

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

68th Legislative Day

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Clerk Mahoney: "House Perfunctory Session will come to order. Rules report. Representative Barbara Flynn Currie, Chairperson on the Committee on Rules, reports the following committee action taken on May 29, 2011: approved for floor consideration; referred to the Order of Second Reading is House Bill 600 and House Bill 601. Recommends Be Adopted are Floor Amendments #4 to Senate Bill 145, Floor Amendment #3 to Senate Bill 266, Floor Amendment #2 to Senate Bill 1652, Floor Amendment #2 to Senate Bill 1831, Floor Amendment #3 to Senate Bill 1836. On the Order of Concurrence, Recommends Be Adopted is a Motion to Concur in Senate Amendment #1 to House Bill 147, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 212, a Motion to Concur in Senate Amendment 3 to House Bill 224, a Motion to Concur in Senate Amendment #1 to House Bill 806, a Motion to Concur in Senate Amendment #1 to House Bill 1056, a Motion to Concur in Senate Amendment #2 to House Bill 1079, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 1095, a Motion to Concur in Senate Amendment #1 to House Bill 1233, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 1253, a Motion to Concur in Senate Amendment #1 to House Bill 1258, a Motion to Concur in Senate Amendment #3 to House Bill 1530, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 1909, a Motion to Concur in Senate Amendment #1 to House Bill 1929, a Motion to Concur in Senate Amendment #2 to House Bill 2089, a Motion to Concur in Senate Amendment #1 to House Bill 2095, a Motion to Concur in Senate Amendment #2 to House Bill 2193, a Motion to Concur in Senate Amendment

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#2 to House Bill 2249, a Motion to Concur in Senate Amendment #1 to House Bill 2860, a Motion to Concur in Senate Amendment #1 to House Bill 3005, a Motion to Concur in Senate Amendment #1 to House Bill 3184, a Motion to Concur in Senate Amendment #1 to House Bill 3320... correction House Bill 3237, a Motion to Concur in Senate Amendment #2 to House Bill 3384, and a Motion to Concur in Senate Amendment #1 to House Bill 3390, and a Motion to Concur in Senate Amendment #1 to House Bill 3440.

Speaker Madigan: "Ladies and Gentlemen, let me have your attention, please. We want to take a few minutes and say hello to the Senior United States Senator from Illinois, and a very good friend of all of us, let me give you Senator Dick Durbin.

Durbin: "Thank you very much, Mr. Speaker. Thank you. Thank you. Well, I know how much you enjoy being in my hometown of Springfield, but I hope that you can wrap it up soon. I've come to the Speaker here with a long list of ways to solve problems that we figured out in Washington, so, I hope it helps. I wish you the best. Thanks a lot."

Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield. Members and gas... guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and for the Pledge of Allegiance. Pastor Crawford."

Crawford: "Let us pray. Most gracious and sovereign God who are the author and the finisher of our faith. You are

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indeed the Lord of Lords, and the King of Kings. And besides You, there is no other. We reverent You this day Holy God, and ask Your blessings upon this august Assembly. Upon the Speaker of this House, as well as all of its Members. Bless them as they deliberate. May You bless them with Your wisdom. May you bless them with Your guidance. Bless them with Your strength and with Your direction. Bless them to see clearly during these dark times. Bless them to hear clearly, during these noisy moments. May You empower them during these times, to accomplish or not to compromise truth, nor forsake Your ways, but to do that which is good. To do that which is the perfect and most precious will of God. Bless them to do that, that brings You glory. That brings You honor. That brings You praise. This we ask in Your precious Son's name. Amen."

Speaker Lang: "We'll be led in the Pledge today by United States Senator Dick Durbin."

Durbin - 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 Lang: "Roll Call for Attendance. Leader Currie."

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

Speaker Lang: "Leader Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Barickman and Mathias are excused on the Republican side of the aisle today."

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Speaker Lang: "Members, Brown, Eddy, McAuliffe, Poe, Saviano and Stephens, record yourselves. Record yourselves, Members. You want to be paid? Well, that got everyone up and around. Mr. Brown. Is Mr. Brown here today? Please take the record, Mr. Clerk. There are 114 Members present and a quorum is present. And let me officially welcome to the House Chamber, Senator Dick Durbin. Mr. Sacia."

Sacia: "Mr. Speaker, a point of personal privilege."

Speaker Lang: "State your point, Sir."

Sacia: "The flags that are on the desks today were brought in by Representative LaShawn Ford. And in a very, very class, class act, he brought them over to me because he felt that they should be distributed by a veteran. And I just think that it is such a class act of, of Representative Ford to bring them to the Chambers and his kind humbleness where he felt that he shouldn't distribute them and I think that we would all agree that he certainly should and I just think we should acknowledge him."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. A while ago in the Roll Call we did not add Representative Brown. We do need to do that at this time."

Speaker Lang: "That will be done, Sir. Leader Currie. Leader Currie."

Currie: "Thank you, Speaker, Members of the House. I move to suspend the posting requirements so that Senate Bill 673 may be heard in the Executive Committee. Senate Bill 1533 also in Executive. Senate Bill 1802 in Human Services-Appropriations. Senate Bill 2169 in Executive. House

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Resolution 371 in Human Services. House Resolution 373 in Elementary & Secondary. House Resolution 382 in Human Services. House Resolution 383 in Human Services. House Resolution 390 in Transportation: Vehicles & Safety. House Resolution 395 Transportation, Regulation, Roads and Bridges. House Resolution 397 State Government. House Resolution 402 and 405 also State Government. House Resolution 406 Health Care Availability. House Resolution 411 Elementary & Secondary. House Resolution 417 Higher Ed. House Resolution 423 Business & Occupational Licenses. House Resolution 424 Agriculture. House Joint Resolution 34 Environmental Health. House Joint Resolution 35 Transportation: Vehicles, and Safety. House Joint Resolution 36 Human Services. House Joint Resolution 37 Agriculture."

Speaker Lang: "You heard the Lady's Motion. My understanding is that Mr. Cross has agreed to this Motion. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Lady's Motion carries, and the posting notice is waived on all of the Bills and Resolutions mentioned by Representative Currie. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Holbrook, Chairperson from the Committee of Environment and Energy, reports the following committee action taken on May 29: Recommends Be Adopted is a Motion to Concur in Senate Amendments 1 and 3 to House Bill 1297. Representative Monique Davis, Chairperson from the Committee on Insurance, reports the following committee action taken on May 29:

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Recommends Be Adopted is a Motion to Concur in Senate Amendment #1 to House Bill 1193. Representative Greg Harris, Chairperson from the Committee on Human Services, reports the following committee action taken on May 29: Recommends Be Adopted is a Motion to Concur in Senate Amendment #2 to House Bill 299. Do Pass as Amended Short Debate Senate Bill 123. Representative Nekritz, Chairperson on the Committee Judiciary-Civil Law, reports the following committee action taken on May 29: Recommends Be Adopted is a Motion to Concur in Senate Amendment #1 to House Bill 1153 and Senate Amendment #1 to House Bill 3012. Representative Ford, Chairperson from the Committee on Small Business Empowerment, reports the following committee action taken on May 29: Recommends Be Adopted is a Motion to Concur in Senate Amendment #1 to House Bill 2927. Representative Riley, Chairperson from the Committee on Cities & Villages, reports the following committee action taken on May 29: Do Pass Short Debate is Senate Bill 1436. Representative Yarbrough, Chairperson from the Committee on Housing, reports the following committee action taken on May 29: Recommends Be Adopted is Floor Amendment #3 to Senate Bill 16. Representative Howard, Chairperson from the Committee on Judiciary-Criminal Law, reports the following committee action taken on May 29: Recommends Be Adopted is a Motion to Concur in Senate Amendment 2 to House Bill 277. Senate Amendment #1 to House Bill 3033, and Senate Amendment #1 to House Bill 3300. Representative Bradley, Chairperson from the Committee on Revenue & Finance, reports the following committee action taken on

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May 29: Do Pass Short Debate is Senate Bill 2168. Recommends Be Adopted is a Motion to Concur in Senate Amendment #1 to House Bill 1218. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, reports the following committee action taken on May 29: Recommends Be Adopted is a Motion to Concur in Senate Amendment 1 to House Bill 1537. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on May 29: Do Pass Short Debate is Senate Bill 1883. Referred to the House Committee on Rules, is House Resolution 435, offered by Representative Monique Davis."

Speaker Lang: "Mr. Sosnowski."

Sosnowski: "I'd like to take a moment to rise to a point of personal privilege. I've got..."

Speaker Lang: "State your point, and introduce your guest, Sir."

Sosnowski: "I've got my six year old special adviser here for the next couple days. He wants to help out with security and keeping overall decorum in the Chamber and I told his first priority is to pay attention to Representative Jim Sacia, in case of any outbursts. So, he's formally in charge of keeping Jim in line this weekend."

Speaker Lang: "Maybe Mr. Sacia would like to share a chicken wing with him. Thank you, welcome to the House Chamber young man. On page 14 of the Calendar under the Order of Concurrence, appears House Bill 200. Leader Cross."

Cross: "Thank you, Mr. Speaker. This is a Bill we spent a little time on earlier in the Session, over the issue of

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how to handle concussions and at the high school level. Remember this is the... the issue that involved the utilization of standards set by the IHSA. This Bill went over to the Senate. I worked with Senator Raoul over there, and what we did is a very simple change in the Senate that authorizes and encourages park districts to provide the same materials. We were very, very cognizant of the fact that we... we didn't want to create a mandate, but the park districts agreed to help create awareness and... and provide some education to their participants and other than that it's the same Bill. And I'd appreciate an 'aye' vote."

Speaker Lang: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 200. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 200. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. DeLuca."

DeLuca: "Thank you, Mr. Speaker. I would ask that the Journal reflect on Senate Bill 2288, I voted 'yes', I intended to vote 'present'. And on House Bill 1091, I voted 'no', I intended to vote 'yes'."

Speaker Lang: The record will reflect your intentions, Sir. Page 15 of the Calendar appears House Bill 233. Leader Cross."

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Cross: "Thank you, Mr. Speaker. I make the same Motion on this Bill, to concur. This is a Bill we dealt with earlier in the Session known as Rebecca's Law. It is a situation that came out of very tragic story, where a south suburban murder... mother was severely beaten over a two year... two day period by her husband. We enhanced the penalty originally, and I had worked with Representative Reboletti on this, and we... we left... this Bill left the House as a Class X. The Senate sent it back here as a Class I, which is actually at a lower level. I'm fine with that, and it involves a situation of an aggravated battery with intentional infliction of torture. We have still with this change, enhanced the penalty. It's an initiative of the Will County State's Attorney's Office, supported by the Illinois Sheriff's Association. And I'd appreciate an 'aye' vote."

Speaker Lang: "The Gentleman moves for the concurrence with Senate Amendment #1. Is there debate? No debate. Those 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? Berrios, Burke, Carli, Hernandez. Please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 233. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 237. Leader Cross."

Cross: "Thank you. Thank you, Mr. Speaker. I had a call about six months if not a year ago, from a man by the name of Tom Fletcher, who's the resident Civil War expert in Kendall County, and a former junior high teacher of history. He'd

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said, 'you realize, we're about to celebrate the 150th Anniversary of the Civil War and Illinois played a prominent role in it, and would you be willing to address this with a piece of legislation that allows us to a commission to com... commemorate the 150th anniversary of the Civil War?' I said, yes. It passed the House. The Senate Amendment said as long as there's appropriation, the Ill... subject to appropriation, appropriate appropriation, the Illinois Historic Preservation Agency shall work with us. I'd appreciate an 'aye' vote."

Speaker Lang: "The Gentleman moves to concur with Senate Amendment #1 to House Bill 237. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Crespo, Flowers, Turner. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 237. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 17 of the Calendar appears House Bill 1571. Leader Cross."

Cross: "Thank you, Mr. Speaker. Again, this is a Bill dealing with an issue we dealt with several years ago, dealing with students with diabetes in the schools. It passed a year ago, a little over a year ago, and there was some cleanup, the suggestion of the legislative policy work group of the Governor's School Health Needs Task Force. And it simply said that one of the things we needed to do to clarify was teacher training provisions needed to occur during regular

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in service workshops on institute days. This passed the House, got caught up on a procedural issue over in the Senate, so we are voting today accentually.. not accentually, the very same thing we passed out of the House. It's... it's primarily cleanup, and I'd appreciate an 'aye' vote."

Speaker Lang: "The Gentleman moves to concur with Senate Amendment #2 to House Bill 1571. There being no debate. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gabel. Please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #2 to House Bill 1571. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to page 14 of the Calendar. Mr. Clerk, announcements."

Clerk Mahoney: "Committee announcements. Meeting at 4:45 p.m. the following committees: Judiciary-Civil Law in Room 114, Redistricting in Room 122-B, Executive in Room 118, Approps-Public Safety in Room C-1, and Approps-General Services in Room D-1. Following those committees, the House will reconvene at 5:45 p.m. The House will reconvene at 5:45 p.m."

Speaker Lang: "Let me repeat that, Members. After committees, the House will reconvene at 5:45 p.m. The House will be at ease for committees and will reconvene at the hour of 5:45 p.m."

Speaker Lyons: "The House will come to order. Mr. Clerk."

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Clerk Mahoney: "Committee Reports. Representative Dan Burke, Committee on Executive, reports the following committee action on May 29, 2011: do pass Short Debate Senate Bill 1310, Senate Bill 1852; do pass as amended Short Debate is Senate Bill 335, Senate Bill 669, Senate Bill 1556, Senate Bill 1918, Senate Bill 2405, Senate Bill 2407, Senate.. Senate Bill 2409, Senate Bill 2412, Senate Bill 2414, Senate Bill 2419, Senate Bill 2147. Also on do pass Short Debate is Senate Bill 1852. Representative Dan Burke, Chairperson from the Committee on Executive, reports the following committee action on May 29, 2011: and do pass Short Debate is Senate Bill 673; do pass as amended is Short Debate is Senate Bill 1533, Senate Bill 2062, and Senate Bill 2169. Representative Riley, Chairperson from the Committee on Appropriations-General Services, reports the following committee action taken on May 29, 2011: do pass as amended Short Debate is Senate Bill 2408, Senate Bill 2413 and Senate Bill 2475. Representative Currie, Chairperson on the Committee from Redistricting, reports the following committee action taken on May 29, 2011: recommends be adopted is Floor Amendment #1 to Senate Bills... Senate Bill 1178, and Floor Amendment #1 to Senate Bill 1179. Representative Arroyo, Chairperson from the Committee on Appropriations-Public Safety, reports the following committee action taken on May 29, 2011: do pass as amended Short Debate is Senate Bill 2403 and Senate Bill 2449 and Senate Bill 2474."

Speaker Lyons: "Representative Stephens."

Stephens: "Republicans request a caucus in 118 for our hour."

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Speaker Lyons: "Republicans will caucus for one hour, till the hour of roughly 7:00. Representative Mike Bost."

Bost: "Thank you, Speaker. We also need to make sure that Representative Sacia is excused for the rest of today."

Speaker Lyons: "The Clerk will so note. Thank you, Representative. Representative Feigenholtz, what purpose do you seek recognition, Sara?"

Feigenholtz: "I'd just like to announce that the Cubs were winning an hour ago."

Speaker Lyons: "Sara, I'm very happy for you and the Chicago Cubs."

Speaker Lang: "The House will be in order. Mr. Clerk, committee reports."

Clerk Mahoney: "Committee reports. Representative Nekritz, Chairperson on the committee on Judiciary-Civil Law reports the following committee action taken on May 29, 2011: recommends be adopted is a Motion to Concur in Senate Amendment #1 to House Bill 1293 and a Motion to Concur in Senate Amendments 3 and 5 to House Bill 1698."

Speaker Lang: "Ladies and Gentlemen, on Supplemental Calendar #1, under the Order of Concurrence, appears House Bill 1698. Mr. Bradley. Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. This is the comprehensive substantial reform... Workers' Compensation Bill. The first thing I'd like to do is, this is the compilation of months of work by many different parties and many different stakeholders in the Workers Compensation process. We have had multiple meetings with varies groups, including the AFL, the legal community, the medical society, hospital

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association, and all the business groups. I want to thank the Chairman of the Judiciary Committee, Representative Nekritz. I want to thank Speaker Madigan, Leader Cross, Representative Brady. I want to thank Representative Kay, for his leadership. And I also want to especially thank, Director Mike McRaith, from the Department of Insurance, and my dear friend, Senator Kwame Raoul, for his leadership on this issue. House Amendments... Senate... excuse me... Senate Amendments 3 and 5 to House Bill 1698 involve several different aspects of reform, and I would say that it's a combination of medical fee reduction, indemnification reform, system reform, and insurance reform, where everybody bears part of the burden of the reforming of the system. The Director of Insurance has indicated that he believes that the overall savings on this, is anywhere from 500 to 700 million dollars as a conservative estimate. Let me repeat that. The estimated savings in... on this conservatively, conservatively are between \$500 and \$700 million. There are some aspects of the Bill that are harder to empirically quantify in terms of savings. The first issue, the medical fee schedule. The State of Illinois' fee schedule is a 180 percent above Medicare. It is the second highest fee schedule in the United States. The highest being Alaska, which is not a good comparison, because Alaska's different obviously, than the contiguous 48 states, 180 percent above Medicare. The next closes state is Delaware, at 131 percent. To go from second to third highest fee schedule, we would have to reduce the schedule by over 50 percent. The proposal is to reduce the

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fee schedule from 180 to 150 or 30 percent. It would still be 150 percent above Medicare, private insurance costs. We would shrink the geo-zips from 29 to 14 and 4, 14 for the hospitals, 4 for the doctors, which is based on Medicare, geo-zip standards. One of the major indemnification reforms is the reduction of wage differential. This was a significant concession, by the employee groups. It would reduce the wage differential from being based on life expectancy, to being based on work expectancy. We would go to a PPO program, where employees would be able to retain their choice of positions, but where the employer community would have the opportunity to have some level of direction of care. The utilization review is harder to empirically quantify, but it would basically give the employers more opportunity to contest unnecessary medical procedures, or unnecessary medical bills. And in conjunction with the PPO, the choice of physicians, through the PPO, although a difficult savings to calculate empirically provides significant cost savings. Intoxication, the intoxication defense, for the first time in the history of Illinois, would be available to employers who are dealing with workers who are injured as a result of their own intoxication. One of the most significant indemnifications or legal reforms that's included in this Bill, is the inclusion of AMA guidelines. Let me be clear, AMA guidelines have never appeared in the Illinois Workers' Compensation Act. They've never been a part of discussions. They've never been involved in their rate... rating of disability or the rating of impairment. Under

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this provision arbitrators are required, arbitrators are required to considered the AMA guidelines in evaluating workers compensation claims. We're limiting the carpal tunnel awards. We're putting a cap on carpal tunnel awards in response to the situation that took place at the Menard Prison. We're creating a collectively bargain Workers' Compensation Pilot Program for two internationals within the State of Illinois, to see whether or not collective bargaining within the Workers Compensation is something appropriate for our State. We have codified the standard of convincibility, which states that an employee bares the burden of showing that he or she has sustained accidental injuries arising out of and in the course of employment. One of the most important reforms in this legislation is the immediate recalculation of insurance rates. This will require the national agency, which sets the insurance rates by September of this year, to recalculate rates so that the 15 to 20 percent rate premium reduction that we anticipate and calculate would be realized as soon as possible to employers within the State of Illinois. There are significant commission reforms. We are firing the arbitrators. We are requiring them to be lawyers. We are putting them on three year terms. We are rotating them in and out areas. We are requiring them to abide by the judicial code of conduct. We are beefing up the fraud unit. We are giving the Department of Insurance greater ability to handle the State's own Workers Compensation issues. We are allowing for additional hardware. We are allowing additional penalties for noncompliance with

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insurance issues. The ability for an electronic billing, which has been supported by the medical community and some other less major issues. Ladies and Gentlemen, this is a significant reform Bill. It's the most significant reform Bill of workers comp. that we've seen in our lifetime and probably ever will. It passed out of the Senate overwhelmingly with 46 votes. I would ask you to consider this as an opportunity to save businesses, hundreds of millions of dollars in actual money realized in the comp. system and double digit premium percentage savings on their premiums and on their workers comp. insurance on a day to day, month to month early basis. Ladies the Gentlemen, I would ask for an 'aye' vote."

Speaker Lang: "Gentleman moves that the House concur in Senate Amendments 3 and 5 to House Bill 1698, and on that question, the Chair recognizes Representative Zalewski."

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

Speaker Lang: "The Gentleman yields."

Zalewski: "Representative, just to an earlier question that came up in the committee with regard to intoxication. There's this specific question as to what exactly this Bill did with employees who are found to be intoxicated on the... on the... on the job? Can you explain for the Body, what exactly the Bill does with regard to intoxication?"

Bradley: "Well, for the first time in the history of the State of Illinois, an employer who has an employee file a Workers Compensation claim against the employer, that is, the injury is the result of their own intoxication, they would have a defense to the payment of that claim. We have never

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done this in the State, it's long overdue, it is concession from the employee groups, but it's one in that good faith people are willing to make because it needs to happen."

Zalewski: "So, in current law, in fact, the presumps... the... the... the burden is upon the employer to overcome an intoxication, and in fact, we're making it the burden placed upon the employee under this Bill. Isn't that accurate?"

Bradley: "That is correct. We are shifting the burden to the employee and allowing the employer to raise it, and to shift the burden to the employee."

Zalewski: "To the Bill. I credit Representative Bradley and Senator Raoul on this piece of legislation. I was fortunate enough to be part of the process in December, when we gave thorough examination to the Workers Compensation issues facing small businesses in Illinois. I would say to the Body, do not let perfect be the enemy of the good, when it comes to Workers Compensation in Illinois. We're going to hear, I'm sure in the next few minutes, we're going to hear a lot of talk about causation and how other states wish causation to be this magic potion that'll cure all our ills, and I would remind them that our great state to the south, Missouri, tried causation, and they found two things: 1) that they were... Legislators are now trying to roll it back, and 2) that it doesn't work, and in fact, it creates a litigation gap. I would say that this Bill saves money for small businesses, it reforms the system that desperately needed reforming, and it... it will put us on a path toward economic recovery with regard to

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small businesses who are crying out for relief when it comes to Workers Compensation. I ask for a strong 'aye' vote."

Speaker Lang: "Mr. Brady."

Brady: "Thank you, Mr. Chairman. Would the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Brady: "Representative Bradley, a couple questions that worked on this type of work comp. reform for sometime. But the truth be known, Ladies and Gentlemen, most... most recently in the last couple months, I haven't been part of any... any negotiations. In fact I've gotten most of my information viva the... the business community after some meetings and whatever the reasons for those, that's... that's their... your prerogative... their prerogative whatever, but, I just want to clear the air that... the way you and I started out working as Republican, Democrat, with many others on this issue, didn't end up that way. And, I also had the opportunity to be in committee a little while ago, and I heard that the medical community and I heard that the hospitals say, and correct me if I'm wrong, but say that they would... they would agree to a 20 percent reduction in fee. Now, if... if that were the case, do we have that on a agreed bill between business, labor, the medical community, hospitals, and... and any other stakeholders, is that fair?"

Bradley: "That... that has been a discussion. I have met with the medical society and the hospital association as has Senator Raoul, as has Director McRaith. Let's be very clear about this, and I want everyone in here to listen to this. Let's be very clear about this. The decision as to

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whether or not to stay at 30 percent or to go to 20 percent, or to move it up to 50 percent, so we would go from second to third, or to move it down below 20 percent, has been something which has been an ongoing negotiation ever since this thing began. The business groups wanted to do more than 30 percent. They indicated they're going to walk off at less than 30 percent. If the agreement was going to be made to move it, it had to be made in the Senate before 46 Senators sent this Bill to the House. This is the vote. This is the Bill we've got. The other option is for Senator Raoul to go back to the Senate and pass the Repeal Bill, which is over in the Senate. This is the vote. This is the Bill. If the agreement was going to be, to move it down to 20, and if the business groups are willing to take that, right through that negotiation, that had to take place, before 46 Senators sent a House Bill back to the House from the Senate. And, so to say that there was no negotiation, there was no consideration, that something that's been going on, that was a decision that was made in the Illinois Senate, and here we are, and it's 30 percent."

Brady: "And... and to my point Representative. I didn't know what negotiations were going on because I wasn't part of that. And for whatever... for whatever the reason is, I... I just want to make sure that I'm being up front and honest, because I don't have my name up as cosponsor of this Bill, for a... for a variety of... of reasons, and that being one of them. But, when you said the business community, and... and their negotiations, was that the same business community

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that started out indicating that they had to have primary causation, when we started these discussions last year? That there was no, if, ands or buts about it, it was primary causation. Is that correct?"

Bradley: "I don't know if that was ever the case, because they negotiated with us, they negotiated with us, and I've been very clear from the beginning that it was my belief, it's my belief, that if you want primary causation, and that has to take place, the way to get that, is on the Bill that we voted on here over the weekend, which you also voted against, which is in the Senate, with Senator Raoul, is prepared to take for a vote in the Senate immediately upon the result of this vote here tonight in the House."

Brady: "Representative, when we had... when we had, I believe it was Senate Bill 1066 that you and I and many others had worked on in the lame duck Session, what... what was the medical fee reduction in that Bill?"

Bradley: "Are you referring to 1066, which you supported, that did not include primary causation?"

Brady: "Yes, I am."

Bradley: "Okay. That Bill, the medical fee schedule was 15 percent."

Brady: "15 percent. And so then... then... then the change to where we're at now, of 30, just refresh my memory, the primary reason."

Bradley: "Well, there... there's substantial, without getting to all the negotiations, there has been substantial pressure to try to move the fee schedule beyond the 15 percent, because the fee schedule is so out of whack, with every

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other state. And to go to third place from second place, to go from second to third place, to go from second to third place we would have to reduce the fee schedule by over 50 percent. We would have to reduce the fee schedule by over 50 percent. There are groups out there that want to do that. They don't think we should be second anymore. They think we should be third. Even with the 30 percent reduction we're still 150 percent above Medicare... 150 percent above Medicare. And so there's pressures from both sides. There's pressures to lower it, there's pressures to raise it. The Bill that came out of the Senate, that got 46 votes in the Senate, was 30 percent. There's pressures on both sides. This is the Bill we were sent. This is our choice. That's not some hypothetical that's out there, that's not going to happen. This is the choice. Five hundred to 700 million dollars of savings or repeal the Workers' Comp. System."

Brady: "And... last question Representative, I... I appreciate your... but... you kind of had... use to have a saying when we were back in these negotiations that you know, everybody's going to take a little... a little hair cut here, but nobody's going to get scalped. Do you still feel that's the same way in this Bill?"

Bradley: "I absolutely do, because I don't think... I don't think... there... it's difficult for us to empirically at this point measure some of those legal indemnification reforms, and this Bill... conservative numbers are \$500 to \$700 million, I think it's potentially going to be much higher than that, and that's on an annual basis. This is not a

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one-time deal, Representative. This is an annual basis and so it's my opinion that we've tried to strike a balance between the fee reduction, the reform commission reforms, and indemnification reforms or legal reforms, that were sacrifices by the employee community. And believe me as a practitioner, it is my belief that the... the legal reforms and the concessions that were made by the AFL and the Trial Bar in this matter are significant."

Brady: "Thank you very much."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, can't you just smell the reform. Take a big deep breath, doesn't it smell good. After all the meetings and hoopla and campaign promises. All the hearings we've had throughout the State, and negotiations for the last few months, here we have it, work comp reform. Get your press releases out, your radio scripts, get your rotary meeting scheduled. We finally done it. But wait a second, is it really reform? Does it really smell that good? I don't think it does. Now not all of us, not all of you were here back in '05, we had this same thing. Meetings behind the scenes, brought out a Bill, we did it. We finally had the guts to reform Workers Compensation. It was nothing more than window dressing that actually drove up costs, because we can not tackle the issues that really bring down the cost. Now, I have the greatest respect for the Sponsor of this Bill, we worked hard, we had meetings last winter, and he's right. Maybe we can save some money with this Bill, at the expense of our doctors and our healthcare providers.

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What skin did the Trial Lawyers and the unions have in this game? Nothing, hardly at all. And that's why the reforms are window dressing at best and until we go to the Trial Lawyers and the unions and tell them the gravy train's over and really get some skin from them in this game, we're never going to have true reform. And more importantly we're never going to have true cost savings to our businesses. We get so tired of this as a jobs Bill. We got to do some for our jobs, and we're going to give a tax credit for some special business, because we want to keep them here in the State of Illinois. We could give every business, including the workers of this State, and the budget of this State, the best incentives in the world if we just truly reform Workers Compensation. And this at best is the first step, at the expense of one, one area, the medical providers. So, regardless at what happens to this Bill tonight, we need to regroup and keep moving on true reforms. And my only caveat to that is that we put different people in the room. We put the same people in the same rooms, handling the negotiations and we come up with the same results, window dressing. Folks, it's time to get serious with real reforms that bring down the cost of our businesses so that those jobs can stay here in Illinois."

Speaker Lang: "Mr. Riley."

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

Speaker Lang: "The Gentleman yields."

Riley: "Representative Bradley, I'd like to congratulate you and Senator Raoul for all of the work, all of the work that

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you did, and I'm going to vote for this piece of legislation. But I do have some questions."

Bradley: "Sure."

Riley: "It's just that everyone takes a hair cut. I am concerned about, about the workers, and one of my concerns has to do with the utilization review in general."

Bradley: "Yes."

Riley: "Utilization review's been around along time in terms of some of the... the federal healthcare programs, but can you tell me something about the composition of a board, if any, or will it be an individual, individual physician? Who's going to conduct the utilization review?"

Bradley: "Sure. So the utilization review will be governed by a national utilization review procedure and policy, which is established. This is a point of significant negotiation between the business groups and the AFL and the Trial Bar. And the unions in the Trial Bore... Bar, reached a point of comfort to where they went neutral, with regards to this provision, because we put additional abilities for the employee to cross examine the utilization review provider. We put in additional requirements that there be a procedure for who could do the utilization review in the circumstances under which it would take place. So really the main change was we shifted the burden, so that the utilization review is admitted into evidence in the case, then the burden would be shifted to the employee by preponderance of evidence to prove that the treatment was actually necessary. That was the major reform."

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Riley: "Mr. Speaker, can... can we have a little... little bit of order, because, I can hardly hear Representative Bradley? Because I would presume there would be a concern, for example, not to paint with a broad brush. To use an example, a physician that does evaluation of claims for say an insurance company who may not be, shall I say, you know, very concerned with the right of the person holding the policy. And so some people might, you know, have a little pause about this process that is very integral to this Bill."

Bradley: "What's that?"

Riley: "The person doing the review, would they receive any kind of immunity, at all?"

Bradley: "I guess I don't understand the question Representative."

Riley: "Well, for example, a traditional peer review, you could have a physician actually doing it, would they resue... receive any immunity from any litigation that would go forward from them making their decision?"

Bradley: "I don't know what... I don't know what problem would take place, because it's a procedure that's already in place..."

Riley: "Okay."

Bradley: "...and we didn't tinker with that a lot. The only... the main difference is, is that we shifted the burden from the employer to the employee, which was a significant, you know, one of the comments by one of the previous speakers who actually voted for 1066, was that there was no indemnification or legal reform here. This is significant

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concession by employee groups, by shifting the burden on utilization review from the employer to the employee. And that was the major difference here, and that's the major reform of this, is that we shifted the burden from the employer to the employee. Once utilization review comes in, under an established procedures, and with established protections, and I'm not an expert on those particular aspects of the insurance law, then the burden was shifted to the employee to actually prove that the care was necessary."

Riley: "Okay. Thank you. Thank you for your testimony."

Speaker Lang: "David Harris."

Harris, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Gentleman from Williamson County has done a dedicated effort in trying to put together a Bill which is calling reform and he's worked long and hard to do it. But the Gentleman from Cook County who asked the question, or was the first speaker, made the point, we shouldn't let the perfect, drive out the good. So, we have to ask ourselves the question, is this Bill good enough? Is this Bill good enough? Well, let's see what the Chicago Tribune had to say about this Bill. When Governor Quinn introduced an insufficient plan for Workers Compensation in April, he said, 'Everybody, everybody contributing to the high cost of Illinois' employer funded insurance system, would have to take a hair cut.' Everybody. Well, the barbers in Springfield have put away their clippers, and surprise, the Trial Lawyers and unions barely got a trim. Only healthcare providers received a boot camp style buzz. What

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a shame when every Workers Comp. profiteer in the State richly deserved to be shaved bald. Further it falls far short of what's needed. We can't join in the celebration. This issue presented an opportunity for the State to improve its troubled business climate. Instead of providing a competitive advantage, the proposed reforms merely stand to make Illinois less competitive. What does the Illinois Chamber of Commerce say, with all respect to my esteemed colleague from Williamson County? It is a good Bill that makes a down payment on reform. But it is not worthy of being characterized as bringing significant reform to Illinois' Worker's Compensation Program. Who are we picking on here? We're picking on the healthcare providers. We're picking on the hospitals. Hospitals. Hospitals who in January, agreed to a freeze in Medicaid outlier payments, saving the State a hundred million dollars. Hospitals that pay a nine hundred million dollar provider tax, that brings billions to the State of Illinois that we can use to pay Medicaid. Hospitals are the fourth largest taxpayer in the State of Illinois, bringing in more money than the lottery. So, we come back to the basic question. We don't want to let the perfect drive out the good. And my esteemed colleague has done a lot of hard good work here. But is this Bill good enough? And I think the answer to that question is no."

Speaker Lang: "Mr. Hays."

Hays: "Thank you, Mr. Speaker. I just want to make sure that we're talking about accurate numbers when we talk about the fee schedules. The Rockford fee schedule for work comp in

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Illinois indicates that for an arthor... arthroscopy for a shoulder. The new rate in Illinois would be 31 percent less than in Delaware, the number 3 fee schedule. Arthroscopic knee 20 percent less, Carpal Tunnel 16 percent less, Radiology and MRI, Spinal Canal or Lumbar, 42 percent less in Delaware. Physician and facility payments, 27 and 44 percent less, every visit category for a physician will be between 29 and 40 percent less than Delaware. The emergency room visits, 29 to 47 percent less, physical therapy, manual therapy 24 percent less, pain management, 33 percent less. So we need to be accurate when we talk about these numbers. What would a Trial Lawyer have to do to lose a worker comp case in this State? That probably ought to be the measure for being disbarred, if you could possibly lose one. You're not worthy of being a lawyer. Where's the skin in the game? All of the skin in the game is on one side. I urge a 'no' vote."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Gentleman yields."

Sullivan: "Representative, a lot of AMA of... AMA gad... guidelines and some would say that perhaps we're not hand...holding to strict AMA guidelines, that there's some... some ways around them, if you will, by having this Commission set-up different ideas on why would you go against them. But, I really want to ask the question, the biggest employer in the State, has talked a little about this as well, Caterpillar, and it... it's our understanding that there was

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an agreement between the Governor and Caterpillar for strict AMA guidelines, is... is that your recollection?"

Bradley: "I... they're... they're shaking their head no, there was no agreement between myself and Caterpillar as a negotiator. There was no agreement between the Senate. I would say that Navistar, Mitsubishi, Marriott, Hyatt, United Airlines, Ford Motor Company, Wal-Mart, Commonwealth Edison, American Airlines, all are satisfied. Pepsi, are all satisfied with the language. And on the AMA guidelines on the negotiation that took place, we really got down to one sentence. And that one sentence in that Bill was whether or not we were going to have strict AMA State with no ability to take into the unique circumstances of an individual, or we were going to have a State which allowed for the taking into account, for the unique circumstances of an individual."

Sullivan: "Sure."

Bradley: "And the line from where we started and where we ended up was very close, and so we had a decision to try to make as to where to drop that line, in terms of where it would fall and it was a very close discussion it was a very thoughtful and a very deliberate discussion and we dropped it just short... just short, of where that Peoria based company wanted it to be, and as a result of dropping it short, they went from proponents to neutrality."

Sullivan: "When... when you say Peoria based company, you... you're referencing Caterpillar right?"

Bradley: "Well, I said... that was the one you mentioned, right?"

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Sullivan: "Okay. Yes. So, and I realize that the negotiations with you and... and so forth, but my direct question was, did the Governor..."

Bradley: "I... I thought the busin... I thought the business groups were your allies?"

Sullivan: "Yeah. Does the..."

Bradley: "I'm sorry."

Sullivan: "Well, and the biggest business or employer in the State, had an agreement on AMA guidelines, my understanding, with the Governor. So..."

Bradley: "They're shaking their heads... they're shaking their head..."

Sullivan: "...that's my only question, I understand how it all, we got to it. But was there an agreement between Caterpillar and the Governor, on strict AMA guidelines?"

Bradley: "They're shaking their head no and I wasn't a party to that."

Sullivan: "Okay. That's fair enough. That's the only question I had. I just wanted to get that on the record. Mr. Speaker, to the Bill, should this receive the verific... the requisite votes, I would request a verification."

Speaker Lang: "Your request is acknowledged, Sir. Mr. Winters."

Winters: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I served on the Workers' Comp Reform Committee that met several times through the winter months, taking testimony and trying to find a way that both parties could agree... agree on reforming an incredibly serious problem that the employers of the State of Illinois face, which is that

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we are uncompetitive with most states around us. In some cases by multiples, not by a few percentage, by multiples, of what other states' costs are. When I look at this Bill today, the comments have been made repeatedly, that we're... we're giving several groups a hair cut. Now, when you are looking at a Bill, in my experience in the Legislature, if you have a contentious issue that not everybody's going to be happy for, at least you try to make everybody equally unhappy. That, I think is a sign of a good compromise, is when everybody gives some. If you look at the details of this Bill though, what hav... the Labor Unions and the Trial Attorneys have given, is so minuscule and can be worked around in the system, that they're not taking a hair cut. But what you're doing is looking at the providers of medical services, the hospitals and the doctors, instead of a hair cut, you're scalping them. It is an absolute blood bath that you're going to cause in this State, and as a Member representing a border community, we're already being solicited; our companies and our doctors, by out-of-state hospitals, by out-of-state Governors saying, why don't you move out of a state that doesn't know how to make real reform. We tried seven years ago to do Workers Comp. Reform and it failed abysmally. Other states at the same time that did work, Workers Comp. reform, saw their costs drop. But, what happened in Illinois, they went up. When you reform and try to make a system better and it goes the wrong direction, maybe you're on the wrong set of railroad tracks. And what we're doing is continuing down the same tracks, we need to instead,

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throw the switch, get on a different line and make reforms that look at all parts of this problem and address them. And causation is the major problem that we're not addressing in this Bill. Other states have done so, when Florida did, they saw a 70 percent reduction in their costs. We think we may get, even with 30 percent reduction in medical providers; we're only going to see about a 15 percent cut after a couple of years. For Illinois, that is not enough, you hurt only one element of the people that should have been at the table, not everybody, the hair cut you're giving is a scalping and I urge the defeat of this Bill."

Speaker Lang: "Mr. Connelly."

Connelly: "Thank you, Mr. Speaker. Due to a potential conflict of interest, I will be voting 'present' to this Bill."

Speaker Lang: "Leader Cross."

Cross: "Thank you, Mr. Speaker. Just a few comments and I'll try to keep them short. I want to make sure that people in the chamber and who may be listening understand that, those of us on this side of the aisle have a problem with this Bill. Truly and aw... and awfully and... and certainly support Workers Compensation Reform, and that I think includes, I know it includes everybody on this side of the aisle. You heard from David Winters, who was part of a group that worked last year, as did David Reis, Jim Sacia, and Dan Brady, who has been our point person for a while. Dwight Kay, one of our newest Members, has been a very big leader on the area of Workers Compensation Reform, as have others in our Caucus, who are adamant about the need to do

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something. The problem, let me back up a little bit, of where we're coming from today is, when you think about the totality of the business climate or the total situation of what we are experiencing in this State. When you look at where we are with regulatory issues. You look where we are with tax issues. You look where we are with litigation issues. You look where we are with Workers Compensation issues. It is tantamount to an awful, awful climate for business in the State of Illinois. You just saw a tax increase go from 4.8 percent to 7 percent for businesses. If you're Caterpillar tractor and you have a plant here, it'll cost you three and a half million dollars versus five hundred thousand dollars over in Indiana. The bottom line is, we have significant, significant problems on a whole host of issues, the ones I just mentioned. So, along comes... along comes the discussion, of lets address one of them, in an attempt to make this a more attractive place to do business. Not because our tax policy is so bad, because our regulatory policy is so bad, because our tort system is so bad. We cannot afford to nibble around the edges on Workers Compensation Reform, and what we are doing is nibbling around the edges. Everybody in this building knows the crux of the problem is causation, AMA guidelines, to name a couple. If you're going to do it right, you're going to go right at AMA guidelines, and you're going to go right at causation. If you're going to do it right. Representative Winters noticed, or noted a few minutes ago, that in Florida, when they went into causation, they cut their costs by 70 percent. That's what causation does.

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So, what do we do in Illinois, when we just passed one of the largest tax increases in the history of the State, we say we better do something to reform the business climate, so we look like we're there for business. Well, if you're going to really do that, you ought to be listening to the people like Dwight Kay, and David Reis, and David Winters and Dan Brady, who say there's a certain way to do it, and there's a certain way not to do it. And, I understand, I understand the need sometimes to put a Bill together in a back room, and move forward. I get that. Sometimes people do that, Leaders do that, to get a Bill done and to move forward. But to negotiate a Bill with only certain people in the room, when you decide to go down the road of negotiating, is not the way to do it. You either let everybody in or you don't let anybody in, and work forward. So, what we now have is a product that is suppose to address a very significant problem in attracting business to the State of Illinois. And not only do we not address that, and so we continue to harm the business community, there are some savings, but not the kind of savings we really want. And because we haven't gotten to the root of the problem, we'll be back here in five or six years, and saying, oh we really didn't do work comp, we need to do something. And for those of you who think that this is just the first step and that we'll do more down the road, don't kid yourselves. This is it. This is the only opportunity; I think to have real reform. So, not only do we not address the real problems in work comp, we just completely neglect them. We then do what we can in this

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Bill to hurt two... two other important industries and sectors that are vital to the economy in the State of Illinois. How many workers do you think hospitals have, in the State of Illinois? Might be a couple hundred, might be a couple thousand, might be a couple hundred thousand. So, instead of addressing work comp, we say no, lets punish one of the biggest employers in the State of Illinois. Medical community. I know sometimes people think docs make a lot of money, I not so sure its as big as you think, and you think about, the industry of the medical community. They hire nurses, they have staff, they have clinics, they work in hospitals. But because we don't want to really get down and dirty with what we need to do in the Workers Compensation field, we decide to take it out of the hides, of two of I think significant... significant pieces of the puzzle in making Illinois strong. We don't want to do Work Comp, right, we haven't done tort reform right, we've got a bad tax policy, why don't we really address this the way it needs to be done. Go right at it, get the AMA guidelines done, so we can have... so we can have the President of Caterpillar stand up and say, 'by God you did it right. We're on of the largest employers in this State, we want to stay in this State, we want to invest in this State, and please make it an attractive place to do business', and they haven't done that in this Bill. They haven't done that in this Bill. So, Mr. Speaker let it be real clear, we're for Workers Compensation reform, but we want to do it right, we want to get all the pieces put together the need to be. You can do that Representative Bradley on your own

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in a back room if you want to; you know what needs to be done. You know what needs to be part of this Bill. You want to do it on your own, that's fine, but let's get it done right. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Gentleman yields."

Kay: "John, I... I followed you around the State of Illinois quite a bit before I was sworn in and your committee and I thought you did an exemplary job, very professional, your hearings were well run. And I guess the end product is what you have brought us today from those negotiations, whether they were joint, or whether they were handled in some back room, I really... I really don't know. Today, I found out that I'm old. Today, I found out I'm new. Today, I found out a lot of things I really don't know about politics. But, I have learned a couple things. The first is, that there is no such thing as perfection. But, you learn that in life. But we try and attain it. And then you learn when you get here about politics, and you think you know what that's about... what that's about until you get here. And then, when you... you're kind of disenchanted with the political part, you say to yourself, what's possible? Well, because we don't have perfect, and because there is an awful lot of politics in Springfield, we aren't doing what's possible. And I'm sorry, I can't apologize for my feelings because we need reform. And I think you honestly and earnestly have worked toward that end. Quite frankly, quite frankly, there are things in this Bill which I find

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very appealing, and I'm a business man, I'm not a lawyer. I'm not any of these other people that we've talked about today. I'm not a special interest. All I do is create jobs, put people to work, and pay salaries. So, in this Bill, I see many good things. And I may be old, and I may be new, and I may be green, but the fact that we have politics to the extent that we do, and we don't do what's possible, I think is despicable. I can't say anything else, but good luck on your Bill. You have worked hard, you have worked hard, and you deserve the very best. Thank you, John."

Bradley: "Thank you, Dwight."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. And I rise in support of the Gentleman's Bill. And I've seen the work that he's put in from members of the business community, from labor, from the Trial Lawyers. I've seen enthusiastic support from the Manufacturers Association, from the retail merchants. But inside the Bill, some of the things that... just as a reminder to get back to it, we have a 30 percent reduction in the medical fee schedule. We are using for the first time in the history, the American Medical Association standards. We allow for the creation of the provider networks, something that could've never been done over the last twenty years. Strengthening the utilization review, and ensuring that the medical care is administered, and that's structured within the Bill, and that's something that the... the employees, that the workers have given up. It eliminates the life

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time different... wage differential payments and the employees will now receive wage differential payments during their work career, to the age of 65 or 5 years which ever is later. It reduces Carpal Tunnel Syndrome payments for an average, 40 weeks award to a maximum of 28 weeks, incidentally that saves the State of Illinois, about 25 million dollars. It changes rebuttal presumption for workers injured while under the influence of illegal drugs or alcohol. All of these are very strong, very solid changes to a system that's in need of reform. We have 22 thousand open cases right now of state employees. Folks we only have 50 thousand employees. If you include in universities, we have 70 thousand employees. 22 thousand have open work comp claims. Think about that, it's amazing OSHA hasn't shut us down. As you look at a 30 percent fee reduction within that schedule, the difference in that is for every 10 percent that you're reduced those fees, you're looking at about a 5 percent reduction in the insurance premium. So, a 15 percent reduction premium, people say in theory, well, that's not enough. I understand what they're saying at that level, but in reality, and one of the problems with this chamber, is that very few Members on either side of the aisle, have ever signed anyone else's paycheck, have ever bought a health insurance policy, negotiated, or have ever bought Worker's Compensation Insurance. To me a 15 percent reduction on a \$400 thousand policy means a salary for someone at my business in Bureau County. So, we can talk about a lot of the theories that are out there, we can lock in and take positions, if we

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nude... need to, but you can't say the Bill doesn't make changes that are needed, it doesn't provide savings, you can't say that. We're looking at a \$3 billion system and we are talking about \$500 to \$700 million worth of savings to be taken out of that system and brought back to the employers of the State of Illinois. Mr. Raoul, Director McRaith, Mr. Bradley have done a yeomen's job in presenting changes in an area that we all agree have to have changes, so I commend them for their work. I support this proposal. And I would ask you for your 'aye' votes."

Speaker Lang: "Mr. Bradley to close."

Bradley: "So, one of the previous speakers says, this is it. This is it. This is the vote. If you're for Workers Compensation reform, if you were a 'yes' earlier in the day, and suddenly became a 'no'. If you were someone who said to me, I'm thinking about being a Chief Cosponsor, and didn't bring up that you were excluded from meetings. If you were someone who worked on 1066 which is the backbone and the vast majority of the language in this Bill which was supported in a bipartisan manner, which was developed in a bipartisan manner, and which was supported by every business group in the state. If you don't consider the business groups which were in the room in the meetings as your allies, and don't feel that you were included because your allies weren't included, then don't vote for this. If you think the status quo is okay, then don't vote for this. If you don't think that five to seven hundred million dollars conservatively and a fifteen to twenty percent decrease in premiums is okay, then don't vote for this. If

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you think that something has changed with regards to this Bill from the time we had the committee vote earlier today, to the time we're having the real vote on the floor, then don't vote for this. If you think the way the State of Illinois has been doing business and what we've been doing okay, then don't vote for this. And guess what, some of you didn't vote for the last Bill. Some of you didn't vote for the repeal either. Because you said we needed a compromise, we needed a reform. Here it is. This is it. This is it. This is the vote. Forty six votes in the Senate. Most of your Senators voted for it. This is the vote. I'm not asking for a reconsideration of this vote. If it doesn't pass, this is the vote. Vote 'aye'."

Speaker Lang: "The Gentleman's has moved to... that the House concur in Senate Amendments 3 and 5 to House Bill 1698. There is a request for a verification. Members will be in their chairs. Plea vote... please vote your own switches. Those in favor of the Gentleman's Motion shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, record yourselves. Please take the record. On this question, there are 55 voting 'yes', 39 voting 'no', 19 voting 'present', and the Gentleman's Motion fails. Mr. Watson."

Watson: "Personal privilege."

Speaker Lang: "Your point, Sir."

Watson: "Mr. Speaker, Ladies and Gentlemen of the House. I... that... that was a... a very heated debate and a very interesting vote. But don't ever, ever, ever, have someone

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say that this is it, this is the final thing. You know better and I know better. If we want to do better than what we just did, we can take another swing at it. Come on."

Speaker Lang: "On page 8 of the Calendar under the Order of Senate Bills-Second Reading, appears Senate Bill 1179. Mr. Clerk, please read the Bill.

Clerk Mahoney: "Senate Bill 1179, has been read a second time, previously. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. This is the measure that would remap the Board of Review in the County of Cook, according to the latest census numbers. The districts actually look very similar to the way they look today. And I know that there is some support for this redistricting proposal from sitting members of the Cook County Board. I would be happy to answer your questions and I'd appreciate your support for adoption of this Amendment."

Speaker Lang: "Lady moves for the adoption of Floor Amendment #1. And on this question, the Chair recognizes Mr. Fortner."

Fortner: "Thank you, Speaker. To the... to the motion. This is the Bill to do the redistricting of the Cook County Board of Review. It's one of the tasks that we are required to do as part of the decennial redistricting exercises. This is a... a map that is favorably looked on by the board members

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who are currently there. People have been part of that process and I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Motion shall say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for the third time."

Clerk Mahoney: "Senate Bill 1179, a Bill for an Act concerning redistricting. Third Reading."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. Members of the House. That's all this Bill does. Just what we described in Amendment #2. It is the redistricting for the Board of Review of the County of Cook, and I would appreciate your support."

Leader Lang: "Lady moves for the passage of Senate Bill 1179. The Chair recognizes Representative Mulligan."

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

Speaker Lang: "Lady yields."

Mulligan: "Representative, there were several maps put out. Could you tell me which one of these maps you actually ended up taking?"

Currie: "Well, it's the map that's contained in Amendment 2 to Senate Bill 1179. I think it might be on the House Democratic Redistricting Site. I know the Congressional map is there and I expect that this is as well. But as I said in my opening, the new districts are very similar to the districts currently in place. We did have to make some changes because of population shifts within the county, but

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the new map is not very different from the old. And the new map, the population figures are within one percent of one another from one district to the next.

Mulligan: "Does it include the Republican... the current Republican Member?"

Currie: "Well, that Republican Member has to live somewhere. So, that Republican Member will live in one of these districts."

Mulligan: "Well he's lived somewhere, the current one anyway..."

Currie: "That's right."

Mulligan: "...in several places. But, I'm just curious to see that if you, kind of preserved at least a small amount of integrity on the board."

Currie: "I am sure we have preserved a great amount of integrity with this map as we did with the last."

Mulligan: "Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, Members. Mr. Bost, Mr. Hayes, Mr. Leitch. Mr. Hayes. Please take the record. On the question, there are 111 voting 'yes' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. David Harris."

Harris, D.: "Mr. Speaker, since we have a break in the action temporarily, I rise on a point of personal privilege."

Speaker Lang: "State your point, Sir."

Harris, D.: "Any of us in this chamber that have an association with one of the fine institutions of higher

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learning in Illinois, Northwestern University, you know they're not only our great academic university, but they have some outstanding athletic teams. And, the Lady Wildcats for the sixth time out of the past seven years won the NCAA Lacrosse Championship earlier today. So, hats off to the Lady Wildcats."

Speaker Lang: "Congratulations. On... on page 14 of the Calendar, under the Order of Concurrence, appears House Bill 212. Mr. Jones."

Jones: "Thank you, Mr. Speaker. Can you take this out of record for a minute?"

Speaker Lang: "This Bill also appears on the Supplemental Calendar under the Order of Concurrence. Out of the record? We'll take it out of the record, Sir. House Bill 224, Representative Flowers. Out of the record. House Bill 806, Mr. Mautino. Out of the record. House Bill 1056, Representative Senger."

Senger: "House Bill 1056, basically just makes one change to one sentence that says, 'The provision from an Engrossed Bill that allows municipalities of less than 500,000 to adopt rules of procedures that compel the attendance of a witness at a public hearing'. This was a Bill that was defining public hearings. And I ask for a 'yes' vote on concurrence."

Speaker Lang: "Lady moves that the House concur with House... Senate Amendment 1 to House Bill 1056. There being no debate, those in favor of the Lady's motion say ye... vote 'aye'; those 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Record yourselves, Members. Representative Will Davis. Please take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 1056. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Mr. Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I rise in... for point of personal privilege."

Speaker Lang: "State your point, Sir."

Ford: "I would like the people of the House to recognize a good friend of mine, Robert J. Moon Jr., a decora... decorated Army helicopter pilot in Vietnam and also a Purple Heart vet, behind me in the gallery. If we could all recognize Mr. Moon.

Speaker Lang: "Glad to have you with us. Thank you for being here, Sir. Next Bill is House Bill 1079. Representative Pihos."

Pihos: "Thank you, Mr. Speaker. On... excuse me House Bill 1079, I would like to concur. When it was sent back from the Senate, it simply lowered the amount that the Department of Central of Management Services could require as a listing of equipment from two thousand to one thousand dollars. So, if there are any questions, I'd be happy to answer them."

Speaker Lang: "Lady moves that the House concur with Senate Amendment #2 to House Bill 1079. And on that question, those in favor vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Brauer. Mr. Mitchell. Please

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take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #2 to House Bill 1079. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 806. Mr. Mautino. Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Beaubien would be excused for the rest of the evening."

Speaker Lang: "Thank you very much. Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendment# 1 to House Bill 806. The Senate Amendment changes.. this.. this deals with the application of sludge and this makes some changes to bring the municipalities into... into an agreement."

Speaker Lang: "Gentleman moves for the adop.. that the House concur with Senate Amendment #1 to House Bill 806. And on that question, there being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar. Golar. Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 806. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1095, Representative Dugan. Out of the record. House Bill 122... 1233, Representative Mayfield."

Mayfield: "I sent a really good Bill over to the Senate and this is what came back. Basically, there's just one change on

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this, that this Bill would not apply to counties with a population of more than 3 million. I ask for an 'aye' on concurrence."

Speaker Lang: "Lady moves that the House concur in Senate Ameno... Amendment #1 to House Bill 1233. The Chair recognizes Mr. Eddy."

Eddy: "Would the Sponsor yield?"

Speaker Lang: "The Lady yields."

Eddy: "Representative, the change that was made in the Senate. Would you, kind of, describe that again. I... I think I missed part of it."

Mayfield: "It excludes counties with a population of more than 3 million."

Eddy: "I think... I think that's where I'm mishearing you. You said it excludes counties of more than 3 million?"

Mayfield: "It does not apply to counties of more than 3 million."

Eddy: "Representative, I think it only applies to Cook County. So..."

Mayfield: "All right, that is my mistake. My analysis is incorrect and it's the opposite of that. It applies to counties of more than 3 million. I'm sorry."

Eddy: "Okay. That's what..."

Mayfield: "That's correct."

Eddy: "...we wanted to make sure we had that. I think you probably would have lost some ground the other way."

Mayfield: "Okay. Sorry. Thank you."

Eddy: "Thank you."

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Speaker Lang: "Those in favor of the Lady's Motion shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Will Davis. Mr. Jones. Please take the record. On this question, there are 101 voting 'yes', 11 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 1233. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1253, Representative Mell."

Mell: "Thank you, Mr. Speaker and Members of the House. I would like to concur with Senate Amendment 2 and Senate Amendment 1 on House Bill 1253. Senate Amendment 2, just changes the word revise... revising to reviving. And Senate Amendment 1... originally when we talked about this Bill we put people retroactively on the sex offender list if they committed a felony and a misdemeanor. This Amendment changes it to... so it's only a felony that triggers the retroactive registration. I urge an 'aye' vote. Thank you."

Speaker Lang: "Lady moves that the House concur with Senate Amendments 1 and 2 to House Bill 1253. And on that question, the Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Lady yields."

Reboletti: "Representative, when you said that only a felony would trigger a retro registration, do you mean that only if the person was convicted of a felony in 1965 it would trigger, or if they've been rearrested for a felony, would that trigger that... the registration?"

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Mell: "If they'd been rea... rearrested. Like, if today they're rearrested for a felony, it would trigger them going on the registry."

Reboletti: "Would that just be an arrest or does there have to be a disposition on that felony case?"

Mell: "It has to be... they have to be convicted of a new felony."

Reboletti: "And, only on a conviction? Because there are certain felonies that there would be a special probation that they might be eligible for that a conviction would not enter. I would assume that a judge would not grant that type of disposition for a felony, in some of the drug cases. But, I wanted to make sure that that wouldn't be unintelligible on probation for drug cases of first time offender, and a drug case can get a disposition where a conviction would not enter. Would that be the case here?"

Mell: "Yes, that would be the case."

Reboletti: "Thank you and I'd urge and 'aye' vote."

Speaker Lang: "Those in favor of the Lady's motion shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Ford, Mayfield, Turner. Please take the record. On this question, there are 102 voting 'yes', 10 voting 'no'. And the House does concur with Senate Amendments #1 and 2 to House Bill 1253. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1258, Mr. Farnham."

Farnham: "Thank you, Mr. Speaker, Members of the House. This is a concurrence. Senate Amendment 1 is a gut and replace Amendment. It retains most of the language of the

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underlying Bill with several changes. It eliminates any reference to the Cannabis Control... Control... Cannabis sorry... Control Act and changes the definitions of emergency response. The underlying Bill requires offenders convicted of violations of the Cannabis Control Act... sorry... Senate Amendment 1 eliminates the provisions concerning the Cannabis Control Act. Senate Amendment 1 also changes the definition of emergency response. I'll take your questions."

Speaker Lang: "Mr. Farnham moves that House concur with Senate Amendment #1 to House Bill 1258. And that question, the Chair recognizes Mr. Eddy."

Eddy: "Would the Sponsor of the Cannabis Bill yield?"

Speaker Lang: "I am certain he does, Sir."

Eddy: "Representative, you don't even have a red jacket so there is no excuse. But, I have one question and this will determine whether or not I vote 'yes' or 'no' on the Bill. You have one opportunity to pronounce the word Cannabis."

Farnham: "Should I say Cannabis then. Cannabis."

Eddy: "All right, thank you."

Speaker Lang: "That was the sum total of your question, Sir? Representative Golar."

Golar: "Thank you, Mr. Speaker. I would like the record to reflect that on House Bill 1253, I am a 'no'."

Speaker Lang: "The record will reflect your intentions."

Golar: "Thank you."

Speaker Lang: "Those in favor of Mr. Farnham's Motion shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

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who wish? Representative Monique Davis. Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And the House does concur Senate Amendment #1 to House Bill 1258. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to House Bill 224, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #3 to House Bill 224. This Bill would bring Illinois law into conformity with consumer protection required by the federal law in regards to Illinois external review process. And I'll be more than happy to answer any questions you may have."

Speaker Lang: "Lady moves that the House concur with Senate Amendment 3 to House Bill 224. And that question, the Chair recognizes Mr. Reis."

Reis: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Lang: "Lady yields."

Flowers: "Yes."

Reis: "Representative, there was a substantial amount of opposition to your Bill when it left the House. Would you cover once again what the Amendment did? Did it change the underlying Bill or did it just make a small change?"

Flowers: "Representative, there was a prior Bill that we passed back in 2009 that dealt with external review, giving patients the right to an appeal to an independent physician. But that independent physician wasn't quite independent because it was being chosen by the insurance company. And Federal Law stated that we really had to amend

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that and revise it to put minimum types of consumer protection into the Bill. And so, by making the necessary changes and allowing for external review to be.. and random selection of the in.. the reviewers, we came into conformity of Federal Law."

Reis: "Okay. I think it was a little concern when the Bill went out of the House that some of these changes may or may not be made in the Senate. It looks like you made those Senate changes.."

Flowers: "I did."

Reis: "...and I would encourage an 'aye' vote."

Flowers: "Thank you."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Lady yields."

Reboletti: "Representative, just so the Body is clear. We need to have something in effect by July 1, 2011 to be in compliance with the Federal Government's requirements. Is that correct?"

Flowers: "You are correct. July 1, 2011, in order to meet the minimum consumer protection regarding Federal Law."

Reboletti: "Thank you."

Flowers: "Thank you."

Speaker Lang: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Representative Flowers, there was a lot of issues before it went over to the Senate, but all of those issues got addressed and the.. the Bill has currently no opposition. Is that correct?"

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Flowers: "Representative, with your help we did get those issues addressed. And there is no opposition to House Bill 224."

Osmond: "Thank you."

Flowers: "Thank you."

Speaker Lang: "Those in favor of the Lady's motion shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Sullivan. Please take the record. On this question, there are 87 voting 'yes', 25 voting 'no'. And the House does concur with Senate Amendment #3 to House Bill 224. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1488, Mr. Rose."

Rose: "Thank you, Mr. Speaker. The Amendment is at the request of the Governor's Office. It's very simple. It would change it from Governor, himself, to 'or designee'. It would change the date of the report from May 1st, which has already passed, to November 1st of this year. And it would actually add a sunset clause repeal date of December 31, 2014. This was a... an agreed Bill when it passed out of here unanimously. And the changes are extremely minor and more technical in nature."

Speaker Lang: "Gentleman moves that the House concur in Senate Amendment #1 to House Bill 1488. There being no debate. Those in favor of the Gentleman's motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. And the House does concur with Senate

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Amendment #1 to House Bill 1488. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1408, Mr. Bradley. Out of the record. House Bill 1929, Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. I move to concur in Senate Amendment 1 to House Bill 1929. This is the legislation that has to do with the medical co-pay for inmates in Department of Corrections. What the Senate Amendment did was... to clarify the definition of 'indigent' and I would ask for the Body's support in my Motion to Concur."

Speaker Lang: "Lady moves that the House concur in Senate Amendment #1 to House bill 1929, and on that question the Chair recognizes Representative Monique Davis."

Davis, M.: "Thank You, Mr. Speaker will the Sponsor yield?"

Speaker Lang: "Lady yields."

Davis, M.: "I didn't hear, Emily, the change that was made in the Senate."

McAsey: "Thank you, the change in the Senate, the Senate amended the underlining Bill to clarify the definition of 'indigent'. So this has to do with inmates and the co-pay that they're paying within the Department of Corrections for medical services. So it sets the definition of indigent as anyone who has \$20 or less in their inmate trust fund at the time of the services or for 30 days prior to those medical services."

Davis, M.: "So if they have \$20 or less they only pay three dollars for their medical."

McAsey: "They... They don't pay."

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Davis, M.: "They don't pay."

McAsey: "Right there..."

Davis, M.: "But if they have 20 or more they pay what?"

McAsey: "They pay... \$5 that's what the underlining Bill did was to increase that co-pay to \$5."

Davis, M.: "Okay thank you very much. Thank you, Rep.. Representative."

McAsey: "Thank you."

Speaker Lang: "Lady moves that the House concur in Senate Amendment #1 to House Bill 1929. Those in favor of the Lady's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Cassidy, Jones, please take the record. On this question, there are 112 voting 'yes', 0 voting 'no', and the House does concur with Senate Amendment #1 to House Bill 1929. And this Bill having received the Constitutional Majority, is hereby declared passed. Mr. Lyons in the Chair."

Speaker Lyons: "Mr. Clerk, on page 17 of the Calendar Representative Lang has House Bill 1530. The Gentlemen from Cook, Representative Lang."

Lang: "Thank you, Ladies and Gentlemen. Thank you, Mr. Speaker. This is the Mental Health Parity Bill. The Senate took a couple of things out of the Bill but it's still an excellent Bill and I would ask for your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question, 'Shall the House concur in Senate Amendment #3 to House Bill 1530?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tyron. Mike. Mr. Clerk, take the record. On this Bill, there are 84 Members voting 'yes', 28 Members voting 'no', and the House does concur with Amendment #3 to House Bill 1530. This Bill, having received the Constitutional Majority is hereby declared passed. Mr. Clerk, on the Order of Concurrence on page 18 of the Calendar House Bill 2089, Representative Rosenthal."

Rosenthal: "Thank you, Mr. Speaker. I move that the House concur with Senate Bill Amendment #2 to Senate... House Bill 2089 and it simply adds to the Bill. It adds nine additional synthetic cannabis compounds to the list of Schedule 1 controlled substances."

Speaker Lyons: "You've heard the Gentlemen's explanation, is there any discussion? Proceeding on the question, 'Shall the House concur in Senate Amendment #2 to House Bill 2089?' This is final action. 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? Linda Chapa LaVia. Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 0 voting 'no'. The House does concur with Amendment #... Senate Amendment #2 to House Bill 2089. This Bill, having received the Constitutional Majority is hereby declared passed. Mr. Clerk on Concurrent... on the Order of Concurrence appears House 2095 Representative Norine Hammond. Representative Hammond."

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Hammond: "Thank you, Mr. Speaker. I would ask that the House concur on Senate Amendment 1 to House Bill 2095. Basically the change that the Senate made was needed. They changed the mandatory fine from not less than 5,000 to a maximum fine of \$5,000 and also made it a Class A Misdemeanor and I would appreciate a 'yes' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of concurrence is Senate Bill... Senate Amendment #1 to House Bill 2095 vote 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Linda Chapa LaVia, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 112 Members voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 2095. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Concurrences, we have House Bill 2249. The Chair recognizes the Lady from Lake, JoAnn Osmond."

Osmond: "Thank you, Mr. Speaker. I would like to ask the House to approve the concurrence for Amendment #... Senate Amendment #2. It just clears up the opposition that the Illinois insurance had, and it specifically provides that it includes an educational program on those defined on the contract of insurance."

Speaker Lyons: "You've heard the Lady's Motion, is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #2 to House Bill 2249?'"

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This is final action. All of 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? Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 0 voting 'no'. The House does concur with Senate Amendment #2 to House Bill 2249. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 18 of the Calendar appears House Bill 2860, Representative Dan Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. Senate Amendment #1 to 2860 which passed out of the House unanimously, retains the language of the Bill, however, it does take the City of Chicago out, and I'd ask for your 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentlemen from Crawford, Representative Roger Eddy."

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

Beiser: "Sponsor yields."

Eddy: "Representative... this is a pretty good idea. Seems to be something that you think would be good public policy."

Beiser: "The... The underlining Bill?"

Eddy: "Yeah."

Beiser: "Yes"

Eddy: "It... it... why isn't it a good public policy for the City of Chicago then?"

Beiser: "You would have to ask Representatives from the City of Chicago."

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Eddy: "Well, I mean, the idea is I think that if... the light... the red light doesn't recognize the motorcycle or that they can then turn left? Is that the idea? That they can."

Beiser: "They... they could proceed through that, once they've done the normal yield to the right-of-way to oncoming traffic, much like a stop sign."

Eddy: "Okay. Then we're... we're going to... we're going to allow that to happen everywhere in the State except Chicago because in Chicago it's so much different than other urban areas and..."

Beiser: "I would to prefer to have it statewide but the Senate's Amendment did not see it that way and I feel like that this is the better than the status quo."

Eddy: "Representative I think you had a better Bill when you sent it over. Thank you."

Beiser: "Thank you."

Speaker Lyons: "Rosemary Mulligan."

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

Beiser: "Sponsor yields."

Mulligan: "Representative what if... a motorcyclist or a bicycle rider goes on through a light like that and someone coming the other way in a car hits them. Would they still be at fault because that person went through a red?"

Beiser: "If the motorcyclist or bicyclist did not yield the right-of-way..."

Mulligan: "Right you know they move on and..."

Beiser: "...the motorist..."

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Mulligan: "...you know and the person driving the other way feels some reassurance that he's got the right-of-way on the green light and he hits them. Who's at fault?"

Beiser: "Again, I don't know how else to answer other than if they did... if they... if they got hit they obviously did not yield the right-of-way in a situation where there was a green light and oncoming traffic."

Mulligan: "But if a motorcyclist or bicyclist can go through a red light if it's long and say there... say there is something wrong with the light. The timing is delayed which happens. Then you've got the other person in the car that thinks they have the right-of-way, could be sued for hitting that person. I'm not quite sure what your Bill is trying to do... but what I'm thinking is, I think there should be some legislative intent there that is not the motorist's who goes through a green light fault if he hits someone who goes through a red light because they're not expecting that. So I think there's a problem there, particularly if they were to be charged with hitting someone when they had the right of way. So I think there should be some intent here that they should not be punished either by insurance or by lawsuit."

Beiser: "I believe that's covered by the fact that they did not yield the right-of-way, and I... the intent of this law is not to allow someone to circumvent a red light, whether they be on a bicycle or a motorcycle. It's simply to suggest that those two types of vehicles are modes of transportation sometimes, do not have the ability to trip

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the censor that would allow the light to activate in a normal fashion."

Mulligan: "I think that's a problem quite frankly."

Speaker Lyons: "Representative Jack Franks."

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

Beiser: "Sponsor yields."

Franks: "Representative, I'm reading this Senate Amendment and there's, I think there's two portions that they change. One is, it requires a motorcycle to first yield the right-of-way to oncoming traffic with the green light before proceeding, which I think we would all agree with."

Beiser: "Yes."

Franks: "But then the second one, that's what bothers me. This limits the allowance to everywhere in the State of Illinois except for Chicago. Correct?"

Beiser: "That's correct and I believe... I believe it's a better Bill the way we passed it unanimously out of the House but again, in order to get this situation, I think this Bill is better than the status quo..."

Franks: "Well here's..."

Beiser: "...as amended."

Franks: "...here's my concern, it's sort of like the same debate we've had when we move are guns through the state. And Chicago would have a different law. So what you're expecting is for drivers now to have a whole set of laws in the entire State of Illinois that they know work. And then once they get to Chicago they can't drive the same way they drive somewhere else and then you're expecting the motorist to know that the law does not apply in Chicago, which I

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think is unreasonable. I think when we get this out and people see that the Bill has passed, they're going to figured that the rules of the road are the rules of the road. And I don't know of any other rules of the road that exempt the City of Chicago. Are there others?"

Beiser: "I can't answer that. Not to my knowledge but I... I just don't know that... the answer to that, Jack."

Franks: "I just don't want someone to get a ticket because, you know, they happen to be in Bolingbrook or I don't know another town in Cook County. You know they're in Cook County, they're in a city in Cook County and they're following this law, and then the exact same thing happens but they go 300 yards and they happen to be in the City of Chicago but instead then they get a ticket. I think we may be better of non-concurring in this because I agree with you, the original Bill was better. Would you consider filing a Non-Concurrence Motion? Because I think that if we pass this Bill we are going to create confusion and were going to unfair to our drivers. Where I believe a Non-Concurrence Motion would be the proper Motion because you're right, the Bill that you passed originally that passed unanimously, is a better Bill."

Beiser: "Thank you for that comment. However, the... the A.B.A.T.E that brought this to me, I checked with them prior to filing the Motion to Concur and they were in favor of the Motion to Concur."

Franks: "Thank you."

Speaker Lyons: "Representative Mike Zalewski."

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

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Beiser: "Sponsor yields."

Zalewski: "Representative, this doesn't... this issue of... of the light not changing, does it only apply to motorcycles? Do only motorcycles have this problem?"

Beiser: "Motorcycles and bicycles. That's what the Bill addresses."

Zalewski: "I... I'm mean I may be wrong but I think I've been under situations where I've pulled up to a deserted intersection and the light hasn't changed as well. So it could apply to vehicles four... four wheels on a vehicle. Correct?"

Beiser: "Uh... a normal vehicle like a car?"

Zalewski: "An automobile. Correct. Like a car."

Beiser: "What I've noticed... from people that do not trip the sensors is they've been improperly located their car in that, either they're too far behind the sensor or too far in front of it. But I have not personally seen or experienced one but I'm not suggesting that it has never happened."

Zalewski: "The reason for my question is, I share some of the concerns you've I've heard. That I don't necessarily know that the approach here is to give unabated access to motorcycle. I certainly recognize the policy problem. I don't know that the approach here is to give unabated access for motorists to disobey the light. I... I think we... what we should be doing is requiring municipalities to... to fix the lights so that they can work if there is a motorcycle out there."

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Beiser: "I wouldn't disagree that if there's something malfunctioning it should be fixed, but again, this Bill is... it is what it is."

Zalewski: "So my question to you is, have you been given any sort of reason why municipalities can't fix the traffic control devices as opposed to giving the motorcyclists or motorists the ability to just run the light? Have you been given any reason why that can't occur?"

Beiser: "I have not been approached with this when we presented the Bill in committee, on the floor, and it was not brought up in the Senate. But, I would suggest that in the areas where the sensors aren't working, the municipality should address that issue, however if they don't, I don't know if it's because of cost or other reasons, but I... anything that's not working should be fixed."

Zalewski: "Thank you for your answers to my questions."

Speaker Lyons: "Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. As a person who rides a bicycle regularly I can attest to the fact that it's incredibly frustrating to sit at a light and have to wait for a vehicle to come by before you can possibly cross over. So I think to the Representative's Bill, this is happening anyway because you can't, I'm not going to be stuck sitting at a light for 15 minutes waiting and waiting and waiting patiently until a vehicle comes by. So the Bill makes perfect sense, and to the former Representative... the prior speaker's point, I... I don't know whether there's a manufacturer that makes something for the... the where a motorcycle could trip it but I guarantee you there's

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nothing where a bicycle could trip it cause the bicycle plus the rider is maybe, you know I mean the... the bicycles weigh 15 pounds. They're not going to trip something that's in the roadway in order to be able to get the light to go and I can't... I don't know what the expense would be to get to make that happen. So, the Bill makes eminent sense. You know, I agree that... that maybe the City of Chicago should not be exempted from it, but we need to make sure that this happens because this is happening anyway and we need... and it makes sense for bicyclists and motorcyclists not to have to get a ticket for... for doing what... what they're going to do anyway, rather than... rather than waiting impatiently for the light to change."

Speaker Lyons: "Representative Beiser, the final word."

Beiser: "In answer to Representative Zalewski's comment to... as far as sensors that would pick up a lighter weight vehicle or a mode of transportation. You would run the risk then of having something as simple as a... a piece of debris that has fallen off of a car or something like that tripping the sensor and that's not I don't think what we or anybody in traffic control would like to do. So, I appreciate all the comments, the questions, but I would ask that everybody please vote 'aye'."

Speaker Lyons: "Representative Beiser moves the House should concur with Senate Amendment #1 to House Bill 2860. This is final action. 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? Representative Cole. Representative

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Saviano. Mr. Clerk, take the record. On this Bill, there are 101 Members voting 'yes', 11 Members voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 2860. This Bill, having received the Constitutional Majority is hereby declared passed."

Speaker Lyons: "Mr. Clerk on page 19 of the Calendar on the Order of Concurrences, Representative Mell has House Bill 3184. The Lady from Cook, Representative Deb Mell."

Mell: "Thank you, Mr. Speaker. I ask to concur with Senate Amendment 1 to HB3184. This Bill would move the responsibility for setting the County Clerk fees on marriage and civil union licenses from the Legislator to our local county boards. There is no known opposition. I ask for your support. Thank you."

Speaker Lyons: "The Chair recognizes the Gentlemen from Crawford, Representative Roger Eddy."

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

Mell: "Sponsor yields."

Eddy: "Yeah, Representative, I think I've had some individuals come and talk to me about this. This... does this impose the fee... does this impose a fee or does this just allow for a fee?"

Mell: "Just allows for it."

Eddy: "Okay. Is there a cap on the fee?"

Mell: "There's a cap of \$75."

Eddy: "Okay. So this would allow for... what... who has the authority to raise the fee?"

Mell: "The county board will."

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Eddy: "The county board has to raise the fee. What.. and currently what is the fee cap?"

Mell: "It.. It varies from county to county."

Eddy: "Well, is there currently a cap for all counties? I mean is there a point at which a county can't go over right now?"

Mell: "There are... there's a certain amount for... it depends on the type of class of county."

Eddy: "Okay. So does your legislation continue that so that different counties are does it now make a uniform cap of \$75 for all counties?"

Mell: "It now makes for a uniform cap."

Eddy: "Okay. What is the highest current cap for a county?"

Mell: "The highest cap is \$35."

Eddy: "Okay. So, right now the highest that can be charged is \$35 for this fee.. licensing fee and this would move it to \$75 but the county board would have to approve it. Correct?"

Mell: "Correct."

Eddy: "Okay. And, why is it necessary? What's..."

Mell: "Were putting it in the hands of local control."

Eddy: "Okay, but who asked for the ability to raise fees and what's the purpose? Where does the money go? Does it stay local? Does this..."

Mell: "It's the county clerks, it stays local. There's also a certain amount that goes to a domestic violence fund."

Eddy: "Okay. So how much of the \$75 fee if they raise it to \$75 goes to the domestic violence fund, and does that domestic

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violence fund stay locally or does that go to a state fund?"

Mell: "It goes to the state fund and it's \$5."

Eddy: "Five dollars of the \$75 goes to domestic violence fund. Where's the rest of the money go?"

Mell: "It goes to the local county."

Eddy: "Local county, okay. Okay, Representative. And the purpose then and the reason behind this is that it costs more for these things. I mean I'm trying to understand, it's a pretty significant possible increase."

Mell: "Okay, this is just for more local control. Certain counties have different administrative costs. Seventy-five dollars is the highest they can go and, you know, they're ultimately subject to their... their... you know, they're an elected Body, so..."

Eddy: "Okay, let me ask you this. When was the last... when was the current cap fee and that fee structure instituted?"

Mell: "Twenty years ago."

Eddy: "Okay, so it's been 20 years since we gave local authority for these fees to be increased?"

Mell: "Correct."

Eddy: "It's been 20 years and were raising it to 75 but it's local. Okay. Thank you."

Mell: "Thank you, Representative."

Speaker Lyons: "Representative Jill Tracy."

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

Speaker Lyons: "Sponsor yields."

Tracy: "Representative Mell... if this legis... in your original Bill, it was unclear as to whether there would be marriage

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licenses or civil union... civil union fees for an application for a civil union license."

Mell: "In this original Bill before it was gutted and replaced in the Senate, it was regarding education on campaign finance reform."

Tracy: "Well no... I was just asking that is... is the law unclear, in an application for civil union if there will be a fee... a recorder's fee or an application fee to the county in which the application is sought?"

Mell: "Yes, Representative, I'm sorry it's a little hard to hear you but it is not... it's not unclear."

Tracy: "Well What I... what I understand as far as the Bill goes, it goes to allowing a fee to be charged by the counties in which the application for civil union is sought. So what I'm getting at is if this Bill doesn't pass then the counties are going to incur administrative fees and costs that won't be able to be assessed to anyone except the county and so you're asking that a fee be charged to the applicants?"

Mell: "Correct."

Tracy: "So that they're treated..."

Mell: "Correct. That's correct."

Tracy: "So administratively, whoever is applying for the civil union application will be paying this fee and otherwise... other words, if they don't pay the fees, then the county bears the brunt of the cost?"

Mell: "That's correct."

Tracy: "Okay. Thank you. I just wanted to clarify that."

Mell: "Thank you, I'm sorry it was hard to hear you."

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Speaker Lyons: "Representative Mayfield."

Mayfield: "I just wanted to let Representative Mell know that I'm standing in support of her Bill and I really like the part here where they're changing the name of the domestic violence fund because domestic violence affects us all regardless of our status. Thank you."

Speaker Lyons: "Representative Mell, final word."

Mell: "I just urge an aye vote... and thank you... thank you very much."

Speaker Lyons: "Representative Mell moves that the House shall concur with Senate Amendment #1 to House Bill 3184. This is final action. 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? Jakobsson, David Leitch, Karen May. Naomi. Mr. Clerk, take the record. On this Bill, there are 78 Members voting 'yes' and 34 Members voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 3184. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Lyons: "Mr. Clerk on page 14 of the Calendar on the Order of Concurrences, Representative Jones has House Bill 212. Representative Thaddeus Jones."

Jones: "Thank you, Mr. Speaker. I rise and ask that we concur with Senate Amendment #1 and #2 on House Bill 212. This is a good Bill that went over to the Senate. The Senate Amendment 1 provides cleanup language and Senate Amendment 2 provides... reinserts language. So I ask for an 'aye' vote on this House Bill 212."

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Speaker Lyons: "You've heard the Gentleman's explanation, is there any discussions? Seeing none, Representative Jones moves that the House shall concur in Senate Amendments #1 and #2 to House Bill 212. This is final action. 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? Kay Hatcher, Skip Saviano. Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendments #1 and 2 to House Bill 212. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Morrison has House Bill 3384. Representative Morrison."

Morrison: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 2. Basically what this would do... we passed this Bill on a wide margin when it was in the House. This has to do with plastic crates. Basically the Senate wants to says that the recycler can pay with cash, and I ask the House for an 'aye' vote."

Speaker Lyons: "You heard the Gentleman's explanation, is there any discussion? The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "Is this your first Bill, again?"

Morrison: "Like I said, I don't think there was any opposition except for the fact that it was my first Bill."

Stephens: "That's what I thought."

Speaker Lyons: "The Gentleman from McHenry, Representative Jack Franks."

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Franks: "Thank you, Mr. Speaker. I tend to remember this bill.

I was wondering if the Sponsor might yield?"

Morrison: "Sponsor yields."

Franks: "Could you please explain the Amendment to us?"

Morrison: "Well, basically the recyclers wanted to be able to pay with cash and I believe if I remember the debate that was something that you wanted to see, and so, Representative Franks, you should be happy and I would expect an 'aye' vote."

Franks: "Well... I... I thought the Bill was unconstitutional before, correct? Because I've never seen the ability in the House of Representatives to deny the use of legal tender in any business transaction. So at least I think it may pass constitutional muster at this time However, was anything else changed in the Bill or was that the only thing that was changed?"

Morrison: "According to this analysis that was it, yes."

Franks: "Have you read the Senate Amendment #2?"

Morrison: "If the Representative would wish I can read it verbatim if he would like but seeing as its 9:32..."

Franks: "Well I don't know if I need to but you said... you had just mentioned that there was an analysis. I just wanted..."

Morrison: "The only change Representative, was that the recycler could pay in cash."

Franks: "Okay. So that was it? Okay. But we're still... tell us it's just been a while since we did this Bill. This is the one where if you bring more than five milk containers that you have to prove ownership of them. Have we ever

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figured out how were going to prove ownership of these milk containers?

Morrison: "Well it wasn't just milk containers, it was plastic containers."

Franks: "Okay. So on plastic bulk merchandise containers."

Morrison: "Correct. And if the Representative would recall, this is an increasing problem. This is just meant to, the legislative intent is to slow down the theft of these containers by just simply requiring some identification... and it's a good Bill. The bottlers are for it, the Illinois... the entire soft drink industry is for it. It's going to be a savings for consumers because these stores and... and the owners of these containers are going to have fewer thefts. That's the bottom line."

Franks: "Isn't it already against the law to steal these containers?"

Morrison: "It is Representative, but as you know, we passed a Bill recently having to do with copper and other... materials that have increased in price with increased commodity prices. I think it's a good Bill and I would urge an 'aye' vote."

Franks: "I know that. But let... let me ask the question here because you still haven't answered my question. The question is, how are we going to have proof of the seller's ownership of the containers? Do they come with titles?"

Morrison: "A bill of sale would be helpful and that would serve as proof of ownership."

Franks: "But we also had the example... I see you have counsel with you and you have very able counsel, I know he's

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expensive. But we will use for instance, the example of going to a garage sale and someone having, you know, a bunch of these that they want to get rid of, and they pick them up at the garage sale and then they bring them over to the local recycler and there's just no way they're going to have any proof. Because when you go, if you go to a garage sale, typically you don't get a receipt."

Morrison: "Well maybe not in McHenry. In Palatine, I would expect the garage sales to issue a receipt."

Franks: "Really do they charge tax at your garage sales? Because no garage sale I've ever gone to has ever charged tax. I'm not talking a consignment shop. I'm not talking a resale shop. I'm talking a garage sale."

Morrison: "Right."

Franks: "Have you ever paid tax at a garage sale?"

Morrison: "Yeah, it would be possible for someone running a garage sale to write out... write out a... a receipt, a bill of sale."

Franks: "But they don't. I mean have you ever paid tax at a garage sale?"

Morrison: "I think the more important point is the theft of these containers and just simply requiring that those who are bringing in bulk quantities of these containers..."

Franks: "We understand the intent I get it..."

Morrison: "Yes."

Franks: "...we all get it but I'm talking about the reality here. What I'm concerned about is the fact that you have such a high threshold to prove ownership. That's all I'm saying. I don't know how we can prove ownership of these things."

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Okay. That's what I don't get, and I don't know how we get past that threshold because there's no way... it's unlike it's a vehicle or something else that you may have. There is no proof of ownership. I mean, can you give me something here to go with?"

Speaker Lyons: "Franks, have you concluded your discussion?"

Franks: "Okay, I appreciate the... the... to the Bill. I appreciate the Sponsor's attempt. I can give him this. The Bill is probably constitutional now because he allows people to actually use United States currency; however the Bill is still stupid because... it's late guys, I couldn't think of a nice way to say stupid. I didn't want to say moronic. I didn't want to say unnecessary. I mean we already have, it's already illegal to do these things, and superfluous, there's no reason for this. It cannot be enforced. I understand it's his first Bill and that's probably why it passed, but now it's time to put this Bill to rest. Let's not recycle this Bill. Let's just kill it. Thank you."

Speaker Lyons: "Representative Ford."

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

Morrison: "Sponsor yields."

Ford: "I voted 'present' last time on the Bill and if you could get Tyler to tell me to vote for the Bill, I'll vote for it this time. So if you get him before we give Roll Call, I'll vote for your Bill."

Morrison: "I'd... I'd be happy to call Tyler is... should be in bed at this time."

Speaker Lyons: "Representative Mautino."

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Mautino: "In all seriousness, I did get a call from one of my local recycling companies. When the Bill first came around and they were concerned, what are you going to be requiring them to do now? Originally, they couldn't pay in cash if someone brought in Pepsi crates or regular plastic crates and then there was also a lot of reporting requirements. What are you having these guys do?"

Morrison: "We're asking for identification and we're asking the recycler to simply take down the name and address of the individual who is coming in with the crates. It just... it provides a paper trail for police if... if this is an ongoing event with the same..."

Mautino: "Milk crates, soda crates, any... any volume, any amount?"

Morrison: "Bulk plastic containers. Fiber borne is what I'm told."

Mautino: "So, milk crates or 2 liter soda crates that kind of thing?"

Morrison: "Right, it's the resin... it's the resin that is the expensive component... component of the container."

Mautino: "Okay, so GW Recycling is going to have to do what? Someone comes in and they've got a whole bunch of things to recycle, bottles, plastic, cans, and in there they've got a half-a-dozen milk crates."

Morrison: "Correct. So for the crates they would have to see a proof of ID and then they would simply record that individuals name and address and a phone number."

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Mautino: "That's all the questions I had. Nothing... nothing here has changed on that? You are now allowing them to pay by cash?"

Morrison: "Again the... the reason we asked that the recyclers pay with a check is to provide a paper trail. This is not to go after Boy Scouts. This is not to go after individuals who are cleaning up crates on the side of the road. This is to stop an effort to steal vast quantities of these crates when they're stacked up behind grocery stores and pharmacies and what have you."

Mautino: "I know where their trying to get to. What is your Bill... what's mass quantities though? I mean, when I, you know..."

Morrison: "Well..."

Mautino: "Back in college days, I had book shelves made of milk crates you know, and I'm sure everybody might have had those or you might have something in your garage that a whole bunch of tools are laying in if you decide to clear things out. What is..."

Morrison: "Well, but the..."

Mautino: "...at what level does someone have to... what level does GW Recycling have to keep track and for how many years, the name of the person who brought in the milk crate?"

Morrison: "Right. Again, it would be five or more crates. It's... it's a good... it's a pro-consumer, pro-business Bill. It really is."

Mautino: "Thanks."

Speaker Lyons: "Representative Rose."

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Rose: "Just wanted to comment on one of the previous speaker's comments. It's very easy, and frankly, I think the comments made this is stupid. I talked to my local... one brand distributor of soda pop in East Central Illinois, lost \$17 thousand last year in these crates. Seventeen thousand dollars in east central Illinois for just one distributor of soda pop. How much do you think that is statewide if you take that times the whole State of Illinois. Now if still you think it's stupid, that's fine. If you still think it's stupid, that's fine, but at the end of the day the consumers of Illinois are going pay that. They're going to pay it at the grocery store and the 7Eleven in the form of higher pop prices, or the kids and their parents are going to pay it at school in the form of higher milk prices. One distributor, \$17 thousand last year."

Speaker Lyons: "Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. So, Representative..."

Speaker Lyons: "Sponsor yields."

Davis, W.: "Oh, I'm sorry. Thank you very much, Mr. Speaker. So, Representative, what type of situations does this create for someone who's homeless?"

Morrison: "Well, is this... is this individual bringing these crates in? That's the question?"

Davis, W.: "An individual bringing these crates in."

Morrison: "Okay. Yeah. I... I didn't quite understand the question, Representative."

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Davis, W.: "Well, correct me if I'm wrong but, the objective of this is, I think you said, to create a paper trail of some sort. So, someone who brings in the crates..

Morrison: "Oh I see what you're saying."

Davis, W.: "...has to provide.."

Morrison: "An address is what you're saying."

Davis, W.: "...a name, an address.. so, for somebody who is homeless, what happens here? They.. they.."

Morrison: "Well how.. is the question.. I mean, where are they getting the crates from? That's.. that's the key question."

Davis, W.: "Well, I mean a homeless person, somebody that walks around with a shopping basket, salvages. They could be on the side of.. they could be anywhere. They're not necessarily stealing them from someone like Representative Rose is speaking of, they're just finding them on the street. And if there's a way for them to get a couple of dollars for a crate.. so I'm just asking, the situation when someone is homeless, what happens?"

Morrison: "How.. how does that pertain to the Bill?"

Davis, W.: "Excuse me?"

Morrison: "How does it pertain to the Bill?"

Davis, W.: "I'm.. I'm asking you. It's your Bill. This is.. I'm not.. I'm not trying to treat this like it's a first Bill situation. I'm asking what I think is a pretty pertinent question here. And, the previous speaker, I just want to make a comment, he talked about an employer, or a business owner that lost \$17 thousand, I assume from people probably stealing these crates. How much would it have cost that employer simply to build a fence around the back, and

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lock them up? That would have cost less than \$17 thousand. So, that was something that he probably... he or she probably could have did. But that's beside the point. I'm just asking a question about, if the objective is to collect information on someone, because the concern is that someone is actually taking them..."

Morrison: "Right."

Davis, W.: "...in mass quantity and selling them to a recycler. If there is someone who is homeless... I'm just asking what happens?"

Morrison: "I know. Representative... I... I take the question seriously. I think I would certainly not encourage it. But, if this Bill were to become law, there are ways of evading this law."

Davis, W.: "I'm... I'm not trying... I'm... No, I'm not suggesting that someone is trying to evade the law."

Morrison: "Well, but if someone is coming in with five or more crates, that is the only case in which a recycler is going to ask for... for I.D."

Davis, W.: "And if they don't have an I.D., what happens?"

Morrison: "Then they..."

Davis, W.: "Is this..."

Morrison: "...they can't... they can't pay for the... or the recycler will not pay out for the... for the crates."

Davis, W.: "So, that's it. They'll just turn them away and they'll go... is that it?"

Morrison: "That's correct."

Davis, W.: "I mean, we're not creating a situation where some employer or business owner or the recycler, feels that

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if someone comes in with more than five crates that they have to call the police on them or anything are we? Because your... your situation you're describing is that someone comes in with several crates that they must be stealing them from someone or some company. So, what if someone comes in? Is that person going to call the police, detain them, keep them there long enough until the police arrive and then say, 'this guy has more than five crates, he should go to jail', or 'he should be arrested'. I mean, I'm just trying to figure out..."

Davis, W.: "...what kind of situation you're trying to create."

Morrison: "As... No. There's no requirement of... of calling the police. As... as it was stated before, there already are laws against stealing."

Davis, W.: "I'm clear."

Morrison: "Obviously. There's already laws against stealing."

Davis, W.: "I... I know there are laws against stealing."

Morrison: "Okay."

Davis, W.: "But I'm just trying to understand what situation you're creating with this. 'Cause again, if the implication is that you come in with more than five crates then obviously that means that you must be stealing the crates from somewhere."

Morrison: "No. That's... that's not correct."

Davis, W.: "So... I'm just..."

Morrison: "All you have to do is show that the crates belong to you. There's... there..."

Davis, W.: "I'm just trying to understand..."

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Morrison: "Right."

Davis, W.: "...what it is you're trying to do. So, if it's as simple as saying that someone..."

Morrison: "We're trying to slow down..."

Davis, W.: "...who can't provide an I.D. is just simply turned away. We cannot purchase those crates if you cannot produce an I.D. Is it... is it just that simple?"

Morrison: "I... that's what I would expect. Yes, Representative."

Davis, W.: "That's what you would expect."

Morrison: "Yes, Sir."

Davis, W.: "Okay, Representative. Obviously, Members of this chamber will vote how they want to vote. And again, I apologize, maybe we should have had this debate when you first introduced the Bill, or I think we had a similar debate."

Morrison: "We had a pretty substantial debate."

Davis, W.: "We did."

Morrison: "I remember it."

Davis, W.: "When you introduced it, so..."

Morrison: "And it did passed the Senate 57-0."

Davis, W.: "Okay. Thank you very much. I just encourage everyone... if it matters to vote 'no', I'd say vote 'no'. Thank you."

Morrison: "Thank you for the questions."

Speaker Lyons: "Representative Jim Watson."

Watson: "Thank you, Mr. Speaker. I move the previous question."

Speaker Lyons: "Gentleman makes a Motion to move the previous question. All in favor say 'aye'; those opposed say 'no'."

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In the opinion of the Chair, the 'ayes' have it. Representative Morrison moves to, 'Shall the House concur with Amendment #2 to House Bill 3384?' This is final action. 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? Have all voted who wish? McGuire, Mussman, Pihos, Reis, Ford. Mr. Clerk, take the record. On this Bill, there are 56 Members voting 'yes', 54 Members voting 'no'. And the Motion to Concur fails. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, reports the following committee action taken on May 29, 2011: approved for floor consideration, is Floor Amendment #3 to Senate Bill 1652."

Speaker Lyons: "Mr. Clerk, on page 7 of the Calendar under Senate Bills-Second Reading, is Senate Bill 145. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 145 has been read a second time previously. Amend... Committee Amendment #1 was tabled, Committee Amendments 2 and 3 were adopted to the Bill. Floor Amendment #4 has been approved for consideration, offered by Representative Feigenholtz."

Speaker Lyons: "Representative Feigenholtz on Floor Amendment #4."

Feigenholtz: "Thank you, Mr. Speaker. This is an Amendment agreed to between the advocates and the Trial Lawyers. I'd appreciate your adoption."

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Speaker Lyons: "You've heard the Lady's request. Is there any discussion? Seeing none. The question is, 'Should Floor Amendment #4 be adopted. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Anything further, Mr. Clerk? The Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Agreed Resolutions, Mr. Clerk."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 386, offered by Representative Kay. House Resolution 436, offered by Representative Holbrook. And House Resolution 437, offered by Representative Bill Mitchell."

Speaker Lyons: "Leader Barbara Flynn Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk."

Clerk Mahoney: "The following committees will meet immediately following adjournment. Approps Human Services in Room D-1, Appropriations-Higher Education in Room C-1, State Government Administration in Room 114, Agriculture and Conservation in Room 122B, Business and Occupational License in 115, Health Care Availability and Accessibility in Room 413."

Speaker Lyons: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Just for clarification is that in addition to the earlier sheets or are those the only committees that are meeting?"

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Speaker Lyons: "I've been advised from the Chief of Staff that those will be the only committees tonight, Representative Eddy."

Eddy: "Okay. So, the Approp Committees that were scheduled earlier are not meeting but just the ones that he mentioned?"

Speaker Lyons: "Correct."

Eddy: "Okay. Thank you."

Speaker Lyons: "Representative Eddy, do you have a further question, Sir?"

Eddy: "Yes, Sir. Thank you. Is there an indication as to... some of the folks are asking about checking out in the morning. Is... is that not a wise thing to do? Are we..."

Speaker Lyons: "They're asking the wrong question then, Mr. Eddy. I would not suggest that."

Eddy: "Well they're only asking because they are being asked by the places they're staying. I mean do we know yet as to whether or not Tuesday is... they'll need to stay tomorrow night? We're not sure..."

Speaker Lyons: "Yeah. Mr. Eddy, with the schedule that we got back in January said we're going to be in through the end of May and there's no indication that anything but that will be the..."

Eddy: "Okay."

Speaker Lyons: "...the result of this month. We'll go to the 31st of May."

Eddy: "Okay. Thank you."

Speaker Lyons: "Jerry Mitchell, what purpose do you seek recognition, Sir?"

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Mitchell: "Thank you, Mr. Speaker. There was a lot of noise on the floor. Could you repeat the committee assignments please?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "The following committees will meet immediately upon adjournment. Immediately after Session, is Appropriations-Human Services in Room D-1, Approp Human Services in Room D-1. Approps-Higher Education will meet in Room C-1, Approps-Higher Education in Room C-1. State Government Administration will be meeting in Room 114, State Government Administration in Room 114. Agriculture and Conservation in Room 122B, Agriculture and Conservation in Room 122B. Business and Occupational License in Room 115. And Health Care Availability and Accessibility in Room 413."

Speaker Lyons: "And Ladies and Gentlemen, everybody's received the green schedule for committee meetings in the morning. So those should be self explanatory. Representative Barbara Flynn Currie now moves that the House stand adjourned till the hour of 10 a.m. on Monday, May 30th. Allowing perfunctory time for the Clerk, all those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned till the hour of 10 a.m. on Monday, May 30th. Thank you, Ladies and Gentlemen."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration, reports the following committee action taken on May 29, 2011: do

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pass short debate is Senate Bill 178, recommends be adopted is House Resolution 372, House Resolution 402, and House Resolution 405. Representative Duncan, Chairperson from the Committee on Appropriations-Higher Education, reports the following committee action taken on May 29, 2011: Do pass as amended short debate is Senate Bill 2416 and Senate Bill 2443. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services, reports the following committee action taken on May 29, 2011: Do pass as amended short debate is Senate Bill 1802, Senate Bill 2450, Senate 2454, and Senate Bill 2473. Representative Rita, Chairperson from the Committee on Business Occupational License, reports the following the committee action taken on May 29, 2011: Recommends be adopted is House Resolution 423, and a Motion to Concur in Senate Amendment #2 to House Bill 1490. Representative May, Chairperson from the Committee on Health Care Availability and Access, reports the following committee action taken on May 29, 2011: Recommends be adopted is House Resolution 406. Representative Dugan, Chairperson from the Committee on Agriculture and Conservation, reports of following the committee action taken on May 29, 2011: Recommends be adopted is House Resolution 424. The following Bills will be read on the Order of Second Reading and held. House Bills-Second Reading: House Bill 600, a Bill for an Act concerning education. Second Reading. House Bill 601, a Bill for an Act concerning education. Second Reading. The following Senate Bills will be read on the Order of Second Reading and held. Senate Bill 178, a Bill for an Act

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concerning government. Second Reading. Senate Bill 335, a Bill for an Act concerning finance. Second Reading. Senate Bill 669, a Bill for an Act concerning regulation. Second Reading. Senate Bill 673, a Bill for an Act concerning regulation. Second Reading. Senate Bill 1310, a Bill for an Act concerning regulation. Second Reading. Senate Bill 1436, a Bill for an Act concerning local government. Second Reading. Senate Bill 1533, a Bill for an Act concerning utility. Second Reading. Senate Bill 1556, a Bill for an Act concerning government. Second Reading. Senate Bill 1802, a Bill for an Act concerning State Government. Second Reading. Senate Bill 1852, a Bill for an Act concerning public health. Second Reading. Senate Bill 1883, a Bill for an Act concerning education. Second Reading. Senate Bill 1918, a Bill for an Act concerning State Government. Second Reading. Senate Bill 2062, a Bill for an Act concerning regulation. Second Reading. Senate Bill 2147, a Bill for an Act concerning State Government. Second Reading. Senate Bill 2168, a Bill for an Act concerning revenue. Second Reading. Senate Bill 2169, a Bill for an Act concerning regulation. Second Reading. Senate Bill 2403, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2405, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2407, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2408, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2409, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2412, a Bill for an Act concerning appropriations. Second Reading.

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Senate Bill 2413, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2414, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2416, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2419, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2449, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2450, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2454, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2443, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2473, a Bill for an Act concerning appropriations. Second Reading. Senate Bill 2474, a Bill for an Act concerning appropriations. Second Reading. And Senate Bill 2475, a Bill for an Act concerning appropriations. Second Reading. Senate Bill-Second Reading. Senate Bill 123, a Bill for an Act concerning regulation. Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."