely to be sentenced to death than if you live inside of Cook County, that if you're an African American who kills a white victim, you're more likely to be sentenced to death than a white person who kills a black person, that if you're low income, if you are uneducated, that you're more likely to be sentenced to death than someone who has more education and more money. That simply does not comport with our notion of what a just society is. It is not fair and it is not right. I leave... I don't want to talk too long, because we have a lot of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

people who want to speak and I will sit down, but I probably will cost the Sponsor votes by quoting a French philosopher, but I think Albert Camus comments on this are applicable. No government is innocent enough or wise enough, or just enough to lay down to so absolute a power as death. I urge an 'aye' vote."

Speaker Mautino: "Further discussion? The Lady from Brown, Representative Tracy."

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

Speaker Mautino: "Indicates that she will."

Tracy: "And I didn't know, Representative Yarbrough, if you've been contacted by correctional officers within your district regarding how this Bill would affect their rights and their jobs working within the prison system."

Yarbrough: "No."

Tracy: "Well, to the Bill. I would say that, for any of you Legislators that haven't visited the Department of Corrections offices over at Concordia Court here in Springfield, there is a very long corridor and in the early '80s when my hometown of Mount Sterling was going to locate Western Illinois Correctional Center and it was going to be built there, I had occasion to visit, and I was a young lawyer walking down the halls, thinking about how neat it was going to be to get a correctional facility built in our area that was going to bring economic jobs and the like and I noticed what I will call a hollow respect. A lot of people framed faces in the '80s. It was staggering to see all those faces framed and I enquired what were these, and these individuals were the individuals killed within the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

walls of the Department of Corrections in Illinois. That was in the '80s; I suspect that number has grown. In my home county, we have five thousand population. In that prison, we have a thousand. So, I see these correctional officers quite frequently and they're very happy to have their jobs; however, I've been contacted by quite a few. They're understaffed and it's very stressful working in those conditions and it's very concerning to them, when someone is serving natural life, what would be a deterrent to them to take a weapon and harm a correctional officer. Remember, these folks don't have guns, they don't have weapons, they can supervise a gym of several hundred. They're locked in eight hours or more a day. It's just something to think about, that we ask them to work in these jobs and to do this and I just would hate to see any more portraits hung on that wall over in Concordia Court because we've removed, as Representative Sacia tool... mentioned a tool, a tool. And I do believe, in this one instance it is a deterrent. And I very much respect the speaker, I very much respect all life, and it's been a very hard decision for me to be a proponent for the death penalty, but in this situation I must very much ask you to consider those that work within your districts, behind those closed prison walls, for those number of times. I think they deserve the best protection we can give them doing the job that they're hired to do. Thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Representative Stephens. The Gentleman from McLean, Representative Brady."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Brady: "Thank you very much, Mr. Speaker. And to the Bill, Ladies and Gentlemen. I could also stand before you and give you stories that would make you sick of what one human being can do to another in my former role as coroner, but I won't do that. I'm going to just briefly direct my remarks to the fact of this whole Bill, and the process of how quickly this Bill became the Bill to abolish the death penalty in Illinois. And the controversy around the Bill, of the lack of input of testimony from victims' families. So, I'm going to try and be a voice of victims' families that I've met over the years that have had a loved one murdered. The Leader indicated earlier that... closure was her remarks, what closure should be or could be to a family. I think closure is open for determination of what it means to each family who are victims of a murder, and how long that closure may or may not take place through the courts. But that's something that is left for each family to determine, how long of a process they're willing to stand up for, for their loved one that has been murdered. I don't believe we should take this valuable tool away from law enforcement. And I'm asking you not to be the judge and jury for victims' families, without those very victims' families having the right of due process to testify in a more lengthy process before we make this determination. I'll be voting 'no'."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. To the Bill. Like Representative Mendoza, I was a strong proponent of the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

death penalty for many years, but the fact is the death penalty has not been enforced in this state for the last decade, yet it still costs us over \$100 million. Regardless of the outcome of today's vote, if the death penalty won't be enforced for at least the next four years because the Governor has said he will continue the moratorium. So, it's going to continue to cost us tens of millions of dollars just to keep it on the books, but not enforce it. Now, I call your attention to today's Tribune, which basically says we can't fix it and the punch line is in today's Tribune editorial Illinois taxpayers are wasting millions of dollars preserving a judicial remedy we don't trust and don't use. I think that says it well. It's too expensive, it's too inaccurate, 20 innocent men on death row. It's too arbitrary, and most of the world has done away with it and a growing number of states. And I think Illinois would be better served by taking off the books a remedy we no longer use and no longer trust."

Speaker Mautino: "Further discussion? The Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. Like some of the previous speakers, I've really been a strong supporter of the death penalty probably up until this year. I come from a background where my father had been in various law enforcement offices throughout the years, I... my favorite brother-in-law was a Texas Policeman. I long believe that those who committed heinous crimes that they should actually be punished by almost the same type of thing. I had a strong vengeance attitude, I guess. But in this past

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

year, I sort of remembered an adage that one of my favorite college professors had told us in discussing the whole atmosphere of crime and punishment and why we have a Bill of Rights, and so forth and that is that our system believes that it's better that 10 guilty go free than one innocent be wrongly punished. This year, as I read about cases particularly coming out of Chicago through the Innocence Project that various individuals had been wrongly imprisoned and we're on the death penalty agenda and then this week I happen to meet one of those individuals in person. He was a person from downstate Illinois. He was imprisoned for 13 years, 12 of those years on death penalty, I believe, and he twice was destined to be executed and through whatever circumstances happened, escaped that fate. And as I talked to him, I could not believe that if I were in his shoes, I would not be a very bitter and angry person, but maybe that's my personality and it's different than his. Somehow he was able to reject that type of personality and instead go out and then spending his life trying to do away with the death penalty. Because of that circumstance, where one innocent person... and we have to think about this, as I would think if someone in my family or close friends had been a victim of a heinous crime and how I would want to be the one actually to pull the lever to execute him, on the other hand, what if some member of my family or my close friends were an innocent person that had been condemned to death and actually had been executed, how I would feel. And so, my view on this has changed. It's changed rather reluctantly

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

in a way, but it has changed. That if we were to execute one innocent person, it would not be worth it. And as for those who commit heinous crimes, from what I have.. understand from my friends in... that work in the prison systems and so forth, that those folks are detested by other prisoners and often become the victims themselves of a prison execution or beatings and other types of activities. I don't think life in prison without parole for a person with any kind of intelligence, thinking back every day of what they did and how they got there is not a fitting punishment. And with that, I intend to vote 'aye' on this Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Lady's Bill. It's clear that this is a very difficult issue for all of us. For some it's very clear how to vote, for some it isn't, but it's certainly difficult. There's politics involved here, there's old style ways of thinking, there's new style ways of thinking. We all have a different way of coming about this particular issue of the death penalty. We've heard a lot on the floor about we should not put an innocent person to death, of course we should not put an innocent person to death and I wouldn't submit that anybody who's for the death penalty is for that, but that's part of the point. Much of the commentary that we've heard on the floor today from people who still favor the death penalty, they raise the issue of these very ridiculously violent and horrible crimes. We

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

heard the word heinous crimes. And you could raise many, many issues and many cases over the years about terrible crimes that have been committed and makes your blood boil and makes you want to get vengeance and makes you want to get retribution, but our criminal laws should not be about vengeance and our criminal laws should not be about retribution. Our criminal laws should be about justice. And while there may be some that indicate that the death penalty is about justice, the truth is that a lot of the crimes that are committed are crimes of passion. And because they're crimes of passion, nobody stops to say before they commit the crime, oh, wait, I better not commit this crime, I may be given the death penalty. And so, the thought that having it out there has a huge impact on the actions of those who have not yet committed crimes who might think their way through to the end and say I better not commit this crime because I may get the electric chair, I don't think too much of that happens. And despite the fact that I heard at least one person discuss their point of view, that there are studies that say that this somehow works, I have yet to see such a study. In fact, every study I've seen has gone the opposite way. We've put innocent people to death. It's that simple. We have new technology all time where DNA evidence and other kinds of technology where we find out that people who are in jail, whether they've been... the death penalty or not, did not commit the crime. Given that, and given our responsibilities to protect the innocent above all, above all, our responsibility is here to protect the innocent.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

How can we then allow a system to perpetuate itself where we run any risk of not protecting the innocent? Even those of you that want to protect the innocent victims of crime must know that putting someone to death for committing that crime, even if you know they did it, is not really giving that person justice. It's simply a matter of retribution and vengeance. Finally, I would say that many on the floor are religious, they read their Bible. Many are very concerned about what the good book says about all of this and no matter what religious tradition we come from we understand that there's something out there called the Ten Commandments and one of those commandments says thou shall not kill. It doesn't say thou shall not kill unless it's a heinous crime and we're punishing someone. It says thou shall not kill. And so, you either believe in those words or you don't believe in those words. You either believe in those words all the time, even when it's not convenient for you politically or you don't believe in those words all the time despite your political concerns. It's a simple calculation. We either believe that or we don't. We either believe that the innocent should be protected above all or we don't. I intend to support the Lady's Bill and I urge you to do so as well."

Speaker Mautino: "Our final speaker from the county of Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in support of the Lady's legislation. Statistics have proven that there's no deterrent to crime by having a death penalty as a sentence. It does not deter the crimes of passion; it does not deter

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

the strong criminal minded. Last year, we had a severe and heinous crime against a news personality's parents, both kidnapped and murdered. And the first thing the victims' son said was I forgive them, even before he knew who the perpetrators were. So, not all victims and their families seek death for the perpetrators. There can be a worse punishment than the death penalty, being kept from a loved one who's dying, as you sit in a federal prison, might appear to be a punishment much greater than the death penalty. I believe, Ladies and Gentlemen, that murder is barbaric, whether it's committed by an individual or whether it's committed by a state. Illinois is one of the few remaining states who continue to keep on its books the death penalty. I commend the hard work of Representative Yarbrough. I believe if Representative Washington was here, he'd be on this Bill with her. I commend the work of Representative Barbara Flynn Currie and all of those who worked. Let us remember in the State of Illinois that what we do not only affects our pocketbooks, and it's truly affected by the death penalty laws, it is not a deterrent to crime, it is barbaric, it is time we ended the practice. Vote 'aye'."

Speaker Mautino: "Representative Yarbrough to close."

Speaker Yarbrough: "Thank you, Mr. Speaker, and to all of my colleagues have... who have labored with me through this process, because this truly has been a labor. I haven't always been in the place that I am today. I kind of was like Susana Mendoza. I didn't really think so much about this practice except that I just figured that people who

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

did bad things needed to have bad things done to them, but that's not right. And so, I've had to stretch and I've had to learn, and I've had to understand and I've come a really, really long way. When I was asked to carry this Bill, I was kind of... had to sit down for a moment and I said, well, I'll vote for the Bill, but they said we want you to carry the Bill. We think that you can carry it; you've got the passion for it, and I said, well, I... I'll support the Bill if somebody else carries it. It's a tough issue. This has been tough for me. I've anguished over this whole ordeal for years, and then here we are in 2011 to start the year off. I'm not a lawyer, but I've talked to lots of lawyers. Since I'm not a lawyer, you know I'm not a prosecutor, but I've talked to lots of prosecutors. I've met many people as I've traveled this road. One person I met was Scott Turow. I've read all of his books. He's a fascinating man. He's not here to speak, but I want you to hear his words. And I believe he was on the Ryan Crime commission. Is that correct? Yes, he was. And he says, Americans have never asked the right question about the death penalty. The issue is not whether there are horrible cases, where the penalty seems right, the real question is whether we will ever design a capital system that reaches only the right cases without dragging in the wrong cases, cases of innocence or cases where death is not a proportionate punishment. Slowly, even reluctantly, I have realized that the answer to that question is, no, we never will. I also met Scott Lassar just the other day. And he came in my office, and some of you lawyers and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

prosecutors here, I guess you know him, and he sat in my office and he told me, too, some of the same stories and some of the same things. He's a former prosecutor. So, he's not here to speak, but he said the clear and profound conclusion is that no prosecutor needs the death penalty in order to enhance safety in his or her jurisdiction. Most prosecutors consider the use of the death penalty unethical anyway for good reason. It's just one more cause of wrongful conviction. So, if it's not an effective law enforcement tool, it doesn't deter crime, we're not able to prevent accidental executions of innocent people, they're carried out as staggering costs to the taxpayer, if race plays a role in determining who lives and who dies, if the death penalty is applied at random, if the United States is keeping company with notorious human rights abusers, and if millions of dollars can be diverted to other programs that will really help these folks, who will really help the murder victims' families, and I've talked to them, they've come to my office, they asked me to carry this Bill. The death penalty, as Representative Lou Lang said, main objective should be justice, not revenge. Revenge has no place in our system. That the system is fallible and the fact that is, for the most part, we've seen hard wired for revenge in many cases. I've spent a lot of time with the advocates. I've spent a lot of time with people who have been on death row. Twenty people exonerated, 10 years on the moratorium, today is the day. Vote 'yes'. Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3539. There has been a verification requested, so all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Members please vote your own switches. All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative DeLuca, Dunkin, Thapedi, do you wish to be recorded? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Yarbrough."

Yarbrough: "Yes. Mr. Speaker, may I place this on Postponed Consideration?"

Speaker Mautino: "The Lady has asked for Postponed Consideration. Postponed Consideration is granted. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. A point of personal privilege, if I may to address the Body."

Speaker Mautino: "Certainly, Sir."

Bost: "I didn't feel it was appropriate during the last debate to bring this issue up, but I do feel now that the vote has been cast the way it has, but I know it's on Postponed Consideration, one thing that I would ask that we in the state would realize that whichever way you felt on that issue, it is the law of the state and that the Governor of this state, regardless of whether it was the last three Governors, should carry out their constitutional duty, not by giving a blanket moratorium on these issues, but dealing with them case by case, which I believe is their clear duty under the Constitution. And if it is the law of the land, that the death penalty is in place in this state, that they would deal with those issues one on one on one as they come up and that way they can answer to the families of those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

people, who have been prosecuted... who have been victims of these heinous crimes. And I would encourage our Governor, now, and all Governors in the future to take seriously their oath of office and follow the Constitution and do their duty."

Speaker Mautino: "The Gentleman from Cook, Representative Ford is seeking recognition."

Ford: "Order of personal privilege. Members of the House, I rise so that we can offer a happy birthday to Johnny Blue, the man that shines the shoes in the chamber. Please join me in wishing Johnny Blue a happy birthday."

Speaker Mautino: "Happy birthday, John. The Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. In response to a speech that was just made, I urge the Governor to consider continuing the moratorium until there is complete accuracy with the meeting out of guilt, having 20 people leave death row who are innocent, 20 who were innocent. How many more are there, who are innocent, who might be electrocuted, or however we inject them? These are innocent people and some of us do care about the innocence of people who are placed on death row until DNA was developed. We also are concerned with the fact that dollars determine a lot of who gets placed on death row. If you have money for the best attorneys, you might never see death row or death penalty, but if you have limited funds or a... If you have a person who is given a lawyer by the state, they don't have the same opportunity for their freedom or a lesser sentencing than one who has dollars.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

So, until those conditions are met, I would urge and encourage each and every Governor of the State of Illinois to continue keeping that moratorium to save innocent lives. Thank you."

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 06, 2011: approved for floor consideration is Amendment #4 to Senate Bill 3322."

Speaker Mautino: "Page six of the Calendar appears Senate Bill 3322, under Senate Bills-Second Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3322 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4 have all been approved for consideration and are offered by Representative Lang."

Speaker Mautino: "Representative Lang on Floor Amendment #2."

Lang: "Well, thank you, Mr. Speaker. Could you just hold for one second please, Sir. Thank you, Mr. Speaker, Ladies and Gentlemen. This... Could we have some order in here, Mr. Speaker?"

Speaker Mautino: "I'd ask the Members to bring the volume down with inside the chamber."

Lang: "Thank you very much."

Speaker Mautino: "Staff would take the conversations to the back of the room."

Lang: "Thank you, Mr. Speaker."

Speaker Mautino: "Proceed."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Lang: "So, this involves what we would call the Non-Recourse Civil Litigation Fund Act. In short terms, this is what the Bill's about. There are businesses today in Illinois and all over the country who will loan a litigant funds to keep themselves afloat while litigation is pending. Let's assume you're a waitress and you make a few hundred dollars a week and you're in a car accident and your lawyer has filed a lawsuit for you, you can't work because you've been injured. The lawyer's not allowed to loan you any money under the canon of Ethics, because you have no flow of money you can't borrow money from a bank. There are companies out there that will loan you the money. These companies have been unregulated. Floor Amendment #2 is an Amendment that will regulate these companies. They were involved in the process of creating the regulations. It put caps on their interest rates. It puts strong consumer protections into the law and I want to tell you, Ladies and Gentlemen, that this is a company that exists today. These companies exist today. And so, if we're not to pass this Bill, this company, this series of companies, this industry would have no regulation whatsoever in the market place. The interest rates and the regulations and the caps and the rules put in place in this Bill are stronger and deeper than the rules and regulations we put in place when we passed the Pay Day Loan Reform Act this spring. I strongly recommend your support."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2 to Senate Bill 3322. And on that question, the Gentleman from Cook, Representative Thapedi. Do you

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

want to speak on the Amendment? We're talking about the Amendments now."

Thapedi: "Oh, I'm sorry."

Speaker Mautino: "No questions from the Gentleman. Representative Stephens on the Amendment."

Stephens: "First of all, I would request a Roll Call on the Amendment and a verification should it pass."

Speaker Mautino: "It's been acknowledged."

Stephens: "And to the Amendment. The... Well, I stand against this for many of the reasons that the Representative suggested were reasons that we should... Oh, I'm sorry. Are we just considering the Floor Amendment?"

Speaker Mautino: "Yes."

Stephens: "Yeah. Okay."

Speaker Mautino: "We're trying to place the Bill in the final form."

Stephens: "Okay. But my Motion is in order, right?"

Speaker Mautino: "Yes."

Stephens: "Okay. I stand opposed to the Amendment."

Speaker Mautino: "Representative Stephens, do you want a Roll Call vote on the Amendment itself?"

Stephens: "I do."

Speaker Mautino: "Thank you. Just for clarification. No further questions? Representative Lang moves the House adopt Floor Amendment #2. All in favor will vote 'yes'; opposed vote 'no'. There has been a request for a verification on the Amendment. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin, Gabel, May, Moore, do you wish to be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

recorded? Mr. Clerk, take the record. 28 voting 'yes', 87 voting 'no', and 1 voting 'present', the Amendment fails. Representative Lang."

Lang: "Please take the Bill out of the record, Sir."

Speaker Mautino: "Please take the Bill out of the record. Representative Davis... Representative Monique Davis on your Motion. Representative Davis."

Davis, M.: "We're just asking... excuse me... we're asking for post... I'm sorry... to remove the posting notice for Senate... for House Bill 6913."

Speaker Mautino: "The Lady's asked for leave. No objections. Leave has been granted. The Lady from Cook, Representative Golar is seeking recognition."

Golar: "Thank you, Mr. Speaker. I would like to announce that Mike Gales had a birthday yesterday and we need to give him a birthday..."

Speaker Mautino: "Yeah. We get the idea."

Golar: "Come on. Put your hands together for Mike Gales in the well."

Speaker Mautino: "The Lady from Cook, Representative Bassi is seeking recognition."

Bassi: "A point of personal privilege, Mr. Speaker."

Speaker Mautino: "Certainly. State your point."

Bassi: "Thank you, Mr. Speaker. This is to the Body. This is just a slight reminder as we wind down for the final days of Session year and approaching Senior DA. I want you to remember that public schools in America today are expected to teach good nutrition habits during student's in pulmonary-coronary resuscitation; give specialized

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

instruction for the heart of hearing the blind, and the neurologically impaired treat the emotionally disturbed, train the mentally retarded, teach the gifted, do eye testing, give inoculations, teach first aid procedures, provide pregnancy counseling, assist in disease prevention, implicate morals, ethics, and values, collect money to rebuild the Statue of Liberty, stress prevention of drug, alcohol, and tobacco abuse, help students develop political knowhow, develop civic responsibilities, provide sex education, provide suicide counseling, maintain birth information, age and certification data, provide instruction and good health care, and AIDS prevention, teach driver training, provide civil rights and racial tolerance, foster integration, teach the principles of free enterprise, provide career information, assist in career planning, detect and report child abuse, teach telephone numbers and etiquette, instruct in speed reading, eradicate head lice, scabies, and other diseases, assist in charity fundraising, provide vocational training, build economic awareness, serve hot lunches and breakfast, dispense surplus milk; do job placement, stress bicycle safety and pedestrian safety, promote physical fitness; assist with bilingual language development, counsel delinquents; foster metric education, provide transportation to each consumer education; counsel students with problems, follow due process procedures, protect student privacy, provide computer literacy, teach them to like broccoli, unteach them the four food groups, teach the pyramid, teach humaneness and individual responsibility, eliminate sex

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

discrimination, assist in bladder control, develop an appreciation of other people and other cultures, promote the uses of information, develop the ability to reason, build patriotism and loyalty to the ideals of democracy; to develop the understanding of the heritage of our country, build respect for the worth and dignity of an individual, develop skills for entry into a specific field, teach management of money, property, and resources, provide income tax counseling; develop curiosity and a thirst for learning; develop skills in the use of leisure time, teach pride in work, build a feeling of self worth or self respect, avoid religion, and teach reading, writing, and arithmetic. And don't you forget it. Thank you, Mr. Speaker."

Speaker Mautino: "I don't know if smoking cessation was in that list anywhere, but if you were a smoker, you would not have been able to do that. The Gentleman from McHenry is seeking recognition."

Franks: "Thank you, Mr. Speaker. I have a parliamentary question and hopefully you can help me. I'm looking at Mr. Wait over there, and I realize he's in the waning days, but a few years ago you may have remembered that he had passed a Resolution for car care month. And I was wondering, can you remind the Body when car care month is, and whether we did celebrate it this year? Or perhaps Mr. Wait can answer that question for us."

Speaker Mautino: "I believe it was April."

Franks: "I think it was April."

Speaker Mautino: "Is it? Was it April?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Franks: "I think it was April. I'm wondering did we miss it this year, and maybe Mr. Wait can give us a few tips while we're waiting."

Speaker Mautino: "The Gentleman from Boon, Representative Wait."

Wait: "Thank you very much, Representative Frank. As I recall, I think that was probably April 15, my birthday, is when we had the car care month. So, I hope you guys will remember it this year, when I'm down in Florida enjoying myself."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, if everyone could please be seated. If everyone could be seated. We're going to go to the Order of Postponed Consideration, Senate Bill 1381, which is concerned with medical marijuana. This Bill was previously debated, voted upon. We're going to call it again and we're going to suggest that there be two people speaking for the Bill and two people speaking against the Bill, and then we'll go to a Roll Call. And this has been cleared with the office of Mr. Cross. So, the Bill shall be put on the Order of Second Reading. The Chair recognizes Mr. Lang."

Lang: "Thank you, Mr. Speaker. A couple days ago I tried to lay on the table the Amendment that's on this Bill and chaos ensued on the House Floor. All that's in the Amendment was dealing with the effective date, and that was done because when we met in... before the first of the year, there was some effective date issues. All I want to do is take the effective... the Amendment off the Bill, take the Bill back to where it was when the Senate sent it over

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

here, then we can have a clean debate. If it passes, it passes, if it doesn't, it doesn't, but please give me a chance to take this Amendment off the Bill. I move to lay the Amendment on the table, Mr. Speaker."

Speaker Madigan: "You've all heard the Gentleman's motion. On that question, the Chair recognizes Mr. Mathias."

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

Speaker Madigan: "Sponsor yields."

Mathias: "I just want to make sure that I understand the procedure. If we take the Amendment off the Bill, and then the Bill subsequently passes, then it gets sent directly to the Governor. Is that correct?"

Lang: "That would be correct, Sir."

Mathias: "And if we don't take the Amendment off the Bill, is it my understanding, if it passes here then it goes back to the Senate for concurrence?"

Lang: "That is also correct, Sir."

Mathias: "Okay. I just want to make sure I understand the reason for taking the Amendment off. Thank you."

Speaker Madigan: "Back to the Motion to Table the Amendment. Those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? This requires more... requires 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 voting 'yes', 51 voting 'no'. And the Motion is adopted. Mr. Clerk, put the Bill on the Order of Third Reading. Mr. Clerk, is the Bill on the Order of Third Reading?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Clerk Mahoney: "Senate Bill 1381 is on the Order of Third Reading-Postponed Consideration."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, we had a thorough debate on this and I appreciate the cooperation of the Speaker and Mr. Cross, so we don't have to go through another two hours. We had a very lengthy debate. I challenged you during that debate to actually read the Bill because there was a lot of information out there that was misinformation. Let me, again, go through what's in the Bill. Please listen to what's in the Bill. First of all, this Bill affects very sick people. People who are in pain, people who have severe nausea from chemotherapy, people who are under a doctor's care. The Bill says that if your doctor, after trying all sorts of other concoctions, all sorts of serious narcotics, some of which can cause you to overdose and die, after trying all of those things, if your doctor, your own doctor believes that you need this product to live a quality of life, a productive life, or just be pain free, then the doctor can give you a piece of paper along with your medical records and go to the Department of Public Health for a permit to own three marijuana plants that you would take care of yourself. The department must go through your medical records. The doctor has to certify that you have a serious medical condition that requires this product and a condition that has not been alleviated by anything else he or she has tried. The department has to then certify that, yes, that's true, the doctor has tried everything, and then

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

give you a permit to go to a dispensary which is also licensed by the State of Illinois to get this product, to own the product yourself, to take care of the product yourself, to keep it in a locked and secure facility and to take care of your own need, to give you a quality of life when you're suffering, when you're in pain, and yes, sometimes when you're dying. So, that you can live the kind of life that we would want each of us to live if we had the problem or one of our family members, our mother, our father, our sibling. This is a... this Bill is called the Compassionate Use of Medical Cannabis, and that's what this is about. It's about having compassion for sick and dying people. Many of them will get the product whether we pass this Bill or not, and as I said to you the last time we did this Bill, if your family member needed this product, you would get this product for them whether it was legal or not. But why do we make criminals out of sick people? Why do we make criminals out of a 75-year-old great-grandmother with colon cancer who's dying, who's in pain? Why can't we provide her some relief from her suffering, some relief from her pain, a little quality of life? Isn't that what this General Assembly ought to be about? I urge you, I beg you not to let politics or elections or anything else get in the way of doing the right thing. Some of you, many of you, 30 of you have told me, Representative, I support your Bill, I hope it passes, I just can't vote for it. Why? Why can't we vote to help people who are suffering? If we can't do that, then we ought to find some place else to be. This is what we're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

here for, to take care of the most vulnerable people in our state, and this is a health care product under strict controls and with a three-year sunset, so it'd have to be revisited. A simple health care product that will alleviate pain and suffering and provide quality of life. I ask for your support."

Speaker Madigan: "Representative Cole."

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

Speaker Madigan: "Sponsor yields."

Cole: "Representative Lang, you called marijuana a health care product."

Lang: "When used in this way, it's a health care product."

Cole: "Does the FDA refer to marijuana as a health care product?"

Lang: "You know they don't."

Cole: "Thank you, Sir. I was kind of shocked that you called it that. I really didn't expect that. It's been stated in Colorado, my daughter lives out in Colorado, so I've been pretty familiar with their laws out there, and the studies that they've been doing after they legalized medical marijuana to be used in a dispensary circumstance. And out in Colorado, after they've discovered that only 2 percent of the registered patients have cancer, only 1 percent of the registered patients have AIDS, while 94 percent of the registered patients suffer chronic pain. Now, my understanding of the Bill, and I've read it, is that chronic pain is also considered as one of the criteria that someone could receive a permit from the Department of Health. And amazingly enough in Colorado, that two-thirds,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

75 percent... I'm sorry three-quarters, 75 percent of the patients out in Colorado that use medical marijuana are males under that age of 40. So, when I look at some of those statistics from states that have done this, what we're reporting to do, or similar to what we've done, it bothers me that only 1 percent of the usage is AIDS, 2 percent is cancer patients, as you have so eloquently said could benefit from using medical marijuana, smoking marijuana, but where it has been done in different states, three-quarters, 75 percent are males under the age of 40. Now, I have another question for you. Under your Bill..."

Lang: "Was that a question?"

Cole: "No. I do... I have another question for you. Under your Bill, you talk about the Department of Public Health for chronic pain, would you, for example, would you consider chronic pain, for example, a retired football player who's got back injury or that sort of... kind of injury as chronic pain?"

Lang: "I'll answer that, but first I'm going to respond to your previous comment. And I would respond this way, first, just because other states had screwed this up doesn't mean we will."

Cole: "No. I'm just talking about how the fact that..."

Lang: "And... and..."

Cole: "...not about how they dispense it..."

Lang: "...and..."

Cole: "...because your dispensary is different."

Lang: "And secondly... and..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Cole: "Representative, I only have a small amount of time to ask you questions, so I'd really appreciate it..."

Lang: "And... The timer's not on, Representative..."

Cole: "...if I could continue to ask."

Lang: "...so, I'm going to respond to you."

Madigan: "Representatives, one at a time. One at a time, please."

Lang: "So..."

Madigan: "And Representative, you have all the time that you want."

Cole: "Thank you, Mr. Speaker."

Lang: "The..."

Cole: "The question I'm asking you is..."

Lang: "The second thing..."

Cole: "Would you consider chronic pain..."

Lang: "You made a comment. I'm going to respond to it, Representative, please. I will answer your question."

Cole: "I didn't ask a question. My question was..."

Speaker Madigan: "One at a time."

Cole: "...do... my question was, do you consider chronic pain as part of your Bill, because I've looked at that and I do. And it goes beyond some of the other things that you mentioned..."

Lang: "Chronic pain has..."

Cole: "...but chronic pain."

Lang: "Chronic..."

Cole: "Yeah."

Lang: "Certified by a doctor. After the doctor has gone through your medical records and tried other things, the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Department of Public Health has to go through your records and confirm that the doctor's certification is a correct one."

Cole: "Would you consider chronic pain, for example, a football injury?"

Lang: "Well, I'm not a doctor, Representative. I'm not the one that's going to define what that is. The doctor, your own doctor, will define that for you."

Cole: "My concern... To the Bill. My concern is that we've made no limitations on this Bill. In addition to what I mentioned the last time we brought this Bill up, is that we've made no limitations to age. I've had... I've got 20-something children who've been through some... friends have been through some pretty serious football injuries while in high school. Medical marijuana for a high school student, I have problems with. Additionally, I just... we're getting the wrong message to our youth, that marijuana is a medicine, as you stated in your comments. It's not. And I would hope that the... once again, the... this chamber would vote 'no', and move forward, hopefully, with a Bill that would actually talk about medical marijuana for a very small portion of our population, and then talk about a place where the... our state would actually provide a facility that grew a particular strain of cannabis that could be approved through some sort of pharmacy process where those people that are truly, severely suffering and can use this for pain relief, it comes from someone other than their next door neighbor who you call a caregiver. Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Madigan: "Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "Representative Lang, do you know how this would be enforced?"

Lang: "How what would be enforced, Representative?"

Bellock: "How the control over the product in growing would be enforced? Who's going to enforce that?"

Lang: "The Department of Public Health has to review patients records before they give a license. They have to create rules... how and under which the dispensaries will operate and inspect them and decide how they should go about doing that."

Bellock: "But who actually goes into houses and does the enforcement and check up? Are you going to ask our local public health officials who can't even... we don't even have enough of them to go into the nursing homes to check up. Are they going to go into peoples' homes?"

Lang: "Representative, every day in many homes in this state and in this country, there's abuse of medication going on. We don't send local police into everybody's home to check if OxyContin is being abused or Vicodin is being abused or Morphine is being abused. So, we're not going to do that for this product either."

Bellock: "Okay. To the Bill. We've had this discussion before and since we had the discussion the last time, in the press there has been more and more and more regarding the use of... I'm sorry... regarding the usage of drugs in America. I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

brought up the statistics before, that's just one comment that right now, the last statistics were... hold on. One out of every 11 eighth graders in the United States, right now, used marijuana last week, one out of 11. Regarding twelfth graders, one out of five across the United States used marijuana last week. That is why when we had the discussion before, we talked about all local law enforcement agencies are opposed to this Bill. All of them, except the State Police. And I don't know why they're supporting it, but every single police chief in my area called me to adamantly oppose this Bill. Secondly, we had the issue of no control over the drug. You yourself referred to this as a simple health care product. As far as I know that drugs are and the United States Federal Government still has called this an illegal substance throughout the United States, of which there is prison terms to go to jail on it. So, it is not simply a health care product. I mentioned last time, Time Magazine, the whole six page issue was about mainstreaming marijuana in America. Obviously, that has worked if it's being called a simple health care product or a medicine. It is still an illegal substance. There is no proof that there is actually any control over this substance in this Bill. It is still something illegal. As far as medical groups go, nothing has changed since we debated the Bill the last time. The number one group that I mentioned was the Glaucoma Society in America. They have said that they think this is dangerous because of the blood pressure build up behind the eyes. Two, the MS Society still has serious

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

concerns over the medical effects of medical marijuana. Three, the American Cancer Society is not convinced at all that this would not be harmful to people that use this drugs. I don't see, in our analysis on the Bill, any major medical groups, physicians, doctors, hospitals, nobody signed in as proponents of this Bill. And yet, on the opponents of the Bill it is all chiefs of police, the Illinois Sheriffs Association, the Illinois Police Association, the Illinois Drug Enforcement Officers Association. Those are all major medical, enforcement groups that are totally opposed to the Bill. In summary, I think a lot of us empathize with the small group of people that need this and it definitely is there that there... there is proven that there is need for that. I have offered to work with those people over the last four years. Every time we have done this Bill in committee, I've said I would work with them with the Federal Government to reschedule the Bill and work with physicians on this. Never has a request come in after that is over. We have never received another request to help reschedule the Bill with the Federal Government. So, I ask all of you today if President Obama, who felt this Bill... I mean, not this Bill... He felt six months ago that he was for decreasing the penalties on marijuana. Now, since the statistics have come out across the United States that every state that has passed this law has had an increase of the use of marijuana and of drugs. We held the heroin town hall meeting. Every one of the young people who had taken the heroin said that this, marijuana, was the gateway drug that introduced them

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

into heroin. I'm asking all of you, because of local law enforcement being opposed to it, all major medical groups being opposed to it, I would ask you to say 'no' to this Bill today. Thank you. And I would ask for a verification when the vote is taken. Thank you."

Speaker Madigan: "Pursuant to the agreement, there will be one more speaker, and then we shall go to Roll Call. So, the last speaker will be Representative Monique Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, M.: "Representative Lou Lang, my understanding is sometimes a patient who is suffering with cancer or some other disease find that the narcotic being given no longer works. Is that true to your... in your research?"

Lang: "That's absolutely true, and sometimes they take the narcotic and it lays them flat in their bed and they can't function, and then sometimes they overdose and die."

Davis, M.: "And if they're not moving around because the narcotic has them so lethargic, that is not, what shall I say, positive for their recovery."

Lang: "It's not positive for their recovery, and it's definitely not a quality of life. They can't function, they can't do laundry, they can't take care of their children."

Davis, M.: "Have you heard of a gentleman by the name of Mr. Mantel Williams?"

Lang: "He was here when we last voted on this Bill, Representative."

Davis, M.: "What disease does Mr. Mantel Williams suffer from?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Lang: "MS."

Davis, M.: "Multiple Sclerosis."

Lang: "That's correct."

Davis, M.: "And what does this medical marijuana do for Mr. Williams?"

Lang: "Well, what it does is allow him to function and run a lot of businesses and go all over the world doing great work for people. Without it he would be in bed today."

Davis, M.: "What would he be on today?"

Lang: "He would be on drugs like OxyContin and Vicodin and Morphine and unable to function."

Davis, M.: "And unable to continue with his business, with his television production."

Lang: "And all the philanthropy that he does. That would be correct."

Davis, M.: "Do you think that some people fear the use of medical marijuana because they think that it will enhance the use with college kids or young teenagers?"

Lang: "I would imagine that some people think that, but the facts are, unlike what a previous Legislator said, that in the 14 other states that have approved... 15 other states that have approved medical marijuana, in 11 of those states, teenage use of marijuana is down, not up, down."

Davis, M.: "Thank you, Mr... Oh, let me ask you this question. What about alcohol use? Where is that in reference to teenagers?"

Lang: "Alcohol use among teens is way high, geometrically climbing."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Davis, M.: "Thank you. To the Bill, Mr. Speaker. I know a lot of people have a great deal of fear that medical marijuana will lead to a gateway of drugs by people who don't want to use drugs. People who today want to use drugs find a way and they do so. If you look at celebrity intervention on television, you see that there're people addicted to drugs because that's what they choose to do. If a person is suffering from cancer, from multiple sclerosis, they should have the right to not suffer because the narcotic is no longer any value to them. It also makes them... the muscle atrophy because they're not moving around like they should. They're not getting exercise, they're not getting up to walk, they're not sitting up. If a person can live a little longer and have a little better life, what would you call it, quality of life, by a few puffs on medical marijuana, why would we object to that? I urge an 'aye' vote and thank you for bringing this Bill up, Representative. I'm sure those who are in hospital beds suffering, those who are in hospice care would be very grateful to you, if you allowed them this medical solution to pain and suffering. Thank you."

Speaker Madigan: "All right. One more time. There's an agreement that there shall be two for the Bill and two against the Bill and then we go to Roll Call. So, everyone please be at your chair, please be in your chair. There's a request for a verification. Please be in your chair. And those in favor of the Bill shall vote 'yes'; those opposed shall vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

this question, there are 56 people voting 'no', 60 people voting... 56 people voting 'yes', 60 people voting 'no', the Bill fails. Senate Bill 3712. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 3712 has been read a second time, previously."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 3712, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Madigan: "Representative Gabel on the Bill."

Gabel: "Thank you, Mr. Speaker. The Amendment that we passed before has now called this Bill the Home Birth Safety Act. I came to this legislation after 20 years as an expert on policy for maternal and child health. I would like to thank Mary Flowers who has been a champion for many years for improving the health of women, children, and families. We have a problem here in Illinois. Each year there are 800 moms who deliver at home and the people who help them are treated like criminals because it is illegal to provide care at home if you are not a nurse or a doctor. These families, like the Amish or..."

Speaker Madigan: "Representative, just a second. Ladies and Gentlemen, would you please give your attention to Representative Gabel. Hello. Hello. Would you please give your attention to Representative Gabel. Thank you, Mr. Stephens."

Gabel: "Thank you. These families, like the Amish or other cultural minorities, will have a birth at home no matter

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

what. This Bill was drafted largely by the nurses after years of negotiation. It would license non nurse midwives with the toughest, most rigorous education standards in the country. The question before us today is not whether home birth is better, safer, or smarter than a hospital birth; that is for the parents to decide. The question today is whether we will have skilled, licensed providers who can help these moms and help them deliver safe babies or will we leave these moms to the shadows. I ask for an 'aye' vote and I'm happy to answer any questions."

Speaker Madigan: "Mr. Tryon."

Tryon: "Mr. Speaker, I rise to speak to the Bill, if I could do that."

Speaker Madigan: "Proceed."

Tryon: "This issue, I think, has been presented to the General Assembly since the day I got here six years ago and it has received a lot of debate in the halls of this corridor, but the fact is home birthing is not illegal in this state. You can have a home birth in the State of Illinois. You just can't have an assisted home birth unless it's a licensed nurse. So, when we look at what's going on in other state's, we'll find that, I think its 27 other states have licensed, assisted home births utilizing midwives. Their statistics of delivery and the statistics of complicated pregnancies in those states are no more than they are here, in fact, they're less. This is something that I think we should give to those individuals who choose to have a home birth. First of all, it takes a very special person I think to be willing to go through the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

training to assist in home birth, as well as it takes a very special person to want to deliver a baby at home. And to be able to do this, to be able to do what other states have done and give this option to the citizens of Illinois, I think is good public policy. So, I rise to support Representative Gabel in her efforts. The midwives that I have met have all been professional, committed and committed to professionalizing their industry. So, I would hope that we would give them an opportunity to assist in home births and home deliveries. Thank you."

Speaker Madigan: "Representative Cultra."

Cultra: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Cultra: "Right now, today, if someone chooses to have a baby at home, what's available to them?"

Gabel: "They have... a doctor could come and help them deliver the baby at home or a nurse midwife with a doctor could help them deliver the baby at home. There are only five counties where they are available. So, right now what happens is many women who want to have home births, they look for a midwife to help them, and these midwives, right now, are not licensed in Illinois. So, they may get a good midwife and they may not. They may have somebody who's trained and they may not. And what this would do is make sure that the midwife that they would have would have three to five years of training and be able to truly help them deliver that baby at home."

Cultra: "So, what you're saying is someone that chooses to have a baby at home, this way they would have someone with the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

training to do a good job of deliver... helping them deliver the baby."

Gabel: "Correct."

Cultra: "Do you know how many other states this is available in? Illinois, right now, currently, isn't available. How many other states can do this?"

Gabel: "Twenty-seven other states."

Cultra: "Twenty-seven other states, women can choose to have their baby at home and have qualified help. I don't know why we make such a big a deal of this. We've got some strong lobbies here that have worked both sides of the aisle on this issue they're wrong. So, I would urge an 'aye' and I support."

Speaker Madigan: "Representative Hays. Hays."

Hays: "Thank you, Mr. Speaker. To the Bill. I had the opportunity to speak this morning to an OBGYN in my community who has delivered 10 thousand children in his career, the gentleman who has the statue in front of our hospital of a mother cradling a child dedicated in his honor. Dr. John Mason was a pioneer as it relates to nurse midwives being able to practice, had a nurse midwife in his practice who has delivered hundreds of babies. His commentary is as follows. He is a believer in midlevel providers. He believes in a hospital with the modern amenities, with appropriate backup. It's an extraordinarily good idea, particularly helpful in our rural areas, but this notion of no backup in the home he finds extraordinarily troubling. In 90 percent of the cases, well babies are born without incident and those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

other 10 percent we put mothers and we put newborns at risk. I urge you to vote 'no'."

Speaker Madigan: "Representative Bellock. Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "Regarding the educational requirements of the people who would get this certification, what would that be?"

Gabel: "They would have... first, they would have to have an associates degree, and then they would have to have the training that is required through the National Association of Certified Professional Midwives, which is approximately a three-to five-year process. There are also some criteria written into the Bill of which classes they need to take. But this... these... their requirements were written by the Association of Advanced Practice Nurses."

Bellock: "For some reason I thought, and I don't have the page on the Bill right in front of me, I thought the educational requirement was a high school education or equivalent there of. I didn't think it was an associate degree."

Gabel: "Yes. It does say associates degree."

Bellock: "Okay. That must have been a change from the other Bill. And is there any..."

Gabel: "Page 26."

Bellock: "Okay. Thank you. ...administration of drugs by these people?"

Gabel: "Yes. The Bill does allow them to administer a few lifesaving drugs. It allows them to help the woman if she is hemorrhaging. If she's bleeding heavily, they are

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

allowed to give a couple drugs. They're also allowed to give oxygen to the baby."

Bellock: "Are there any other people in the State of Illinois that aren't licensed medical personnel that can administer drugs?"

Gabel: "Well, these would be licensed medical personnel."

Bellock: "No. I'm saying right now in the State of Illinois, anybody other than nurses, doctors that can administer drugs? I don't think so."

Gabel: "Well, these people would be held medical professionals."

Bellock: "Right. That's one of my objections to the Bill, though, is that I think that you're putting in the hands of people... I mean, I'm not disagreeing with people helping out with home births. I'm disagreeing with the certification of people and administrating drugs for people who are not trained medical personnel, such as doctors and nurses. Right now, in the State of Illinois, the people... the midwives, of which sometimes I think people get this confused with, the advance practice nurses are licensed in nursing and advanced practice nursing act. Those people have a master's degree along with an RN degree, correct?"

Gabel: "Yes."

Bellock: "So, this would be a way... away from that, as far as educational and professional training."

Gabel: "This would be a licensed professional, medical person who would be allowed to administer a very specific number of drugs for a very specific number of reasons, and it's actually put in great detail in the Bill in about five,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

six, seven, quite a number of pages here. These are drugs that actually are also given by people in, and I'm going to say this, in third world countries in the country that they are allowed to give these drugs to women. So, it's not that you need extensive training on how to do this. These are lifesaving drugs that can... that are just necessary."

Bellock: "Are there any other medical professional groups that are in support of this?"

Gabel: "Yes. The... it... where's the piece? The Illinois Society of Advanced Practice Nurses, the Illinois Acupuncture Federation, the Illinois Public Health Association, Coalition for the Improvement of Maternity Services, Doctors for Midwives in Illinois, Birth Link..."

Bellock: "You're saying the Association of Advanced Practice Nurses are for this?"

Gabel: "Yes."

Bellock: "I thought they were opposed to it. Anyways, there was a couple more things I wanted to ask you about. On Section 20, on page 3, it states that after three years people would be prohibited from practicing direct midwifery without a license. Doesn't that mean for the first three years, after July 1, that anyone can practice, whether or not they meet the license requirements? It seems to be a loophole."

Gabel: "Actually, I think that was changed in one of the Amendments. No."

Bellock: "Oh, was it? Okay. Thank you. And on page 27 beginning on line 24, it states that after 2012 anyone who has been practicing midwifery for at least five years and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

meets the NARM standards can be grandfathered in without having to meet the additional educational and training requirements provided in the Bill. Is that correct?"

Gabel: "They would have to still meet the training program through the National Association of Certified Professional Midwives, but they would not have to have a... an associates degree."

Bellock: "So, isn't that a loophole that would allow people to practice and then get a license without meeting of the state's standards in this Bill?"

Gabel: "No. We do that often in licensure Bills, grandfathering people in..."

Bellock: "Okay."

Gabel: "...who've been practicing for a period of time."

Bellock: "Thank you very much, Representative. To the Bill. I think that the objections of a lot of people that are opposed to this are... is in Illinois we don't let medical students act as physicians and practice medicine. We don't let nursing students, or those going to school be physicians assistants and treat patients, and we don't do that because we're leery about putting patients at risk. Even though I support home births, I think that the certification, being what they are and the administration of drugs by nonprofessional medical personnel, I think is an issue that I cannot support. And I would ask others not to support at this time. Thank you."

Speaker Madigan: "Mr. Saviano."

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Madigan: "Sponsor yields."

Saviano: "Representative, this issue's been in front of me over the years, probably for the last 16 years I've dealt with it. Do you know how many people exactly, or ball park, how many of these people are actually going to be members of this profession? How many did we identify as midwives who are going to join this profession, or come under this licensure?"

Gabel: "It's unknown, but we think there are about 10 to 20."

Saviano: "Okay. So, now we're going... we're creating a licensure for 10 or 20 people for this profession. And I understand the access to care aspect and I have problems with the quality it has delivered, but if we take a step back, how do we... how does the Department of Professional Regulation, with only overseeing 20 people, what are we going to charge these people for a licensure fee? We're going to charge them \$10 thousand a piece a year. I mean, how much cost is it going to cost us to oversee something like this or properly monitor it with investigators, with procedures, would administrative costs, for at the most, 20 individuals across the state?"

Gabel: "The department has put a note on at... for \$5700 per person, but I think that they... The department also has this smaller pool where they put these kinds of groups that only have small numbers of people together and we are continuing to negotiate with the department to figure out if we can get that price down."

Saviano: "Well, and I can appreciate that, where the department does share resources, but we've taken away a lot of their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

resources by sweeping the various funds, which our head counts are low, which means we have less investigators to monitor these other licensures. And it... from a practical standpoint, I don't know if we're ready to take on something like this, which may be, down the line, a fine profession some day, but in its infancy we don't have the tools to actually monitor it to make sure that the core group that starts in this profession is actually monitored and watched over so we can protect the citizens of this state. And that was really my point, and I appreciate your answers. Thank you."

Speaker Madigan: "Representative Jakobsson. Jakobsson."

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

Speaker Madigan: "Sponsor yields."

Jakobsson: "Right now, if there is a home birth and a midwife discovers that the woman is having a problem, that often is a problem then for not only the woman who's giving the birth and needs some... maybe to go to a hospital, but am I right in assuming then that the midwife is really putting her or himself at a terrible risk of maybe being arrested."

Gabel: "Yes, at this point it is very... it is dangerous. And what happens now is that the midwife just tells the woman to go to the hospital and she shows up at the hospital without her records, without any information from the midwife, because the midwife is scared that she's going to be arrested and put in jail and prosecuted. So, what this Bill does is that it will allow that woman to be transferred in a safe way. It allows the midwife to have a collaborative relationship with a doctor or a nurse midwife

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

and she can then transfer the women... woman very safely, with her records and it will... to me it will really improve the health of women and children."

Jakobsson: "Thank you. So, to the Bill. Right now we have many women in Illinois and I know in my district there are many, many couples who choose to have home birth and they're doing this knowing that this is what they want, but they also know that these midwives who have some training, but their not certified or licensed are really at a risk and they're doing it at their own personal risks, too, because they really believe in providing this service. So, I think with licensing them and helping them become certified is the right way to go, because it's going to make safer home births. It's going to make the outcome, if there is a problem, and there... I don't there are that many, but if there is a problem and a woman needs to go to a hospital, there will be the connection, there will be the medical record following. So, I think this is a really good Bill. I urge an 'aye' vote."

Speaker Madigan: "Representative Reitz."

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

Speaker Madigan: "Sponsor yields."

Reitz: "I guess, one of the questions earlier was about the grandfathering in. Is everyone that will be grandfathered in meet or exceed the standard that you set up in this Bill?"

Gabel: "They have to meet the certification from the National Association of Certified Professional Midwives."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Reitz: "And they won't... So, no one will be grandfathered in unless they meet or exceed those certifications?"

Gabel: "Yes."

Reitz: "Okay. Thank you."

Speaker Madigan: "Representative Gabel, have you answered the last question? All right. I'm sorry. So, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Madigan: "Sponsor yields."

Flowers: "Representative, how long has midwifery been around?"

Gabel: "Midwifery has been around ever since women were having babies."

Flowers: "Oh, really. So, as far as the quality... as far as the birth at home versus birth's as the hospitals have there been accidental deaths at the hospitals because of some type of medical error?"

Gabel: "Yes. There's always a risk of having... there's always some risk of having a baby."

Flowers: "Absolutely. So, it's not necessarily something negative and is a woman sick because she's pregnant or she's given birth?"

Gabel: "No. Birth is a very natural process and it's a healthy process."

Flowers: "Most of our grandparents, would you say that they were probably brought into this world by a midwife?"

Gabel: "I'm sure that many of them were."

Flowers: "So, in regards to this legislation, the reason why... that you're sponsoring this legislation, because given birth, you don't necessarily need to be in a hospital

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

because you're not necessarily sick. And a lot of women would like to make this a family ordeal, but when you go to the hospital, it's very difficult for your family to be involved. And a lot of women would love to have a family, but it's so expensive because of a hospital bills and you can't afford all of that, so it'd be a lot cheaper if you're able to have your baby at home. Am I correct about that?"

Gabel: "Yes, you are. Washington State has actually saved significant dollars in their Medicaid program after they instituted this program for certified midwives."

Flowers: "And it's my understanding that, I think, the month of July is midwifery month, and it started under former Governor Jim Thompson and it's been recognized as midwifery month for the last 20-some odd years. So, obviously, there is a lot of midwives in this state and we should began to recognize it because this is nothing new; it's been going on since the beginning of time. And it's affordable and it can be made safe. And these women who are midwives, they've been doing this for years because it's just part of their religious belief or either it's a family tradition and some families would like to keep this tradition up. Am I correct about that?"

Gabel: "Yes."

Flowers: "I rise in support of the Lady's Bill. It's a very simple Bill. It's something that's been around since the beginning of time. It's affordable, it's safe and a lot of these midwives have more educational training than a lot of nurses. This is a very good piece of legislation and we're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

trying to make home birth safe by licensing midwives. I urge an 'aye' vote."

Speaker Madigan: "Representative Dugan."

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

Speaker Madigan: "Sponsor yields."

Dugan: "Representative, I just wanted to check, as we talked about the education requirements. The North American Registry of Midwives, I can't... Is that organization is that regulated by..."

Gabel: "It is. It is part of the national association of some kind of certification organization."

Dugan: "Okay. So, who are they actually regulated by? I mean, when they determine the education requirements, who oversees or regulates what actually they require? I guess, I'm just..."

Gabel: "Yeah. It's a standard program that has been developed over the last number of years and it's developed by midwives, by professional midwives."

Dugan: "I guess, so is... I guess and so is there any government entity that regulates that, or do they regulate themselves?"

Gabel: "As I said, they are regulated by an organization, a national organization that regulates licensures."

Dugan: "Okay. So, there's no government regulation at all."

Gabel: "No. I don't believe so."

Dugan: "Okay. Thank you very much."

Speaker Madigan: "All right. The last speaker will be Representative Pihos."

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Speaker Madigan: "Sponsor yields."

Pihos: "Yes. I have two questions for you. When some of the midwives came in to visit me, they told me a lot of the courses that they take are via the Internet. Is that still the case?"

Gabel: "I assume that those courses are available as well. I also know of a midwife that teaches courses at a location as well."

Pihos: "Okay. I have some concern about some of these courses being via the Internet and I just want to make sure that our analysis is correct. On our analysis, it shows that the opponents are the Illinois State Medical Society, the Illinois Academy of Family Physicians, the Illinois Chiropractic Society, the Illinois Society of Anesthesia, the Illinois Psychiatric Society, the Illinois College of Emergency Physicians, the Health Alliance, the March of Dimes, and the American Academy in Pediatrics. Are those... is that list correct?"

Gabel: "I think so. Yes."

Pihos: "Okay. And do you have any idea why they might be opposing it?"

Gabel: "I think there's always opposition for new licensures of new medical providers."

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

Speaker Madigan: "Representative Gabel to close."

Gabel: "Thank you, Mr. Speaker. I appreciate and understand the Illinois State Medical Society's concern for the health and safety of moms and babies. All of us are united behind doing what is safest for them. I wish the doctors made

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

house calls and delivered babies at home, but they don't and they won't. I think we can all agree with that. We are faced with a stark choice. There are no home birth providers south of Peoria. People have to either decide to have their babies at home by themselves or look for someone who does not have licensure. That is dangerous. Administering oxygen to a baby, or drugs to a mom who is heavily bleeding, that's not dangerous. I'm asking you to trust me. That after a career in maternal and child health care, I can promise you that this Bill will make mothers and babies safer. I ask for an 'aye' vote. Thank you."

Speaker Madigan: "The question is 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 46 people voting 'yes', 71 voting 'no'. Therefore, the Bill fails. On page 3 of the Calendar, on the Order of House Bills-Second Reading, there appears House Bill 1760. Representative Flowers. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "House Bill 1760 has been read a second time, previously."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "House Bill 1760, a Bill for an Act concerning regulation. Third Reading."

Speaker Madigan: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I bring to you House Bill 1760 and it's the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

doctors' profile. If I may, I would like to take this opportunity to read to you an editorial from the Chicago Tribune dated August 26, titled Vital Statistics. In years past, you choose a doctor or a hospital based many times on... well, not all... not very much information, basically, reputation, a friend's recommendation, and convenience. It wasn't easy to learn how doctors or hospitals stacked up against others in the state, and... on many other vital measures, or if the provider had been sued in the case of doctors jailed, but that's changing. The state has launched a powerful online hospital report card that help prospective patients compare hospitals on how they control infections and deliver quality of care, but what about doctors? Until February, the State Department of Financial and Professional Regulations provided details... online histories of state doctors. Those profiles included sensitive and vital information. Has your doctor been convicted of a crime? Was he or she fired by a hospital, or forced to make a medical malpractice payment in the last five years? That information that people and prospective patient crave... the physician profile generated a 130 thousand clicks a week, but most of that is now behind the electric lock and key as Tribune, Megan Twohey and others reporters have been reporting on. Now, the only information available on the public Web site is whether the regulatory agency has disciplined the doctors. That's not enough. One reason, it can miss doctors who run afoul of the law, but are still practicing medicine, and some of those doctors could endanger patients. Patients deserve

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

better. In 2005, the State Law that would cap medical malpractice award agreed to require the posting of these detail profiles online with one provision. If the caps were struck down, the profile would come down also. Unfortunately, that's what happened earlier this year. The State Supreme Court rejected the medical malpractice cap. The Department of Financial and Professional Regulations said that the court ruling meant that the law was voided and the department had to take down the profile. The president of the Med Society argued that patients could learn about doctor's background from medical associations, insurers, and commercial Web sites, but instead the Tribune suggests that they... that the introduced.. the legislation that was introduced to restore the profile should be a priority. They said it wasn't complicated. The Department of Financial and Professional Regulations has already spent the money to develop the database. It is up.. it was up and running; people were flocking to it. It is time to restore it. That is from the Tribune and it's dated August 26, 2010. The profile would merely consist of the physician's name, the medical school attended, and the dates that they attended, the number of years that they have been in practice and where they practice, the location of the physician primary practice and any specialty board certification that they possess, along with the phone numbers to verify it, the name of the hospital where the physician has privileges to practice, a listing of medical facilities, appointments, or teaching responsibilities within the recent five years, a listing of publication and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

peer review journals within the most recent five years, information about professional or community services award and activities. And also the physician profile.. they would have an option not to provide information on certain items, but it should include a description of criminal convictions, a description of disciplinary action taken by the department, a description of final disciplinary action taken by other states against the doctors and a description of the revocation of license and the restrictions of physician hospital privileges for reasons related to their character. These actions must have been taken by a governing body or officials at the hospital after the physician realizes and receives procedures in due process, a list of all medical malpractice judgment arbitration awards within the most recent five years. If the case is on appeal, the profile must prominently identify the listing as under appeal within 20 days. The listing of the settlements must be accomplished by a statement that the settlement of a claim may occur for a variety of reasons which do not necessarily mean or reflect negativity on the side of the professional competency. And I'll be more than happy to answer any questions you may have in regards to House Bill 1760."

Speaker Lyons: "Representative Joe Lyons in the Chair. Anybody seeking recognition on House Bill 1760? Seeing none, the question is, 'Should... The Chair recognizes the Gentleman from Cook, Representative David Miller."

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

Speaker Lyons: "Sponsor yields."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Miller: "I know that this issue's near and dear to you, Representative, and I have a few concerns or need some clarity. On the list of... it says all medical malpractice court judgments, I can understand that, arbitration awards and settlements. In your comments, I believe I heard that you mention that the settlement, if any, would not reflect negligent. Is that what I heard?"

Flowers: "No. I said that it would be stated that the settlement would not necessarily... The listing of settlements must be accomplished by the statement that settlements of a claim may occur for a variety of reasons, which do not necessarily reflect negatively on the professional competence or conduct of the physician. So, a doctor could have settled for reasons, not that he's negligible, he just didn't want to go to court."

Miller: "No. I understand that. The... that would be listed on this particular form, so I... like, for instance, when I renew my license there's a question of have I... I think the description of criminal... or have I committed any class A misdemeanors and actually there's a question dealing with child support on our license. Is that what you envision when these licenses are renewed, or are you envisioning that this has to be an annual document that has to be filed with the Department of Professional Regulations or what is the process in which this information is gathered and then displayed via the department?"

Flowers: "Well, first of all, Representative, I want to clarify that this was the law until February."

Miller: "Okay."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Flowers: "And so... and the requirement was every doctor that wanted to renew their license, they had to fill out this information and the doctor's will have the last say. They would review it to make sure that all the information was correct."

Miller: "So, I'm not clear then. You're saying that this legislation's already the law."

Flowers: "Yes. It was already the law and it was passed in 2005, but it was... the Supreme Court ruled that the... the patient's right to know was struck down as unconstitutional by the Supreme Court, and as a result of the medical malpractice and the profile... it was together, and so when one part of the Bill was stricken down, the other was voided as well."

Miller: "Okay. I just don't want to belabor this. I know what you mean. You're saying that the law was passed, it was proved unconstitutional, I guess then in most simplistic..."

Flowers: "No. A part... the part that was proved unconstitutional was the caps on medical malpractice. That was the part that was stricken down as unconstitutional, but when the Bill was passed, it was an inseverability clause that if one part of the Bill is stricken down, the entire Bill is voided. And that's exactly what happened, and so the patient profile was... had to come down as well."

Miller: "I see. And so, this still would go through the JCAR process, I assume if this is passed."

Flowers: "I would think, Representative, that it would really just constitute a flip of a switch because the web site was up, there was 130 thousand hits a week, people were using

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

it, and so the only reason why it's no longer up and running is because... not because the Supreme Court said that it had to come down, but because of the inseverability clause. And it has gone through the process already as far as JCAR."

Miller: "Okay. Just... In the analysis it does say that the department will promigate rules. SO, it will have to go through JCAR to be implemented."

Flowers: "Well, I guess that's part of the process, but basically the rules has been set forth because as I stated this is not new legislation."

Miller: "Okay. Thank you."

Speaker Lyons: "Representative Flowers to close."

Flowers: "I would appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 1760 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Burns, Cultra, Hannig. Have all voted who wish? Mr. Clerk, take the record. Representative Flowers."

Flowers: "Mr. Speaker, would you please put this on Postponed Consideration."

Speaker Lyons: "Mr. Clerk, on request of the Sponsor, put this Bill on Postponed Consideration. Mr. Clerk, what's the status of Senate Bill 3539? Representative Yarbrough. Mr. Clerk, take the Bill out of the record. Speaker Madigan in the Chair."

Speaker Madigan: "Mr. Clerk, let's return to the last Bill. Put that Bill in the record. Senate Bill 3539 is on the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Order of Postponed Consideration. All right, Ladies and Gentlemen, if I could have your attention. Ladies and Gentlemen, please. This is the death penalty Bill and we're going to call the Bill again and Representative Yarbrough will speak for the Bill briefly and there'll be one opponent and it will be Representative Reboletti briefly. Representative Yarbrough."

Yarbrough: "Thank you."

Speaker Madigan: "Briefly."

Yarbrough: "Briefly."

Speaker Madigan: "Yes, please."

Yarbrough: "Thank you, Mr. Speaker. I don't have any more really to add to the debate, the vigorous debate that we just had on this Bill. I simply ask that you find your way to do the right thing for the right reason today, and that's to vote 'yes'."

Speaker Madigan: "Representative Yarbrough has spoken for the Bill. Representative Reboletti will speak against the Bill. Mr. Reboletti."

Reboletti: "Thank you, Speaker. I would just urge an 'aye' vote. You've heard my argument and those of my colleagues... I mean a 'no' vote, I'm sorry. I would urge a 'no' vote and ask for a verification. Ask for a certification."

Speaker Madigan: "You've all heard Mr. Reboletti, and there's a request for a verification. And those in favor... Do you wish to speak again, Mr. Reboletti? Mr. Reboletti."

Reboletti: "No, Speaker."

Speaker Madigan: "Okay. All right. The question is, 'Shall this Bill pass?' Those for the Bill vote 'aye'; those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

against the Bill vote 'no'. Have all voted who wish? Have all voted who wish? Three to go. Have all voted who wish? The Clerk shall take the record. On this question there are 60 'ayes' and 54 'noes'. There's a request for a verification. Please all Members go to your chairs. Staff, retire to the rear of the chamber. Members, please be in your chairs. Staff, retire to the rear of the chamber. Mr. Clerk, read the names of those voting 'yes'."

Clerk Mahoney: "Those Members voting 'yes' are Representatives Arroyo; Beaubien; Berrios; Biggins; Boland; Burke; Burns; Carberry; Chapa LaVia; Collins; Colvin; Currie; D'Amico; Monique Davis; Will Davis; Dunkin; Feigenholtz; Flider; Flowers; Ford; Froehlich; Gabel; Golar; Careen Gordon; Hannig; Harris; Hernandez; Howard; Jackson; Jakobsson; Jefferson; Lang; Lilly; Joe Lyons; Mayfield; May; McCarthy; McGuire; Mell; Mendoza; Miller; Moore; Nekritz; Osmond; Osterman; O'Sullivan; Pritchard; Riley; Rita; Saviano; Sente; Smith; Soto; Sullivan; Thapedi; Turner; Verschoore; Walker; Yarbrough, and Mr. Speaker."

Speaker Madigan: "Are there questions of those voting 'yes'. Mr. Rose. Mr. Reboletti."

Reboletti: "One moment, Speaker. Is Will Davis..."

Speaker Madigan: "Mr. Reboletti, would verify Mr. Miller right here. Mr. Miller."

Reboletti: "Yes."

Speaker Madigan: "Yes. And your next question."

Reboletti: "Will Davis. He back there?"

Speaker Madigan: "Will Davis is in the rear of the chamber."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Reboletti: "Verschoore's there. We'll withdraw the request, Speaker."

Speaker Madigan: "Thank you, Mr. Reboletti. On this question, there are 60 'ayes', 54 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Harris. Mr. Harris moves that the House reconsider the vote by which that Bill just passed, and Representative Walker moves to lay that Motion on the table. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The motion is laid on the table. Mr. Rose."

Rose: "Thank you, Mr. Speaker. Your side of the aisle will find it very funny that in my zeal to help my seatmate with that verification I actually forgot to vote 'no' on the last Bill. So, if I could have the record reflect that I intended to vote 'no' on Senate Bill 3539. Thank you, Mr. Speaker."

Speaker Madigan: "The record will so reflect, Mr. Rose. Thank you. Ladies and Gentlemen, may I have your attention. This will be the last item of the evening. This will be the last item of the evening, and it's House Bill 1760. It's concerned with Patients' Right to Know. Representative Flowers will speak very briefly on the Bill and then they'll be one opponent and we'll go to a Roll Call. Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I would really appreciate your 'aye' votes. There are lots of women and children that are being violated because of a few bad doctors. There are people who are being made sick

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

or dying because of a few bad doctors. We're merely asking for the patients to have the right to know and let them choose. There was 13 thousand hits a week on a Web site that was working on behalf of the people of the State of Illinois. I would appreciate your 'aye' vote. Thank you."

Speaker Madigan: "Representative Flowers has moved that this Bill do pass. Again, this is concern with Patients' Right to Know. They'll be no one speaking in opposition. Those in favor of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 62 voting 'aye', 54 voting 'no'. This Bill, having received a Constitutional Majority... Stephens."

Stephens: "Mr. Speaker, you indicated this was going to be the last item of the evening and I think that's extremely appropriate. We're starting to get the feeling of slime here. I'm sorry, but it just doesn't feel clean."

Speaker Madigan: "This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "Agreed Resolutions. House Resolution 1576, offered by Representative Sacia. House Resolution 1577, offered by Representative Sacia. House Resolution 1578, offered by Representative Reboletti. House Resolution 1579, offered by Representative William Davis. And House Resolution 1580, offered by Representative Gabel."

Speaker Madigan: "You've all heard the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, you have committee announcements."

Clerk Mahoney: "Committee announcements. Immediately following Session the following committees will meet: Revenue & Finance in Room 122B, Revenue & Finance, Room 122B; State Government Administration will meet in Room 114; State Government Administration in Room 114; the Executive Committee will meet in Room 118, Executive in room 118. All immediately are following Session."

Speaker Madigan: "The Chair is prepared to adjourn. Representative Currie moves that the House stand adjourned 'til Friday, January 7 at 9 a.m., Ladies and Gentlemen, 9 a.m. in the morning, allowing perfunctory time for the Clerk. Those in favor of the Resolution.. the Motion say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned 'til Friday, January 7 at 9 a.m., providing perfunctory time for the Clerk."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on January 06, 2011: do pass as amended Short Debate is Senate Bill 336, Senate Bill 352, Senate Bill 1055, Senate Bill 1383, Senate Bill 2545, Senate Bill 2983, Senate Bill 3086, Senate Bill 3087, Senate Bill 3088, Senate Bill 3336, Senate Bill 3461, Senate Bill 3507, Senate Bill 3644, and Senate Bill 3779. Representative Mautino, Chairperson from the Committee on Revenue & Finance reports the following committee action

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

161st Legislative Day

1/6/2011

taken on January 06, 2011: recommends be adopted is a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5178. Senate Bills-Second Reading. Senate Bill 2797, a Bill for an Act concerning local government. Second Reading. Senate Bill 3336, a Bill for an Act concerning government. Second Reading. Senate Bill 352, offered.. a Bill for an Act concerning government. Second Reading. Senate Bill 1055, a Bill for an Act concerning civil law. Second Reading. Senate Bill 1383, a Bill for an Act concerning professional regulation. Second Reading. Senate Bill 2545, a Bill for an Act concerning public aid. Second Reading. Senate Bill 2983, a Bill for an Act concerning local government. Second Reading. Senate Bill 3086, a Bill for an Act concerning education. Second Reading. Senate Bill 3087, a Bill for an Act concerning State government. Second Reading. Senate Bill 3088, a Bill for an Act concerning State government. Second Reading. Senate Bill 3336, a Bill for an Act concerning local government. Second Reading. Senate Bill 3461, a Bill for an Act concerning State government. Second Reading. Senate Bill 3507, a Bill for an Act concerning education. Second Reading. Senate Bill 3644, a Bill for an Act concerning employment. Second Reading. Senate Bill 3779, a Bill for an Act concerning local government. Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."