

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 7, 2013: recommends to be adopted, referred to the floor is Floor Amendment #2 to House Bill 64, Floor Amendment #2 to House Bill 1017, Floor Amendments #6, 7, and 8 to House Bill 1154, Floor Amendment #1 to House Bill 1202, Floor Amendment #1 to House Bill 1203."

Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Reverend Doris Green, representing the AIDS Foundation of Chicago. Reverend Green is the guest of Representative Zalewski. Members and guests are asked to refrain from starting their laptops, turn off all cell phones, and rise for the invocation and Pledge of Allegiance. Reverend Green."

Reverend Green: "Thank you. We cannot merely pray to You, oh God, to end war for we know that You have made the world in a way that most people find their own path to peace without... I'm sorry, let me slow this down. We cannot merely pray to You, oh God, to end war for we know that you have made the world in a way that men must find his own path to peace within himself and with his neighbors. We cannot merely pray to You, oh God, to end starvation for You have already given us the resources that which to feed the entire world, if we would only use them wisely. We cannot merely pray to You, oh God, to root out prejudice for You have already given us eyes with which to see the good in all men, if we only use them rightly. We cannot merely pray

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

to You, oh God, to end despair for You have already given us the power to clear away slums and to give hope, if we would only use our power justly. We cannot merely pray to You, oh God, to end disease for You have already given us great minds with which to search out cures and healings, if we would only use them constructively. Therefore, we pray to You instead, oh God, to strengthen determination and willpower to do instead of just pray, to become instead of merely to wish, Amen."

Speaker Lang: "We'll be led in the Pledge today by Representative Demmer."

Demmer - 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 reflect that there are zero excused absences among House Democrats today."

Speaker Lang: "Leader Bost."

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

Speaker Lang: "Please take the record, Mr. Clerk. There are 117 Members present, we do have a quorum. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on March 6, 2013: do pass Short Debate for House Bill 1344;

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

and do pass as amended Short Debate for House Bill 101. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on March 6, 2013: do pass Short Debate for House Bill 1272, House Bill 1462, House Bill 2363, House Bill 2381, and House Joint Resolution Constitutional Amendment #18; do pass as amended Short Debate for House Bill 2369; and recommends be adopted House Resolution 61 and House Resolution 78. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on March 6, 2013: do pass Short Debate for House Bill 2353; and do pass as amended Short Debate for House Bill 1299. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on March 7, 2013: do pass Short Debate for House Bill 1188. Introduction of Resolutions. House Resolution 129, offered by Representative Unes and House Resolution 133, offered by Representative Dunkin."

Speaker Lang: "Mr. Clerk, Agreed Resolutions. Excuse me, Mr. Clerk, please proceed with the Committee Reports."

Clerk Bolin: "Further Committee Reports. Representative Jackson, Chairperson from the Committee on Counties & Townships reports the following committee action taken on March 7, 2013: do pass Short Debate for House Bill 1562, House Bill 1588, House Bill 2239, House Bill 2327, and House Bill 2377; do pass as amended Short Debate for House Bill 1405."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Thank you, Mr. Clerk. And now Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 128, offered by Representative Chapa LaVia. House Resolution 130, offered by Representative Riley. House Resolution 131, offered by Representative Riley. House Resolution 134, offered by Representative Berrios. House Resolution 135, offered by Representative Currie. House Resolution 136, offered by Representative Martwick. And House Resolution 137, offered by Representative Jefferson."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. We'd like to have an immediate Republican Caucus."

Speaker Lang: "The House will be at recess 'til the hour of 12:30 and the Republicans will caucus in Room 114. The House will be in order. Members will be in their chairs. The Chair Recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Hatcher will be excused for the rest of the day."

Speaker Lang: "Thank you, Sir. Mr. Clerk, on page 2 of the Calendar, under the Order... Weekly Order of Business-Second Reading, there appears House Bill 1154. Please read the Bill."

Clerk Bolin: "House Bill 1154, a Bill for an Act concerning public employee benefits. The Bill was read for a second

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 lost. Floor Amendments 6, 7, and 8 have been approved for consideration. Floor Amendment #6 is offered by Speaker Madigan."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Floor Amendment 6 is a continuation of the kind of votes that we were considering last week with regard to the pension Bills... the pension reform effort that... that we obviously are in the throes of. This particular Amendment deals with the cost-of-living adjustments which, as I think I mentioned last week, the... this single benefit constitutes about 20 percent of the overall cost of the... of the... of the pension benefits. And so, if we are going to impact, at all, the rising cost of the pensions and the pressure that's putting on our budget, we must look to the COLA. This is a 10-year freeze on the COLA. In this... I don't think any... any... this has not been part of any other proposal that's been put forth. But this is certainly what Mayor Emanuel put forth when he testified before the Pensions Committee last spring."

Speaker Lang: "Lady moves for the adoption of the Amendment. There being no debate, those in favor of the Amendment will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 2 voting 'yes', 67 voting 'no'. And the Amendment fails. Mr. Clerk."

Clerk Bolin: "Floor Amendment #7, offered by Speaker Madigan."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Leader Nekritz."

Nekritz: "I thought... I believe... I thought that Representative Zalewski was presenting this one."

Speaker Lang: "Excuse me. Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. Floor Amendment #7 does a... makes a change to the pension system that we've been discussing. It... it... it caps the pensionable salary at Social Security index which right now is at \$113 thousand. It's important to know that there's a grandfather provision in this... in this Bill which... which accounts for those who've exceeded that salary but going forward their pensionable salary will be at \$113 thousand. It is also important to know that with respect to this specific provision, this would remedy those situations where teachers in later... or administrators later in their career have their salaries inflated to a significant amount and that particular salary becomes onerous upon the system simply because it was inflated later in the... in the career. I think this is the Amendment that, we've been told, has... has much more support than... than other Amendments that have been put forth thus far. And I would respectfully ask for its adoption."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, I think this is a good Amendment. I want to start with that. I've... I've actually filed similar

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

legislation previously. So, I'm glad to see that we're finally going to be voting on it."

Zalewski: "Thank you."

Franks: "Has there been any studies or do you have any numbers that you can give us that would indicate how much we would save, should we pass this?"

Zalewski: "So, Representative, my understanding is that the SURS's actuarial analysis of House Bill 3411, which has this particular provision as one of its linchpins, would estimate the savings from this provision would bring in about a billion dollars. There's also a COGFA number that we're not entirely sure of its complete accuracy, so we'll stick with that number for now."

Franks: "That's pretty substantial savings. So, what... how this would work would be, people would be capped at the Social Security level which is indexed every year with CPI."

Zalewski: "Correct."

Franks: "So, this year would be \$113,700 and next year it could be... could be more, correct?"

Zalewski: "Correct."

Franks: "Okay. Now, for folks who are earning more, 'cause we have some high earners. Let's assume we have someone who's making \$200 thousand a year and that person has been... or let's... let's use the Governor, for an example. The Governor makes \$175 thousand a year. So, the Governor's been paying in for his pension at 175. How would this effect the Governor of the State of Illinois?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Zalewski: "Under your... under that hypothetical, because he's currently making that \$175 thousand level, he would be frozen at that \$175 thousand salary level."

Franks: "Okay. But he would not... now, if he'd paid more than the 175, would he... would he get the 113, 7 when he retired, or would he get 85 percent of the 175 thousand?"

Zalewski: "So, I'm told that... that it would be frozen at 175. If the Social Security index would ever reach that..."

Franks: "Oh, okay."

Zalewski: "...he could... then he would rise with that."

Franks: "Okay. So, this would be more for people who are not above that level yet, correct?"

Zalewski: "Correct."

Franks: "Okay. So... but once you've started making more... Let's assume you started making \$130 thousand or so, prospectively, then the most you would ever get is 113. So, you would not pay in more than you would actually be able to take out, correct?"

Zalewski: "The answer is yes with... with the caveat that your pension is based on a percentage of your salary."

Franks: "Correct."

Zalewski: "Yes."

Franks: "So, I'm not sure. Let's assume you're in the General Assembly or you're... you're a constitutional officer and you'd be entitled to 85 percent of your last wage, but you have not been elected yet. Okay. So, let's assume you run for whatever off... the Attorney General. I think the Attorney General makes around 150, but you have not yet been elected. So, if you run for Attorney General and you

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

stay there for 20 years and you're making \$150 thousand, you would not get a pension based on 85 percent of the 150, you would get the maximum of 113."

Zalewski: "That... under... Well, under your scenario, Representative, I'm told that Member would go under Tier... the Tier II system."

Franks: "Oh, you're right. Okay. But... okay. So, this would be more for people who would be earning more in the future."

Zalewski: "And a current employee."

Franks: "And the current... Okay. Well, I think it's a wonderful Amendment. I think it's long overdue. I'm glad you brought it forward. And I encourage everyone to vote for it."

Zalewski: "Thank... thank you, Jack."

Speaker Lang: "Representative Nekritz."

Nekritz: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Nekritz: "Representative, you, I think very adeq... competently described this is a cap. If... Is... Will someone continue to pay in on the... on the excess salary that they have in excess of the cap as their salary grows in the future?"

Zalewski: "No. The... the answer to your question is no."

Nekritz: "So, someone in that situation could take... Let's just say they're a school superintendent and they're making, you know, \$150 thousand a year, their salary grows to 160 next year. They could take the 9.4 percent that they're putting in now and put it into a deferred comp plan, put it into a 401k, create their own investment with it."

Zalewski: "Correct."

Nekritz: "All right. Thank you."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Mr. Zalewski to close."

Zalewski: "Again, on this particular Amendment, this is one Amendment where I... I believe that House Bill 3411 addresses a fix to the system that would bring in a billion dollars and I... I really think that if it were this Body is going to substantively deal with the pension systems, this is one Amendment where Members should... should think long and hard about voting 'aye' on this Amendment. I'd ask for its adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 65 voting 'yes', 7 voting 'no', 1 voting 'present'. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #8, offered by Speaker Madigan."

Speaker Lang: "Speaker Nek... Leader Nekritz. Sorry."

Nekritz: "Thank you, Mr. Speaker. We have a limited number of benefits that we can look to in order to... to achieve the savings that we... I think are important, again, to bring our expenses in line with our revenues. We've talked about the COLA... the COLA. We've talked about the... the pensionable salary. This is another one of those benefit impacts where we would ask employees, current employees, to contribute 4 percent more into the pension system, phased in over two years. So, 2 percent year one, 2 percent year two. Each... each... this would... this would bring in, in terms of revenue

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

into the pension system approximately... somewhere between 1 billion and 1.4 billion a year."

Speaker Lang: "Lady has moved for the adoption of the Amendment. The Chair recognizes Mr. Zalewski."

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

Speaker Lang: "Lady yields."

Zalewski: "How much... What would be the cost savings of this Amendment, Representative?"

Nekritz: "I'm told that the... each increase in the contribution of 1 percent is somewhere between 300 and 350 million. So, we're looking at probably at a billion, two to a billion, five."

Zalewski: "And on the issue of contributions to the... from members in the system in general..."

Nekritz: "Representative, I'm sorry, I... I was confused with the 2 percent. So, 1 percent is 170 so multiply that times 4, it's 700 million a year."

Zalewski: "All right, all right. And... and with respect to proposals that have been out there, what's been the recognition on this particular aspect of reform from all sides with respect to increase in contributions?"

Nekritz: "There are a number of the proposals that are out there that include an increase in employee contributions. Certainly, House Bill 3411 does that. There are, you know, a number... I think probably with... I'm sure that there's some exceptions, but I think I could say that there is a consensus around there, in all the proposals, that an increase in employee contributions will be part of the solution."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Zalewski: "Okay. Thank you, Representative."

Nekritz: "Thank you."

Speaker Lang: "Mr. Ford."

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

Speaker Lang: "Lady yields."

Ford: "Representative, I just have one question. If this Amendment should pass and there is a freeze in COLA, how much would this actually cost the professional in the long run?"

Nekritz: "Representative, it would really depend on what the freeze in the COLA is. I'm... and I'm not sure I understood your question."

Ford: "So, I know that there's a thought to freeze COLAs. And right now the COLAs are at what percentage?"

Nekritz: "The current COLA for a retiree is 3 percent compounded. But I... I would say that every proposal that's been put up on the board, so far, to freeze a COLA has... has really failed to achieve an adequate number of votes."

Ford: "Okay. So... but if this passes, COLAs right now would still be in effect. Is that correct?"

Nekritz: "This... this particular Amendment would have no impact on the COLA."

Ford: "Oh. And... but what happens if we pass the COLA, in another Amendment somewhere down the line. It may cost the retiree more, right?"

Nekritz: "Well, the retirees are not paying into the system currently. So, those are really two separate questions. Only active employees are required to increase their contributions. Retirees are not paying anything in. They're

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

only... they're receiving a check every month. So, there... these would... these would impact two entirely separate cohorts."

Ford: "Good. And what percentage of the... what percentage of the state contributors are there? What is it about 7 percent..."

Nekritz: "I..."

Ford: "...that's contributing to the pensions?"

Nekritz: "You mean what is... what is..."

Ford: "What percentage..."

Nekritz: "the percentage..."

Ford: "Yes... of..."

Nekritz: "...of active employees..."

Ford: "Yes."

Nekritz: "...versus retirees?"

Ford: "Yes."

Nekritz: "I think it would depend on the system. I... and honestly, I don't have those numbers, Representative."

Ford: "Okay. Thank you, Representative."

Nekritz: "Thank you."

Speaker Lang: "Representative Hernandez."

Hernandez: "Will the Member yield?"

Speaker Lang: "Lady yields."

Hernandez: "Representative, can you please tell me how... what is the total amount of... You said it's 2 percent increase in premium every two years."

Nekritz: "Oh. For... What's it..."

Hernandez: "So, it's a total of four."

Nekritz: "It's a total of four, correct."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Hernandez: "Okay. And with what we are currently paying into it right now, what it be a total of, then?"

Nekritz: "It would depend on the system. The teachers are paying in 9.4 percent, so this would take that to 13.4. For example, I think we, in the General Assembly, are paying in over 11 percent, so it would take it to 15 percent. And I'm not... so... and don't have the other numbers right on the top of my head. You know, SER... the... the state employees pay in less because they're coordinated with Social Security, for the most part. So, theirs would go from... They're... they're at 4 right now, so it would double it to 8."

Hernandez: "Okay. So, it ranges anywhere from 9 to 15 percent or so."

Nekritz: "I... with the first..."

Hernandez: "With... with the 4... the 4 percent increase."

Nekritz: "I would say... I would say it ranges from 8 to 15 percent, correct."

Hernandez: "Thank you."

Nekritz: "Thank you."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, I appreciate the cost estimate savings. That's pretty... that's pretty significant. Now, would this be across all five pension systems?"

Nekritz: "No, I believe this is only for four."

Franks: "Okay. And we've... we've left the judges out of this, correct?"

Nekritz: "Yes."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Franks: "Okay. Is there been any..."

Nekritz: "And I think... I think with regard to judges, this is... this one is particularly problematic because judges have a... a... a very specific protection in the Constitution for salaries as well. And I think that this would be a particularly problematic change for judges."

Franks: "That... that was my concern and that's where I was going. I appreciate that you anticipated that question because... are there any... I guess, are there... are there any prohibitions on increasing the contributions with any collective bargaining issues? 'Cause I know for us, for those Members of the General Assembly, it's not a big deal; we can do that. But I'm wondering are there any contracts that say opposite to this? Do we have any constitutional issues with this?"

Nekritz: "Well, I think there will certainly be those that would argue there are constitutional issues with this. I'm not aware that this particular component of the pension... of the Pension Code is a subject of collective bargaining."

Franks: "Okay. That's... that would be my concern. I think it... it makes sense obviously to maintain the type of pension system that we have. It's not sustainable with the amount that the employees are paying in. So, I think everyone anticipates they're going to have to pay more in. How did you come up with this number, though? Was there a... Did you look at different ones and how did you settle on this one?"

Nekritz: "Well, Representative, you'll... you'll see that the... in the proposals that are out there, there's a wide range of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

requests for additional contributions. So, last week we voted on a 5 percent increase that was..."

Franks: "Went nowhere."

Nekritz: "...with no phase in. There... in the... in the proposal that I've put forward, it's a 2 percent increase phased in over two years. Leader Lang has a proposal for 3 percent. So, you know, there's... I don't think there's any magic to any of the numbers. It's really how they come together to achieve the adequate level of savings that... that we need to, again, have the increase in the pension payment match our... the increases in our revenues going forward."

Franks: "Well, thank you. I appreciate it."

Speaker Lang: "Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. Again, you know, these... this is a... we have a menu of options before us to... to impact benefits in a way that makes the overall pension system affordable for taxpayers and sustainable for those who are expecting this pension when... when they reti... as they age and when they retire. And I think this is a compo... an important component part of the... of the package. Thank you."

Speaker Lang: "Those in favor of the Amendment will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 11 voting 'yes', 52... 58 voting 'no', 2 voting 'present'. And the Amendment fails. Mr. Clerk."

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Third Reading. Please hold the Bill on the Order of Third Reading. Mr. Clerk, please read the Bill on Third Reading."

Clerk Bolin: "House Bill 1154, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Out of the record. Members, we're moving to page 3 of the Calendar, under the Order of House Bills-Second Reading. House Bill 64, Mr. Ford. Please read the Bill."

Clerk Bolin: "House Bill 64, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Ford, has been approved for consideration."

Speaker Lang: "Mr. Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I move to adopt House Floor Amendment #2. It removes the requirement that elementary and secondary schools included... include excep... expectations of students using social network websites in school discipline rule policies. There is no opposition to this Amendment. And I move for the adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 1017, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 1017, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

was adopted in committee. Floor Amendment #2, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 1017 is language that was agreed on by all nine parties who are in support of this Bill, predominantly the Illinois State Medical Society, clarifying some points that we made in the underlying legislation."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Moving to page 4 of the Calendar. House Bill 1202, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 1202, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sosnowski, has been approved for consideration."

Speaker Lang: "Out of the record, Mr. Clerk. Turning to page 5 of the Calendar, House Bill 1203, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 1203, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sosnowski, has been approved for consideration."

Speaker Lang: "Mr. Sosnowski."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Sosnowski: "This just makes an agreed upon Amendment to the underlying Bill. I'd ask for its adoption. I can discuss it more on Third Reading."

Speaker Lang: "Gentleman moves for adoption of the Amendment. There being no debate, those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Members, turning to page 7 of the Calendar, under the Order of the House Bills-Third Reading, please be aware that we're going to go down the list and be ready when your Bill is called. First one is House Bill 61, Mr. Ford. Please read the Bill."

Clerk Bolin: "House Bill 61, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Lang: "Mr. Ford."

Ford: "Thank you, Mr. Speaker, Members of the House. I'd move to adopt House Bill 61. What it does, it removes the principal... principal notification at schools about whether or not a student has HIV or AIDS. This measure is supported by the Department of Public Health and it has a host of proponents and I'm very happy that we're at this point in the process where we know more about HIV and AIDS and we know how HIV and AIDS can be contracted. We do know that universal precaution is the best measure for dealing with a person with HIV and AIDS. And I move for the adoption of House Bill 61."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Sacia."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

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

Speaker Lang: "Sponsor yields."

Sacia: "Representative Ford, if I understand this correctly, it would mean that if a child has HIV and is enrolled in school, that the school officials would not need to be notified that the child does have this... this disease. Is that correct?"

Ford: "Correct."

Sacia: "I... I don't profess to have any knowledge on HIV, but I've always been led to believe that there are some significant issues there that... Is it fair to say it is a communicable disease..."

Ford: "Yes."

Sacia: "...with cert... in certain situations?"

Ford: "Yes."

Sacia: "So, why would we not want..."

Ford: "It's not communicable, no. It's not. It's passed through blood."

Sacia: "Okay. So... so, okay, we have... we have children two children wrestling on the schoolyard and... and one, you know, perhaps bites another one or a blood transfer occurs somehow between kids. I know it doesn't happen often, but assume that it did. Wouldn't it be good if school officials were aware that that child that was involved in that incident did have HIV?"

Ford: "I can only answer the question that, right now the law states that schools and... should use universal precaution in all circumstances to prevent cases where the schools are not aware of the student that have been tested... that has

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

not been tested and has HIV or AIDS and the school is unaware of it. So, the goal is to deal with all cases the same and use universal precaution when dealing with HIV and AIDS in school. It's also important to know that, right now, the only individual... the only human right now that has this stigma on them are children."

Sacia: "Mr. Speaker, could you get us some order. I'm having a real problem hearing. Thank you. I'm sorry, Representative Ford."

Ford: "And the... the problem is the only person right now that still is required to have their status known publicly are children. Well, HIPAA protects children as well. And so, it's important that we protect students right to privacy as well as protecting the rights of privacy of others. If our concern is that HIV or AIDS can be transferred because a student has it, then I think it is most important that we do everything in all settings to use universal precautions. And this Bill sets forth the universal precaution and it kicks it in and it really makes sure that all schools are more aware that universal precautions are used. And the first responders were once against us. They are now in support of this legislation because of it's time. The CDC and the Department of Public Health, everyone now believes that it's time for this measure to pass."

Sacia: "Thank you, Representative Ford. I... I do see here that the Illinois Family... on our... on our side anyway, is showing the Illinois Family Institute as opposed. Could you... could you share their concerns?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Ford: "I... Yes, I appreciated their concerns. Their concerns were worth listening to and their only concern was they wanted to know. And they feel that if a child has HIV or AIDS, then we should treat those children differently and that's discrimination. I don't think you should treat children differently because they are identified with HIV and AIDS. You should treat everyone as if they are carriers of HIV or AIDS. If we fail to do that, we put every child and every teacher and every faculty member in jeopardy of contracting HIV and AIDS because we're not using universal precautions."

Sacia: "So, if I understand correctly, what you just said, every child should be treated as if they could have HIV. Did I understand you correctly?"

Ford: "We should treat everyone with the universal precaution because some children could possibly have HIV and never had the test. And so, we will assume that the only child that has HIV or AIDS are the ones that have been tested and that the school has been notified. What about the child that's never been tested and... and we don't know about?"

Sacia: "Well, Representative Ford, I don't question for a minute that you know a lot more about the Bill than I do. I do know that several folks have spoken with me about it and had asked that I be a 'no' on this Bill. And again, I respect what you're trying to do and I guess it's hard for me to get my arms around the fact that we're... we're better to treat every school child as if they have HIV..."

Ford: "I can help you with it. Let's say, for instance, we have two individuals that are on the playground and none of

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

the students have been tested, neither of the students have been tested for HIV and AIDS, but one of them has it. So, we don't know about it; so, we're going to treat that child as if he or she is HIV negative because we don't know about it. But... So, we're going to let that child move about in the normal way because we haven't been notified that this child has HIV or AIDS. Universal precaution says, you treat everyone whether they've been tested or not as if they are positive so that we prevent unknown incidents from happening. So, universal precaution is very important."

Sacia: "I... I... I guess that's something that I know very, very little about. So, you're telling me that the universal precaution is being used in Pecatonica, Illinois and in Chicago, Illinois and in Hebron and you know, I mean..."

Ford: "It... it's used in schools and it's... yes and that's why the Department of Public Health endorsed this legislation."

Sacia: "I appreciate your dialogue, Representative."

Ford: "Thank you."

Sacia: "Thank you."

Speaker Lang: "Representative Pihos."

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

Speaker Lang: "Sponsor yields."

Pihos: "Yes. Representative Ford, is there any other communicable disease that need to be reported to schools?"

Ford: "No. Thank you for that. The answer is no."

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

Speaker Lang: "Representative Tracy."

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

Speaker Lang: "Gentleman yields."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Tracy: "Representative Ford, I had a few questions. I... I know that your legislation is solely geared toward the best interest of the child. Isn't that correct?"

Ford: "And the entire school."

Tracy: "And you know, I... I heard you characterize some of the information from the Illinois Family Institute. And I likewise visited with them because I... I certainly think that every child deserves their privacy and especially the... the consequences that could be incurred if such a situation were made public. But I'm wondering, if it isn't also in the best interest of the child that a teacher or a principal, who, we place our children in their care, and I... I can see some instances where a principal or a teacher might be looking out for the best welfare of a child that they would know had HIV indications in a preventive... a preventive measure rather than an after the exposure adventure would sometimes happens with our universal preventive measu... measures. For instance, if you have a child that you know, in the classroom, is a biter and having raised four children, I... I actually had a situation where my children were in a setting where one of the young children was a biter. And it was a real problem. Can you not see that a situation... What could you see... How would... If... if... Do you perceive that if the teacher had this knowledge it might better serve the children within her care?"

Ford: "Is it possible to prevent a biter from biting?"

Tracy: "Well, children are children."

Ford: "Right."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Tracy: "And that's why we have a teacher in charge of a classroom, a principal in charge of a school."

Ford: "All right. And you would say that the child that we know of that has HIV or AIDS should be discriminated against and put in isolation because he or she may be a biter and we..."

Tracy: "No, no. What I'm saying is, is there may be a child within that classroom that is a biter."

Ford: "Right. So, what do we do about that? What type of response would you..."

Tracy: "But... Well, I... I think, certainly, a teacher might have that knowledge and think that she would have to be more aware of the situation, if that was within her care to keep a child with HIV from the biter."

Ford: "Okay."

Tracy: "You know, it just... it... it's..."

Ford: "And... and for the record, the CDC and there has never been a case of a... a... where a biter has transmitted HIV or AIDS to a person. So, that's a fact and secondly, I think that... what about the student that has HIV or AIDS that the teacher is not aware of and that child is a biter or receives a bite. What would you do about that? That's why it's great to deal with the universal precaution the way the Department of Public Health is encouraging."

Tracy: "Well, in... in your instance without the knowledge, I don't see what possible tool they would have to prevent any possibility. Now, let me propose another question that comes to mind. Is we just recently went through a large flu epidemic in our state and if the teacher has within her care children that are coughing, sneezing, and the like and

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

she doesn't know, she might have a child with HIV within her classroom, she does noth... I mean, you know, they use their preventive measures that you know are universal; however, it occurs to me that it might be that a child with HIV would be better served to be placed away from a sneezing and coughing child..."

Ford: "Now, that's..."

Tracy: "...for best interest of that child..."

Ford: "I... I..."

Tracy: "...that has HIV."

Ford: "That's... So, are you telling me that you believe that you could contract HIV from sneezing and coughing?"

Tracy: "No, I believe a child with HIV may have a compromised immune system and I'm saying it might be for the better protection of the HIV child..."

Ford: "That's a good... So, you're saying that the child should be discriminated against and put in isolation because of the..."

Tracy: "Not in isolation, but the teacher could, as an adult, recognize that there may be a better place within the classroom for that child to sit than someone that's cough... coughing and hacking and sneezing and not using the best preventive measures that children sometimes won't know to do or can't..."

Ford: "You know, everything that you've talked about, when you talk about biting, when you talk about sneezing, all of those are teachable moments for teachers to talk about, we should not bite, to talk about when we sneeze we should cover our mouth, to talk about, when we sneeze we should

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

use Kleenex so that we can... So those are teachable moments and I think that that's... that's covered."

Tracy: "Well, I... would... I don't know, Representative Ford, do you have children?"

Ford: "I have a daughter. She's going to be nine."

Tracy: "Nine. Well, I... I have four and I've been to pre-K classes. I've been to kindergarten. I've been to first grade and perhaps you have been too. Children are children and I just think if we give adults, who we place these children within their care, the best tools and certainly they would be prohibited from in any way discriminating against a child who happens to have this HIV factor in their lives. It just would be well within their..."

Ford: "And I appreciate your comments and..."

Tracy: "And one other thing, I mean, do we have any statistics on how many children are actually in Illinois schools that are HIV positive? I mean, just... it occurs to me that we're legislating something and I don't even know if it's..."

Ford: "I'm glad you bring that up. One of the leading groups that are having an increase in HIV contractions are the high schools. And so, they're discouraged from taking the HIV test because their status is going to be known public. And what we want to do in this state is encourage more people to be tested so that we can prevent them from... and... and allow them to have longer lives and live with the disease."

Tracy: "But you don't have any numbers."

Ford: "I could sure get you numbers."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Tracy: "Okay. I just wondered. I've asked that question and I... I think it, you know, would be pertinent to the discussion if we had a quantification of... of... of how many instances we're actually dealing with. Maybe it would be a better..."

"Ford: "And... and..."

Tracy: "...helpful in the discussion."

Ford: "And for the record, I used to teach also. And I think that a teacher has a responsibility and Representative Flowers is always talking about washing hands and we have to make sure..."

Tracy: "Certainly."

Ford: "...we do all sorts of things like that. And I think that everyone under this Bill will be protected using universal precaution. And you know, this country has spent so much money on research and knowledge about HIV and AIDS, it only makes sense now that we've come so far and we understand how HIV and AIDS are contracted that we move forward. And we now protect students right to privacy and pass this legislation."

Tracy: "Thank you."

Speaker Lang: "Mr. Hays."

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

Speaker Lang: "Gentleman yields."

Hays: "Representative, is it fair to say that the school officials who have this information would be under the similar rules as a health care provider or staff at the doctor's office, staff at the local hospital who cannot divulge health care information except for on a need-to-know basis in terms of care for the patient?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Ford: "Did you... I'm sorry... I'm sorry you have to repeat that."

Hays: "Well... well, any of our health care status is protected under HIPAA laws that the physician, the nurse, the person at the counter at your local doctor's office, personnel at the hospital cannot divulge your health care status to anyone unless they have a need to know as it relates to your health care. In other words, if I'm in the hospital for surgery, obviously, the nurse and the surgery department needs to know what's going on with me but the custodial staff does not, and other people in the hospital do not. And those rules are taken so seriously that it's one strike and you're out. And so, at the school if the principal, for the sake of discussion, maybe the classroom teacher, maybe even the PE teacher perhaps, maybe even the custodian at the school know this information for... for obvious reasons, would they not be held to a similar standard that divulging that information and having that child at risk for some kind of a stigma would be unallowable currently. Would that be an accurate statement?"

Ford: "So, you know, I just want to ask you, are you going down a path that someone should know at the school?"

Hays: "Well, what I... what I'm saying is... is at your local doctor's office or your local hospital, if somebody divulges your or child or any..."

Ford: "Okay. No. A custodian..."

Hays: "...body's health care information..."

Ford: "...worker would not be..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Hays: "...that they're fired... they're fired. It's so serious and it's so private that under the HIPAA laws one strike and you would be out and not in the employ of the health care provider any longer. Wouldn't a better approach than saying let's not notify the schools in the best interest, I think, of the child and other children, wouldn't a better approach be to make sure that those school officials are held to that same extraordinarily strict standard that health care professionals are held to, which should eliminate even the chance of a stigma."

Ford: "You know, I think that what's important is to move into the direction that where we have come to with all the money that we've spent on the study of HIV and AIDS and knowing exactly what and how a person could contract HIV or AIDS and to move to universal precaution to protect everyone in the school and to understand that just because a staff person, a principal, knows something about a person's status, there's nothing they can do to help that person anyway if there is a problem. So, I think that universal precaution protects everyone. When you think about all the reasons why we use universal precaution in... in our daily life, this is one of the times that we have to make sure that we protect the students and the teachers and everyone in the school and make sure that we begin to teach the students to wash their hands more, to... to cover their mouths and do things like that. It's universal precautions that save lives."

Hays: "Thank you, Representative. To the Bill. I think the Representative, particularly as it relates to the stigma

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

that would come to a student if this was widely known, for any health care condition, I think is a... is a point well-taken. But I... for my perspective, the appropriate going forward here is not to not let the officials at the school know what's going on. That would be a bad idea if it's for a diabetic patient who was insulin dependent, it would be a bad idea if it was for a student who had any other kind of a medical condition where the school needs to be a partner with the health care community in ensuring the safety of that student and the health of that student and of other students. I think there are other ways to get at what you are looking at doing. For that reason I, respectfully, will not be supporting this Bill. Thank you."

Speaker Lang: "Representative Cassidy."

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

Speaker Lang: "Gentleman yields."

Cassidy: "Representative, are schools currently mandated to utilize universal precautions?"

Ford: "Yes."

Cassidy: "So, curren... under current law, every student must be treated with universal precautions."

Ford: "Yes."

Cassidy: "So, by telling a school administrator or a teacher that one kid in the classroom has this condition, we might be setting up a situation where the child might be treated differently."

Ford: "Correct."

Cassidy: "To the Bill. I think that it needs to be made very clear, the CDC has... has made clear that there has never

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

been a case of HIV transmission in a school setting. To the previous speaker's issue about HIPAA, when you go to your doctor, you sign an acknowledgement of... of your understanding of HIPAA. These students and their parents are not given that same authority to waive their HIPAA rights. And... and to the issue of the question of... of diabetics in school or kids with peanut allergies or any of those things, the parents make the decision to take the school as a partner in... in... in that issue and in that child's care. My guess is that many parents with chil... who have children with HIV would make that decision. The difference is that this is the only condition where that notification is mandated and it sets up the possibility where misunderstanding and stigmatization of a... of a particular condition could cause a child to be treated differently and... and mistreated in a school setting. And for that reason, I strongly support this Bill."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I rise in support of this Bill. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Jakobsson: "Representative, I know that you've been asked this several times, but I just want to make sure that I'm understanding that this Bill is about the child in the classroom and the child that might have HIV. We want to make sure that... Are you trying to make sure that the child is treated just like any other child in the school?"

Ford: "Yes."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Jakobsson: "And so, what is... what is... that you talk... I mean, I was in committee and I heard people say, but maybe the child shouldn't be right near everybody else. So, what's your response to that when we think about, you know, somebody said, well, if the child has a cold maybe they're even separated and that was a statement that was made in a committee hearing. What's your thought about that? Should we separate the child?"

Ford: "No. I mean, I think that the parent and the physician understands the... the student's level of illness, if the child is ill. And they understand the precautions that have to be taken and that's what I think. And not to mention, that one... one of the most important things that we have to remember that this law that we're trying to repeal violates the HIPAA law. And so, if we here in Illinois want to not be in violation of the HIPAA law, I think it's important that we pass this Bill."

Jakobsson: "Thank you. That's another good point that I was hoping that you might make because we know we live under that law and so, I believe everybody should live under the HIPAA law. So, to the Bill. I... I believe that this is a really important piece of legislation to pass. It's really about our students, our children in our classrooms and I'm... and I'm under the understanding that our classrooms are supposed to be inclusive. They're supposed to encourage full participation of all of the students. And so, I encourage an 'aye' vote."

Speaker Lang: "Representative Flowers."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill. We are talking about AIDS and quite frankly, more people have died from MRSA... more people have died from MRSA than from AIDS in this country and in this state and no one is... has passed any type of legislation saying that the teacher has a right to know. So, once again, Representative Ford, I commend you on this legislation and I would urge everyone to vote 'aye' because the children are also protected by HIPAA laws. They have a right to be protected and MRSA has killed more children than AIDS. AIDS is something that we can live with and not die from. I would urge an 'aye' vote. Thank you."

Speaker Lang: "Representative Gabel."

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

Speaker Lang: "Sponsor yields."

Gabel: "So, you may have answered this earlier, I... I... I don't recall, but are there any other conditions, medical conditions, that are required to be reported to the schools?"

Ford: "No, Representative."

Gabel: "And in your opinion, has... has HIV disease and AIDS, has that changed over the years, our understanding of it, our treatment of it?"

Ford: "Yes."

Gabel: "So, I... I think that... To the Bill. I think that, really, our understanding, our treatment of AIDS is so much different today than it was when this Bill was first passed. I think that this is an issue of respect for our

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

students, a respect for privacy and really to be able to treat our... our children with respect in the classroom. So, I think that parents have the ability, if they want to tell the school they can. And I believe that that's what parents of children with diabetes do, if they are concerned about it, they can talk to the school about it. I think parents who have children with AIDS or HIV, they have the ability to talk to their teachers about it and the principal. And I don't think that this disease should be treated differently than all the other diseases that... that children have and that they bring to school. I have one other question for the... for the Sponsor. So, are there any cases that have been identified of HIV being spread through biting?"

Ford: "No, no cases. And I've checked that fact and the answer is no."

Gabel: "Thank you, thank you very much. I strongly support this Bill and I urge all of us to vote 'yes'. Thank you."

Speaker Lang: "Mr. Ford to close."

Ford: "Thank you, Mr. Speaker and for all the Members that spoke during the debate. I want to thank Representative Flowers, Representative Gabel, Representative Harris, and our former Member, Representative Connie Howard. These are people that have been... and Representative, of course, Leader Currie, who have been fighting for these issues for a very long time. And I'm just lucky to be one to try to carry this one at this time. And I ask for a favorable vote."

Speaker Lang: "Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Burke, Fortner. Please take the record. On this question, there are 61 voting 'yes', 55 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Stay... stay there, Mr. Ford. House Bill 77, Mr. Ford. Read the Bill."

Clerk Bolin: "House Bill 77, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Continuing down the Order of Ford. Please proceed, Sir."

Ford: "Thank you. Okay. So, this Bill... we talked about this Bill and I learned a lot from all of the Members. So, what I did, I went back and I did everything that I could to have a better Bill and now the Bill has no opposition and it has the support of the American Heart Association and has the support of CPS. And so, I will take any questions. And it also only applies to the Chicago Public Schools and it brings Illinois and the Chicago Public Schools in line with the recommendations from the Federal Government. And I ask for the passage of House Bill 77."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Pihos."

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

Ford: "Yes."

Speaker Lang: "Gentleman yields."

Pihos: "Yes. You talked about this meeting all the regulations of the Federal Government. You are aware that the Federal

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Government, right now, is taking comments on what their rules are going to be moving forward."

Ford: "So, the rules, they are still... I'm being told that they're still going over the rules. But the one rule that they have established is no trans fats and bought with the federal dollars. And I just want you to know that because of your recommendations, all of the other times when we or I tried to prohibit trans fats, this is only limited now during the school hours. Only during school hours when federal lunch program is in place. It's not for sporting events. It's only during the hours of school lunch."

Pihos: "And did you tell me at one point in time that this was for Chicago schools only?"

Ford: "You're correct."

Pihos: "Okay. I'm... I am still in strong opposition of the Bill. I think we should wait, see what rules go forward from the Federal Government. I think Chicago Public Schools are working hard on providing a good education for their children and I don't think we need to distract them with a Bill like this at the moment. So, I do rise in opposition to the Bill and encourage a 'no' vote."

Speaker Lang: "Mr. Moffitt."

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

Speaker Lang: "Gentleman yields."

Moffitt: "Representative, would you... initially there were significant number of opponents. You made some changes. Have all opponents gone neutral?"

Ford: "That's right"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Moffitt: "So, you addressed their concerns and what were those?"

Ford: "All concerns were addressed and it's a better Bill and I'm very happy that I was able to work with both sides of the aisle to give me recommendations to make this Bill better for Illinois."

Moffitt: "So, as it is now, it applies only to Chicago schools. Is that correct?"

Ford: "That's correct."

Moffitt: "And does it actually ban certain foods?"

Ford: "What it does do is make sure that during the lunch hour when... Students can bring whatever they want into the... in their hot... in their bag lunches. It's just saying that during the lunch hour that schools should not serve trans fat with any extra servings, just during the lunch hour. So, basketball games, any extracurricular activities, any sales, like that they're trying to do fundraising, they can continue to sell trans fatty goods at this time."

Moffitt: "And are schools required to have a professional nutritionist or dietitian or someone with expertise in..."

Ford: "You know, that I'm not sure, but I can tell you that the only thing that a school lunch provider would have to do is when they're ordering their lunch... Whatever you buy, if you buy a doughnut, you can buy a doughnut with trans fat or you can buy a doughnut without trans fat. So, the request would be, we would like to have the best lunch for our students here and we recommend that you provide us any products without trans fats. So, it doesn't take a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

dietician to do it, it just takes someone that can read and make proper orders."

Moffitt: "Okay. Well, I just... I... It started out with lots of opponents and I think we want to leave as much as we can to as a local decision and I believe they do have professional guidance in... in their meal planning. So, thank you for your response."

Ford: "Thank you."

Speaker Lang: "Representative Mayfield."

Mayfield: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Mayfield: "Representative Ford, is there any provision in your Bill that allows for exercise?"

Ford: "Well, I mean, I don't see one, but... and I'm all for students being fit and I think that it's important that we... when they workout they have good health."

Mayfield: "Well, according to the American Heart Association and many other organizations out there for fitness, and I appreciate what you're trying to do, but it's diet and exercise. What you're seeking to do is to remove basically everything from the menu. Yes, you know, we've already got... We're baking the fries. We're baking the pizza. We've removed the Ho Hos, the Twinkies, the doughnuts, all these things are already removed from the schools, but until we put exercise in there, our children will continue to be obese. I feel that this is an extra oversight that is unnecessary for the school district."

Ford: "We're not putting anything in, we're just saying that... Right now the Federal Government is saying that you cannot..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

you cannot provide trans fat items to the students. And so that means that a school, if they're going to serve French fries, if they're going to serve any type of food, it cannot have trans fats. So, we're saying, in this case, for Chicago, not your area..."

Mayfield: "This Bill is just for Chicago?"

Ford: "Yes. And it's saying that we should simply just say that when the schools are ordering foods please exclude items that have trans fats."

Mayfield: "But is this going to create an additional expense for the schools because when you start talking about taking out trans fats we're looking at more organically grown foods..."

Ford: "No."

Mayfield: "...and those foods are a lot more expensive."

Ford: "We don't have..."

Mayfield: "And a lot of our school districts are on budgets."

Ford: "You know, right now you can have Twinkies, you can have Nabisco Oreo cookies, you can have potato chips, you can have almost whatever you want to eat and trans fats are not included in it."

Mayfield: "Well, Representative, I appreciate what you're trying to do, but I'm still..."

Ford: "It's only for Chicago."

Mayfield: "...going to vote 'no' on your Bill. I would like to see an exercise component. It is diet and exercise. Thank you."

Speaker Lang: "Mr. Reis."

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Sponsor yields."

Reis: "Representative, you've been here six or eight years and I think this is the sixth or eighth year you've brought this Bill to the floor. I just wanted to remind all the new people that we've debated this Bill and discussed it and just because you've carved out CPS doesn't necessarily mean... I mean, you've just spent quite a while on a Bill a while ago saying we shouldn't discriminate. I mean, if it's so bad, why isn't it so bad for the whole state?"

Ford: "'Cause you didn't want it."

Reis: "Well, let the local schools decide."

Ford: "And they did. Chicago..."

Reis: "Maybe there's schools in Chicago."

Ford: "...Public Schools said they want it."

Reis: "Let them decide it themselves."

Ford: "They did; that's why I'm doing this."

Reis: "Why do we have to legislate it?"

Ford: "They needed... they wanted... You just gave me the answer. Let the local schools decide. They have decided and I ask you to support their decision."

Reis: "We don't have to pass a law for them to do that."

Ford: "There's a lot of things we don't have to do but things happen..."

Reis: "Well, that's... Hey, we agree with something, Representative."

Ford: "And you've got to remember that..."

Reis: "Let the local school board make this decision."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Ford: "They did. And remember this is something that the Federal Government has already made the decision. The Federal Government has..."

Reis: "Well..."

Ford: "...already sent down the guidelines that..."

Reis: "I... I'm glad you brought up the Federal Government because now that the First Lady has mangled (sic-meddled) around in all of our school lunches... Have you ever went to the trash cans at our schools? They have to change them every lunch period because kids are dumping so much food in the trash cans."

Ford: "What kind of food?"

Reis: "Everything that doesn't taste good."

Ford: "Right."

Reis: "The trash cans are full every day. I have superintendents and teachers say, David, it is so wasteful what has happened in the last year because we're trying to force food down these kids that they don't like. So, if the local school board sees that the... the food is going into the trash, let them make the decision on what kind of food they want to eat, not from Springfield or not from the White House."

Ford: "So..."

Reis: "The kids are telling us they don't like this food."

Ford: "So, you're saying that we have no duty here to provide for better quality of life for the people that we represent."

Reis: "Let them make that decision at the local school board level. That's the argument that we've made against this

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Bill every year. You're hurting Illinois farmers with this."

Ford: "No. They are neutral."

Reis: "We're still trying to get an answer from that, maybe only 'cause you've done CPS."

Ford: "There's no opposition and the school board that you're talking about, they're for it."

Reis: "Will you absolutely guarantee us that you won't come back with a Bill that makes this statewide?"

Ford: "Yes. For the record, I will not come back with a statewide trans fat Bill for schools."

Reis: "Somebody else will. Okay. Is this an unfunded mandate? Is this going to increase cost for food because they have to buy certain foods that aren't readily available and may have a higher cost?"

Ford: "No. In fact, guess what, the school districts can receive money for their lunch program because they want to provide healthier choices. So, this can help."

Reis: "Where do they get that money from?"

Ford: "Excuse me?"

Reis: "Where do they get that money from?"

Ford: "Well, I mean, they're going to get it from the Federal Government."

Reis: "They're \$16 trillion in debt."

Ford: "We're still spending though."

Reis: "To the Bill, just real quickly. This should be a local control issue that principals and teachers can do on their own. The constant nanny state of Bills that comes out of this chamber is unbelievable. I don't know why... how we're

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

going to be able to do anything anywhere here before long. Our kids are telling us they don't like the food. They're throwing it in the trash and this is just too much government. I encourage a 'no' vote."

Speaker Lang: "Representative Flowers."

Flowers: "Once again, I rise in support of the Gentleman's Bill. In the State of Nevada, they also passed legislation or they were considering legislation to eliminate trans fat because it has been proven that trans fat kills. And trans fat is a double jeopardy; it causes the good cholesterol to go down and the bad cholesterol to go up. It causes our children to have a higher rate of diabetes and our children are going to be sicker longer and they're going to cost the state that much more because we're going to have to take care of them that much more longer. It's unfortunate that we have taken exercise out of the school. So, if we were to leave the trans fat in, if we had exercise in the school, maybe they could work it off. But because they're no longer able to have recess, because they are no longer... able to have gym, they are just sitting there. They're not moving and as a result it's causing hardening of the arteries for our children. And the reason why the garbage is full because the kids don't want to eat that junk. There's a way that they could eat healthy. We are making a long-term investment into our future. We're talking about our children. We should eliminate all the bad things in the schools. We don't want guns in the schools. We don't want bullies in the schools. We don't want bad teachers in the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

schools and nor should we want trans fat. It kills. I urge an 'aye' vote. Thank you."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. If this gets the req.. the number of votes necessary, I'd ask for a verification."

Speaker Lang: "Your request is acknowledged, Sir. Mr. Ford to close."

Ford: "Thank you for the opportunity. This Bill only provides for about 30 to 45 minutes of lunch time where we prohibit trans fat goods sold or given to kids in Chicago, in Chicago only. The Chicago Public Schools supports it and I urge an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. 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? Acevedo, Feigenholtz. Mr. Clerk, please take the record. On this question, there are 58 voting 'yes', 57 voting 'no', and 2 voting 'present'. And the Gentleman moves for Postponed Consideration. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 07, 2013: recommends be adopted Floor Amendment #10 for House Bill 1154."

Speaker Lang: "Chair recognizes Greg Harris."

Harris, G.: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Lang: "Please proceed."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Harris, G.: "I would like to have one of the embarrassing moments where I ask the Clerk to correct the record on House Bill 61. I intended to vote 'yes' as a cosponsor. Due to either operator error or equipment malfunction, I recorded myself as 'no'. I believe, I wish to be recorded a 'yes'."

Speaker Lang: "The record will reflect your intention. Moving to page 9 of the Calendar, under the Order of Senate Bills-Third Reading, appears Senate Bill 622. Mr. Clerk."

Clerk Bolin: "Senate Bill 622, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. I'd like to move the Bill back to Second for purposes of eliminating an Amendment."

Speaker Lang: "Mr. Clerk, please put the Bill back on the Order of Second Reading and read the Bill."

Clerk Bolin: "Senate Bill 622, a Bill for an Act concerning regulation. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. I move that we amend the Bill by taking off House Amendment 1 to Senate Bill 622."

Speaker Lang: "Lady moves to table the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is tabled. Mr. Clerk. Mr. Clerk, we'll take this Bill out of the record. Returning to page 7 of the Calendar, there... under the Order of House Bills-Third Reading, appears House Bill 100. Mr. Costello. Please read

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

the Bill. Mr. Clerk, out of the record. Returning to page 2 of the Calendar, under the Order of House Bills-Second Reading. Mr. Clerk, please read House Bill 1."

Clerk Bolin: "House Bill 1, a Bill for an Act concerning alternative treatment for serious diseases causing chronic pain and debilitating conditions. Second Reading of this House Bill. Amendments 1, 2, 3, and 4 were adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 22, Representative Flowers. Out of the record. House Bill 83, Representative Dan Burke. Out of the record. House Bill 86, Mr. Franks. Read the Bill, please."

Clerk Bolin: "House Bill 86, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 163, Representative Osmond. Out of the record. House Bill 743, Mr. Jackson. Mr. Jackson. Please read the Bill."

Clerk Bolin: "House Bill 743, a Bill for an Act concerning wildlife. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 982, Mr. Mautino. Out of the record. House Bill... House Bill 1163, Mr. Brown. Out of the record. House Bill 1201, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 1201, a Bill for an Act concerning local government. Second Reading of this House Bill.

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Amendment #1 was adopted in committee. No Floor Amendments.
No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1233, Mr. Sacia. Out of the record. House Bill 1256, Representative Gordon. Out of the record. House Bill 1281, Representative Senger. Out of the record. House Bill 1330, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 1330, a Bill for an Act concerning land. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 1379, Mr. Phelps. Out of the record. House Bill 1404, Mr. Bradley. Please read the Bill."

Clerk Bolin: "House Bill 1404, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1453, Kelly Burke. Representative Kelly Burke. Out of the record. House Bill 1486, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 1486, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1534, Mr. Unes. Please read the Bill."

Clerk Bolin: "House Bill 1534, a Bill for an Act concerning utilities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Third Reading. House Bill 1538, Representative Golar. Out of the record. House Bill 1568, Representative Nekritz. Out of the record. House Bill 1570. Please read the Bill."

Clerk Bolin: "House Bill 1570, a Bill for an Act concerning gaming. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1581, Mr. Beiser. Please read the Bill."

Clerk Bolin: "House Bill 1581, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1589. Please read the Bill."

Clerk Bolin: "House Bill 1589, a Bill for an Act concerning gaming. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Turning to the next page, Members. House Bill 2232, Mr. Tryon. Out of the record. House Bill 2245, Representative Chapa LaVia. Out of the record. House Bill 2269, Mr. Evans. Please read the Bill."

Clerk Bolin: "House Bill 2269, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2310, Mr. Beiser. Please read the Bill."

Clerk Bolin: "House Bill 2310, a Bill for an Act concerning transportation. Second Reading of this House Bill. No

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2360, Representative Kelly Burke. Out of the record. House Bill 2361, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 2361, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2370, Mr. Pritchard. Out of the record. House Bill 2393, Representative Hammond. Please read the Bill."

Clerk Bolin: "House Bill 2393, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2411, Mr. Hoffman. Out of the record. House Bill 2413, Mr. Hoffman. Out of the record. House Bill 2423, Representative Will Davis. Please read the Bill."

Clerk Bolin: "House Bill 2423, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2428, Representative Conroy. Representative Conroy. Do you wish to move your Bill to Third Reading? Please read the Bill."

Clerk Bolin: "House Bill 2428, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Third Reading. House Bill 1281, Representative Senger. Please read the Bill."

Clerk Bolin: "House Bill 1281, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Clerk, Committee Report."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 07, 2013: recommends be adopted, Motion to Table Committee Amendment #1 to Senate Bill 622."

Speaker Lang: "On the... on page 9 of the Calendar, we've... there appears House Bill 622. What is the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 622 is on the Order of Senate Bills- Second Reading. A Motion has been tabled by Speaker Madigan to table Committee Amendment #1."

Lang: "Speaker Madigan moves to table the Amendment. Those in favor of the Gentleman's Motion say 'yes'; opposed 'no'. The... Those in favor of the Gentleman's Motion will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Franks, Mayfield, Thapedi, Welch. Representative Mayfield. Please take the record. On this question, there are 115 voting 'yes', 1 voting 'no'. The Gentleman's Motion carries. Mr. Clerk."

Clerk Bolin: "No further Motions have been filed."

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Clerk Bolin: "Senate Bill 622, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker, Members of the House. I think almost every Member of this chamber is aware that there is a crisis in the performance of duties by the Department of Financial and Professional Regulation with respect to the licensing and the disciplining of doctors. The funds from the license fees of doctors do not begin to cover the cost of making sure that we can license doctors in a reasonable time period and also discipline the bad actors, the bad apples among them. What you see before you is the Senate's proposal to solve the problem, at least in the short run. This would ask the Treasurer to move some \$660 million from the Local Government Sales Tax Fund to the department for purposes of beginning to get rid of the backlog of applications that are waiting and disciplinary actions that need to be taken. The department was forced in January to lay off 18 of the 26 staffers in the department. And under this proposal, the money from the Local Government Sales Tax Fund will be returned to the fund over a three-year period. In addition, doctor's license fees will go from \$300 in a three-year period to \$700 until July 1, 2018, when they will go back down to \$600. As I say, this will not be a long-term solution to the problem, but it certainly will get us over the immediate crisis. On March 21, those graduate medical students who are looking to begin residencies will decide which hospitals they want to match with, and if we are not able to say to those students

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

we can give you your license in a respectable period of time, none of them will come to Illinois. This is a crisis and I would certainly appreciate your support for the short-term fix that is contained in Senate Bill 622."

Speaker Lang: "Lady moves for the passage of the Bill. On that question, the Chair recognizes Mr. Franks."

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

Speaker Lang: "Lady yields."

Franks: "Representative, I want to ask a little historical perspective here. How did we get in this situation where we've got a system that is now insolvent that was set to monitor our physicians, which is a very important, vital aspect of government?"

Currie: "Simply put, the \$300 fee for a three-year period, so a hundred dollars a year, was established in 1987. The department over these last 25 years or more has been asked to do a much better job policing bad apples, making sure that doctors who are fondling patients or providing inadequate care are, in fact, bounced from the profession. But since the fee has not increased since 1987, the department has found it less and less able to do the job. The result were layoffs, of the 26 people in that department 18 are gone. There's one person in medical licensing. There are a couple of people in the disciplinary side of the equation, but it isn't enough to do the job."

Franks: "And we've worked together to pass some of those stronger legislation and last year we did that. But I

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

remember back a few years ago and I think that this fund was swept under the prior administration."

Currie: "You know, maybe... maybe eight years ago, something like that. Now, let me just say to you and to the other Members of the House that many funds were swept."

Franks: "Right."

Currie: "There was some money in the fund then, but if we were to take the money that was swept and put it back now, it wouldn't begin to solve the problem, not even close."

Franks: "Well, that's what I was going to ask. Because I remember there was millions of dollars that were swept. Do you remember the number, how much it was?"

Currie: "I think there were perhaps about 10, 10 million swept. I don't think just from this specific fund."

Franks: "No, I mean from this fund."

Currie: "No, no, no. There were... there were a lot of funds that were at stake. If we were to try to put them all back to what they had been like in 2005 or whatever it was, that would be quite costly to the Treasury, and in terms of this fund, what we were to give back wouldn't begin to do the job."

Franks: "I appreciate that. I'm going to speak to the Bill and I appreciate the Majority Leader's efforts. And I understand what she's trying to do and certainly, this is an important function of our State Government. But unfortunately, we have a process here which allows administrations to sweep funds and there's nothing in this Bill, that once the doctors have their license fees have gone up almost 300 percent, there's nothing protecting that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

these same moneys won't be swept again. I think we ought to consider a universal settlement here, in the sense that we will stop sweeping these funds because what we're really acom... amounting to is double taxation. What we have our people are paying into these special funds under their licensing fees, those fees aren't used for what they're intended to do, the state takes those moneys, uses it for something else. I think it's patently unconstitutional to have an excise tax that's not used for the intended use. And now, what happens is the physicians that paid in, they've done what they're supposed to do. They've paid in and the state's took their money, never paid it back and the money that the doctors expected to be there is not and now we're saying we're going to raise the fee 300 percent because we stole the money. I think that's rotten public policy and should this Bill pass, I think we need to have a trailer Bill that says we will not sweep money. We cannot continue to do so or we should do then is not charge these professionals fees because they are not being utilized for what they're paying. It's unfair and it's illegal. And I'm voting 'no' and I encourage you to do the same."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "Leader Currie yields."

Pritchard: "Representative, this is raising to... to pay back or to allow us to hire back some employees. Is this 600 or, excuse me, \$700, soon to be reduced to \$600, going to be enough to cover this in an ongoing basis or is this going to build some leftover funding?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Currie: "It will be enough for a while. It will not be a permanent solution. The department says that they will be able to get through the next couple of fiscal years. Part of the problem for this whole fund is that there has been, over many years, a structural deficit building up. To raise the fee at this point to \$700 will help, but when it goes back down to 600, we're going, in several more fiscal years down the road, find ourselves in the same pickle."

Pritchard: "So, this solution is... is basically a three-year solution?"

Currie: "I'm sorry. Could you say it again?"

Pritchard: "So, this is basically a three-year solution?"

Currie: "I think it will be more than three years. I think it... it may be closer to five, but it is not the long-term solution that the department requested of us."

Pritchard: "Do you have any evidence that the department has made efforts to try to become more efficient in the way that they police the licenses and process the licenses so that the cost can be held at a more nominal level?"

Currie: "I believe they are doing just that, Representative. If we're not paying enough for them to be able to hire staff to do the job, it's hard to say they need be more efficient. I think they have been fairly efficient, but without this infusion of money, it could take as long as a year for a doctor to get a medical license."

Pritchard: "That's totally unacceptable and I think we all know that. I think we know that graduates from medical school are taking jobs in other states after we've spent the money to help educate them. I think that's totally unacceptable."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

But the point I was trying to make is that in business, anyhow, businesses that have less to operate find more efficient ways to operate and I just wanted to have some assurance that our department was looking at some of those efficiencies rather than just doing business as usual."

Currie: "My understanding is that this particular shop in the department is a very efficient shop and operates very effectively. But without the resources, we're not going to be able to give doctors medical licenses in a reasonable time frame and we're not going to be able to get rid of the bad actors in the medical profession."

Pritchard: "Is there any estimate as to how long it takes to process a license or to review a claim of poor performance?"

Currie: "Well, I... think... I think when it comes to the licensing, I think they should be able to do it in somewhere between 30 and 45 days."

Pritchard: "Okay."

Currie: "And I think they will be able to do that, but only if we solve the immediate fiscal crisis. When it comes to licensing, or taking away licenses of the inappropriate medical actors, it depends on when they get evidence, when there are problems brought to their attention or discovered in another way and how quickly they can do the kind of investigation they need to do in order to develop a case. But right now, they're hard-pressed to do anything in that arena because there are no resources in the department."

Pritchard: "Just a final question. Do you have any records? Did the department share anything about how many bad actors

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

they do investigate over a month, or over a six-month period?"

Currie: "I thought I had, just a moment. Yeah, I thought I had it in my file here. I do not. But I do know they have gotten rid of bad apples, doctors who have... have run pill mills, doctors who have abused sexually patients, doctors who are engaged in child pornography activities. And I will get to you the actual numbers of..."

Pritchard: "I... I would appreciate that..."

Currie: "...patients that they have investigate on an average basis."

Pritchard: "...because I... I've heard those anecdotal situations as well, but I don't know if that's one out of 10 thousand doctors or what the frequency is, one per five years or whatever."

Currie: "No, it's certainly not as small as that, but it is not a big percentage of doctors."

Pritchard: "Thank you."

Currie: "Again, without this measure we won't be able to go after them at all."

Speaker Lang: "Representative David Harris."

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

Speaker Lang: "Sponsor yields."

Harris, D.: "Representative, the funds were swept..."

Currie: "Many years ago."

Harris, D.: "...and... I understand. ...and the funds were swept from many other funds, correct?"

Currie: "You are correct."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Harris, D.: "Have any of those funds been repaid?"

Currie: "Not to my knowledge."

Harris, D.: "Okay. Thank you."

Speaker Lang: "Mr. DeLuca."

Harris, D.: "Ladies..."

Speaker Lang: "Excuse me, Mr. DeLuca. I... I'm sorry, Mr. Harris,
I thought you were completed with your remarks."

Harris, D.: "No... Ladies and Gentlemen of the House, if I may address the Bill. Think about this for a second. The average person out there does not think this government can organize its way out of a paper bag. We have \$8 billion in unpaid bills. We have a crushing pension system and we have a credit rating that is in the toilet. And now... and now the fifth largest state in the union cannot license its physicians. That is a disgrace. That is the type of thing that gives us the perception that Illinois can't shoot straight; we can't do anything right. I had an individual from a downstate hospital come to me, a critical access hospital, and he said to me, I have an employed physician on my staff whose license has expired. An employed physician, a physician who should be treating patients and that employed physician cannot treat patients because he can't get his license renewed. That's an employed physician, the hospital is paying his bills, or his salary but he can't treat patients. He's doing clinical work. I was told that an academic medical center in Chicago, one of our premier institutions, cannot... was trying to recruit a surgeon, I don't know if it was a brain surgeon, but was trying to recruit a high-ranking surgeon. And that surgeon

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

said, I can't get licensed in Illinois. I'm not coming to Illinois. I'm going to go to Minnesota. You know, this is not a real crisis, and I beg to differ with the distinguished Majority Leader, this is a manufactured problem. One month ago, we passed a supplemental appropriation Bill that contained \$42 million of General Revenue Fund. In that 42 million was \$6 million to Chicago State University, \$6 million to Chicago State University. Now, that was very controversial on this side of the aisle. Do you know that there is \$11 million sitting in the State Gaming Fund that's designated to Chicago State University that, because of an interpretation by the Comptroller, can't be transferred to Chicago State University. My point in saying that is this, there are dollars out there that could have solved this problem without getting to this point. This is a case of two bullies on the parking lot saying, I'm stronger than you are. The docs say I'm not... I don't want my fee going up until you pay back the money. Why should the doctors be any different than any other fund that has been swept? Why don't we try to pay them all back, because we can't. So, why are they saying, hey, I'm special. Well, I disagree that you're special. I don't think the funds should have been swept. I think you're right, but guess what, you're not alone. At the same time, why is it that the Physician Licensing Act is only extended 1 year at a time? Every other Act is extended for 10 years at a time. Why, because we're going to come back and instead of doing a 1-year and a 2-year and an 11-month and 1-year extension of the Physician Licensing Act, we're

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

going to somehow hold the physicians hostage again next year. Two big guys in the parking lot saying I'm stronger than you. This is a manufactured crisis. It is a disgrace for us to be in this position. This Lady has a solution, maybe it's not the perfect solution, but let's get us out of this silly situation. Vote 'yes' on this Bill and let's move forward."

Speaker Lang: "Mr. DeLuca."

DeLuca: "Thank you, Mr. Speaker. What's the status of the Amendment, Amendment 1?"

Speaker Lang: "Mr. Clerk."

Clerk Bolin: "Amendment #1 to Senate Bill 622 has been tabled."

DeLuca: "Okay. Thank you. Will the Leader yield?"

Speaker Lang: "Lady yields."

DeLuca: "Leader Currie, does the legislation without Amendment #1 still transfer dollars from the Local Government Distributive Fund?"

Currie: "It does. It transfers 6.6 million from that fund and the repayments happen in three separate... separate chunks of change July 1, 2014; October 1, 2014; and January 1, 2015. And I just for... for... for your purposes, the \$6.6 million is coming from a fund that has a balance of \$1.115 billion. So. the fund is not at risk if we borrow this money with a commitment to pay the money back."

DeLuca: "Can you give me an estimate on how far behind we are with our payments to our municipalities from the..."

Currie: "Yeah."

DeLuca: "...Local Government Distrib... how far behind we are..."

Currie: "This is..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

DeLuca: "...right now?"

Currie: "Sorry, this is not the Distributive Fund. This is not the income tax money. This is sales tax money that is collected for municipalities by the state."

DeLuca: "Is... is there any penalty... Well, there's probably not a penalty, but if the payments are not made... the repayments are not made by those dates..."

Currie: "Representative..."

DeLuca: "...what recourse is there?"

Currie: "Representative, you and I, I hope, will be here and I hope that you and I will make sure that those payments are made."

DeLuca: "Is it going to require any kind of action to make sure that the payments are made or..."

Currie: "Our action. We are the General Assembly. We are the appropriators. We decide how to allocate funds and it certainly is my commitment and I know it is yours that we repay those funds in a timely fashion on the schedule that is set out in statute. I should imagine that the locals could, in fact, go to court if the statute says we have to give them back this money on this date and that money on the next date and we don't actually do it."

DeLuca: "Is there a reason why this fund was selected to be the fund we would transfer from?"

Currie: "Because this was a fund with a very significant balance, a balance of over a billion dollars, a fund that had collected somewhere 100 and 150 million on a monthly basis. So, there was no risk to the fund if we took a very

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

small, very tiny share, less than 6 percent of the fund for this... for this purpose."

DeLuca: "Would it make it easier to transfer this money from this fund if there was a direct deposit into this fund from the dollars that are collected? I'm talking about my legislation, a piece of legislation that I have."

Currie: "Yeah."

DeLuca: "Would it make it easier to then transfer money out of this fund if that legislation was enacted?"

Currie: "We hadn't thought of doing it that way. I don't think we need to do it that way because, as I say, you will be here, I will be here and the statute is clear."

DeLuca: "Okay. Thank you. Thank you, Leader."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. To this Bill and to the continuing process that we have been watching today and the last couple of weeks. I'm surprised Senate Bill 622 isn't a shell Bill and we're given a menu of options of which to select and then we can poll the Body to see exactly how they want to make sure our doctors are regulated. So, 99.9 percent of the Bills are built this way from the title all the way to the conclusion without Amendments that are added on and we have a order of the day of disciplinary fund day. So, it's an interesting thing to see a Bill actually debated like this because it is such a weighty and important issue that it needs our full and undivided attention. We need to retain our doctors. We need to have medical students come here that have matriculated here and matched here. So why doesn't this Bill have 14 different

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Amendments we can select from and see if that works? That's how silly the entire process has become with respect to guns and pensions because 99.9 percent of the Bills are done in this traditional fashion. Thank you."

Speaker Lang: "Leader Currie to close."

Currie: "Thank you, Speaker, Members of the House. This is a crisis. This measure will see to it that we can license doctors and discipline the bad ones. The match date is March 21, two weeks from now and if we do not have a licensing program in place, residents, medical residents will choose any place but Illinois in order to serve patients and in order to continue their medical education. Please vote 'yes'."

Speaker Lang: "The Lady moves for the passage of the Bill. Those in favor of her Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevedo, Arroyo, Ford, Rosenthal. Please record yourselves. Mr. Rosenthal. Please take the record. On this question, there are 65 voting 'yes', 49 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record can reflect that Representative Rosenthal will be excused the rest of the day."

Speaker Lang: "Thank you, Sir. Returning to page 7 of the Calendar, under the Order of House Bills-Third Reading, there appears House Bill 141. Representative Flowers. Please read the Bill."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Clerk Bolin: "House Bill 141, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 141 amends the Public Aid Code to allow persons convicted of a drug-related felony to receive cash assistance from the Temporary Assistance for Needy Families program. Under current law, persons were permanently unable to receive this cash, but since then the Federal Government has given states the option to opt out of this particular program and allow people that are ex-felons to receive food stamps as well as TANF. I know of no opposition to the Bill. And I'll be more than happy to answer any questions you may have."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Leader Bost."

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

Speaker Lang: "Lady yields."

Bost: "Representative, right now, if a person is a known felon they cannot receive the ca... they can still receive the food stamps, they can't receive cash assistance. Is that correct?"

Flowers: "That is correct."

Bost: "And this will then basically allow them to receive cash assistance. Do you know of any guidelines set forth on what they can use that cash assistance for?"

Flowers: "I'm glad you asked that question because there are guidelines. This is not a automatic. They will have to follow certain criterias in order to receive this. And the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

guidelines are, in order to be eligible parents must go... undergo some type of employment assessment, be prepared for achieving some type of employment and self-sufficiency. They... if they owe child support, they will be... they'll have to pay child support. They will be required to go to school or either be in some type of work-related activity."

Bost: "But... but Representative, does it have guidelines as to what they can use that cash for?"

Flowers: "Well, one of the... one of the specific guidelines would be or is that they would have to pay their obligations in regards to any type..."

Bost: "Okay."

Flowers: "...of child support."

Bost: "Maybe, I should ask it this way. See, there's some concerns and I... I actually have a Bill working to try to cure this problem. I was recently called by a police officer in my district and he was extremely upset. He's a very good police officer and he had been called to a situation of domestic violence where a woman was in a physical altercation with her own mother and she began to... oh, well, she began to beat her before the police officer got there. And the thing is, this particular person, when after being arrested, yelled out to her boyfriend that was present, and said hey, if you would get cash off my Link Card, I need bailed out. Is there any guidelines or anything in stop... that will stop the abuse of the... 'cause I'm thinking, as a taxpayer, I don't really want to pay the bail too. And I... my constituents felt that way too. So, is there any guidelines like that in this?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Flowers: "You know, Representative, there are... whatever the state... the state sets the guidelines, the state."

Bost: "Well, we are the... we... we are the state that pass... We... we the ones that pass law."

Flowers: "But we don't make the rules. We... we pass the laws, but we don't make the rules. There lies the difference."

Bost: "Well, actually we could..."

Flowers: "So, therefore..."

Bost: "...we could."

Flowers: "Right?"

Bost: "They... As... as of right now, JCAR..."

Flowers: "That's right."

Bost: "They'd bring it back to JCAR. I understand that."

Flowers: "So, we need to talk to JCAR."

Bost: "I'm not new."

Flowers: "I'm not on JCAR. Are you on JCAR?"

Bost: "No, I'm not."

Flowers: "I'm not on JCAR either."

Bost: "I never really wanted it. I don't like it."

Flowers: "All I do is pass the law."

Bost: "No, just... seems a little boring to me."

Flowers: "But if we could talk to someone that's on JCAR, maybe we could talk about that and have that rule implemented. But right now..."

Bost: "I'm going to do better than that I'm going to try to carry that Bill. But with dealing with this particular Bill..."

Flowers: "Yes."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Bost: "...if... if we are giving cash assistance, don't you believe that there should be some kind of guidelines, if they... if they have been convicted of a crime. Obviously, they made some poor choices before; now we're going to hand them cash and say, okay, make whatever choices you want."

Flowers: "JCAR, JCAR, JCAR."

Bost: "I know, I know, I know. But you know what, everything that JCAR does we can actually bring back here and work on. So, I'm... I'm looking forward to working on trying to straighten that out."

Flowers: "We let... we..."

Bost: "But I'm asking you on this one, is there any... is there any lines in here that try to correct this problem, because we're not dealing with..."

Flowers: "Representative, Representative..."

Bost: "Yes, Representative. Yes."

Flowers: "...I would love to be able to work with you on such a piece of legislation..."

Bost: "Wonderful..."

Flowers: "...but in the meantime..."

Bost: "...'cause I would enjoy working with you too."

Flowers: "...House Bill 4... 141 does not address that issue."

Bost: "Okay. That's important."

Flowers: "And so, therefore, we should not be debating that issue at this moment."

Bost: "But we know, and this House Floor by what we've been doing, we can add Amendments."

Flowers: "But you..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Bost: "And it would be wonderful if you would add an Amendment to this..."

Flowers: "Let us work on that."

Bost: "...that then would make sure where we're going to spend this cash and how we put control on this cash."

Flowers: "Can we work on that, please, but in the meantime, JCAR, JCAR, JCAR."

Bost: "I know, I know, I know. But that being said, Representative, Representative, Representative..."

Flowers: "Yes, Representative. Yes, Representative."

Bost: "...we can pass Bills..."

Flowers: "Yes, Representative."

Bost: "...we can pass Bills. Matter of fact the way it sounds, we can pass Bills in triplicate."

Flowers: "You and I, we can do anything together, but not right now."

Bost: "And I'd look forward to... and I look forward to this."

Flowers: "Oh, gosh. They were set..."

Bost: "Well..."

Flowers: "You know what I mean."

Bost: "...I don't know. Representative..."

Flowers: "Representative, can we get back to..."

Bost: "Here, wait..."

Flowers: "...House Bill 141?"

Bost: "Representative, Representative..."

Flowers: "I have..."

Bost: "...Representative, this is..."

Flowers: "Sir, I am older than you."

Bost: "...I am... I am very concerned..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Flowers: "I have my own personal summers. Okay? Please. Thank you."

Bost: "Thank you, Representative. To the Bill."

Flowers: "Thank you."

Bost: "Ladies..."

Speaker Lang: "Finally."

Bost: "...and Gentlemen, I do see a problem and a concern whenever we would go to the point that we would hand cash assistance without specific guidelines set forward in the Bill. I will not be supporting the Bill, but I really like the Representative, by the..."

Speaker Lang: "Mr. Durkin."

Durkin: "Thank you. To the Bill. Despite some of the light-hearted comments that just recently came up, I think people need to really look what they're voting for. I don't think anybody here understands exactly what a drug-related felony is. It can mean a lot of things and I for one, as a taxpaying citizen of the State of Illinois, don't necessarily want to provide monetary assistance for those who traffic, possess with the intent to deliver, or deliver narcotics into the State of Illinois which are poisoning the City of Chicago, the suburbs, the rest of the State of Illinois and is mainly responsible for this horrible violence going on in the City of Chicago. So, they should not receive any benefit. Let me tell you, since I was a former narcotics prosecutor, a lot of these individuals who deal large... in large amounts, on paper are very poor, but they are all millionaires 'cause they don't report the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

income. They don't need it. They don't deserve the credit from the State of Illinois. Vote 'no'."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, why did you make it any drug-related felony? Is it your intention that if somebody is hauling 2 thousand kilos of cocaine through the State of Illinois and they end up making bond, that they would be eligible for TANF?"

Flowers: "Well, first of all, Representative, under the circumstances in which you just gave, they haven't been convicted of a crime. That's number one. Number two, the reason why I think this Bill is so important because while those people may have been convicted and served time, while they were incarcerated, Sir, we gave them three square meals a day, we housed them, we fed them, and we clothed them. So, once they get out, in order for them to no longer be a burden on the taxpayers, because it costs us over \$67 thousand a year to keep this person incarcerated versus maybe a 300 and some-odd dollar TANF check that would allow him, until such time that he is able to find a job, there's criterias in which this person would have to go through. They would have to be eligible for empl... the employability assessment. They would have to be prepared for some type of employment. They will be required to work into some type of related program for 30 days. But while they were incarcerated, they didn't have to do any of those things. So, if we may, for the... the... because we know the

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

constraints that the state is under and we can no longer continue to have a revolving door to allow people, who are guilty of being poor, who cannot find a job and this will be an opportunity to give them some assistance. So, either way it go, we're going to pay for them. Either we're going to pay for them to be incarcerated, which is much more expensive or we're going to pay them... pay for them to have TANF through our taxes until such time they are able to find a job and to become taxpayers themselves."

Reboletti: "Well, I... I appreciate that response, Representative. Let me come from it in a much different way and to the Bill. So, it costs about \$30 thousand a year to incarcerate somebody who traffics in narcotics. If you go to Serenity House in Addison where you have people under the age of 21 dealing with heroin addiction, that's probably about 3 to 4 thousand dollars a month to have them in treatment and we're paying for that also. I'm more concerned about the people that have the addiction that are then getting out of a treatment facility having access to TANF to get themselves back on their feet versus helping somebody who has been convicted of a Class X Felony, who's been to prison and then is going to look to the State of Illinois for \$242 a month. So, at the end of the day, while children are dying in DuPage County from heroin overdoses and all over the city, while people are being gunned down because of the narcotics trade, and we've talked about that for the last couple weeks here, and while we have funerals being attended by families as they bury their high school age children, there's a major cost to the taxpayer in that

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

respect as well. And that's why I would respectfully urge a 'no' vote."

Speaker Lang: "Mr. Ford."

Ford: "Thank you, Mr. Speaker. And of course I rise in support of Representative Flowers' Bill. I just want to ask you, Representative Flowers, if you would yield."

Flowers: "Yes."

Speaker Lang: "Lady yields."

Ford: "Representative Flowers, who does TANF provide assistance to?"

Flowers: "TANF presently provides assistance to the needy, the elderly, and the people who qualify for TANF."

Ford: "And you would say that... that children are part of the people that qualify, is that correct?"

Flowers: "Of course, children, yes."

Ford: "And I would say that one of the number one reasons regardless to any of the concerns that people may have to support this legislation is to support babies, to support children regardless to what the families may be going through. To vote 'no' against this Bill would be saying that you refuse to feed babies. So, I appreciate you bringing this Bill to the House Floor so that we can take care of the needy in our state. Thank you."

Speaker Lang: "Mr. Reis."

Flowers: "Representative, I'm glad..."

Speaker Lang: "I'm sorry, Representative. Did you have a response?"

Flowers: "Yes. I'm glad you... I'm glad you brought that up because I would like for the Members to know that this ban

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

disproportionately effects female offenders and of the... most female offenders are in dru... in jail for drug felons, 28 percent of these female offenders are parents living with minor children and if they do not receive TANF to pay the rent or keep the lights on, their children will once again become wards of the state. That will cost the state even that much more. So, what we're trying to do with this Bill, Ladies and Gentlemen, is to keep people out of prison to allow them to become independent, to allow them to go through a drug treatment program. After all, they have served their time. So we need to stop penalizing them and start helping these people to find jobs. And I would appreciate an 'aye' vote."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Lady yields."

Reis: "Representative, how much will this cost? And I want to preface your answer that it's going to cost us hundreds of thousands of dollars to incarcerate somebody. How much is this program going to cost that we are not encountering right now?"

Flowers: "I can't give you an estimate on how much TANF would cost, right now. Currently, they're not allowed to apply, so I cannot tell you how much it will cost. But I can tell you that it costs us more than \$38 thousand..."

Reis: "No, I said I... I didn't want that answer."

Flowers: "...for the inmates. That does not include the children, it does not include the probation officer, and it does not

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

include the other entities that we will, as taxpayers, will be having to pay for."

Reis: "Is there any follow-up drug testing for these people to make sure that they have gotten their act together and are no longer using drugs?"

Flowers: "Yes, there is. In the program, they will have to go for drug testing programs. And they will have to be in a... they will have to be in a... It does not... I'm sorry, please forgive me. The Bill does not address drug testing."

Reis: "How's come you would not require drug testing for someone that was convicted for a drug-related felony to make sure that they had truly gotten their act together and they weren't using this money to go and buy more drugs?"

Flowers: "Well, I don't know if you are aware but recently there was a court case that deemed that law unconstitutional because many states have tried it and recently, as I stated, the court has deemed that to be unconstitutional."

Reis: "Representative, in Florida they just passed a law that requires anybody on public aid to do drug testing. So, I'm not sure where you're getting your sources."

Flowers: "Well..."

Reis: "This would just be for this particular situation. I would love to have that for all public aid. But I'm just talking about these people that are specifically convicted of a drug-related felony, why wouldn't they be drug tested to make sure that they're not using this money to buy drugs?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Flowers: "Well, you know, this is not only about drugs. This is about a felony and that could be one of the felonies, so therefore, once again, that would be another cost that would have to be incurred by the people of the State of Illinois."

Reis: "Well, yes, but..."

Flowers: "And once again..."

Reis: "...at least we wouldn't..."

Flowers: "Pardon me?"

Reis: "At least we wouldn't be giving money and throwing it back at more drugs and causing the... the problem that was originally there to... to continue on. Is there any time limit on how long they're going to receive this TANF? Is it just a short-term thing to help them out... get started or is this just continual?"

Flowers: "Well, to answer your first question. If I may quote the ACLU, welfare recipients are no more likely to use drugs than the rest of the population. That's number one. And number two, your second question, in regards to how long, we know the economy in regards to jobs is very hard to come by and truly for an ex-offender it's even harder. So, these people will be placed into... They will be eligible to receive the TANF only if they are eligible to go to parenting classes, if they go through an employability assessment. And then you have to... and you have to take into consideration that maybe some of them have income that would not allow them to need this TANF."

Reis: "Well, heaven forbid, we wouldn't want to do something that would keep them from getting this. To the Bill. Ladies

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

and Gentlemen of the House, we come back here every year, we sit in the same rooms, we sit in the same chairs, and we think that we can continue to do the same things. And all we've heard about for the last few months is that we have a pension crisis, that pension costs are eating up our state budget. Ladies and Gentlemen, yes, pension costs are rising, but it's because the state never made their payment. What has continued to balloon out of control in this state for the last 10 years is more public aid. It's 54 or 55 percent of our state budget and we just keep piling it on and piling it on. We sit in the same room and we sit in the same chairs and we think that life goes on. We have got to stop the new programs and there's not good drug testing provisions in this, there's not restrictions on where they can send this money, there's no timeline. We've got to start saying 'no', Ladies and Gentlemen. Vote 'no'."

Speaker Lang: "Representative Tracy."

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

Speaker Lang: "Lady yields."

Tracy: "Representative Flowers, excuse me if this has already been asked and answered and... and the like, but do we know how many people are currently on TANF?"

Flowers: "How many people are currently on TANF?"

Tracy: "Who... who currently receive TANF funds?"

Flowers: "No, I have no idea, but..."

Tracy: "But... but..."

Flowers: "...I can imagine, because of the economy, there's more people on TANF throughout the United States."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Tracy: "Well, and I know you serve on a great deal of human services and the funding appropriations, you're very involved in that aspect. Do you... did we cut those funds last year?"

Flowers: "Well, Representative, don't get me started on that one, but yes, we did cut people off TANF last year under the disguise of supposedly saving money..."

Tracy: "So..."

Flowers: "...but recently a report came out that we did not save any money at all."

Tracy: "Well... but I... I mean, if... and most likely I think it would have been in the neighborhood of \$2 million that we cut TANF funds last year."

Flowers: "And Representative?"

Tracy: "Well, what I'm wondering is, is you had mentioned and I'm very, very much in agreement that we have poor people in this state because of a dire economy and because of cutting funds in other areas that are sorely, sorely in need of TANF funds. And I'm sure you would agree with that."

Flowers: "Well, Representative, I guess the part that's kind of confusing to me, the people... That's... that's exactly who this Bill is addressing, the people who are in need of TANF funds. Remember, we pass laws to prohibit these people from getting TANF in the first place and food stamps. We just recently passed laws to allow them to get food stamps. Now, we're slowly undoing what we've done and we are allowing them to have TANF and the Federal Government has given

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

states the opportunity to do that because initially this was a federal ban, it was a federal ban. And then we..."

Tracy: "But do you think we have a surplus?"

Flowers: "...found out that... Pardon me?"

Tracy: "Do you think we have a surplus of TANF funds? We cut them by \$2 million. Do you think we have extra money sitting there for new people to be able to draw on it"

Flowers: "Well, I do know that the Federal Government has given all the states more money to expand Medicaid. I do know that."

Tracy: "But they haven't given more money to expand our TANF program."

Flowers: "Well, one thing about it, Representative, either way it go, we haven't got more moneys from anyone to put more people in jail and to hold them longer only because they are guilty of wanting to feed their family. They're guilty of only wanting to keep a roof over their head. They're guilty of not wanting to die in this freezing cold because they need some utilities. They are guilty of just wanting to be treated like human beings. Because they committed a crime does not mean that they should be sentenced to death and not only them sentenced to death is their entire family that will die in a cold house, in a dark house or either go hungry. This is America; we can do better. I know we can."

Tracy: "I... I know..."

Flowers: "We pay \$67 thousand or more to keep that family incarcerated, but we won't give a mere \$15 thousand to keep them in their homes, in their communities. Whereas that they will no longer be a burden and maybe the possibility

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

of them finding a job, maybe the possibility of them being able to go back to school, maybe with the possibility of them being able to pay taxes to put more revenue into the General Revenue Fund. Maybe if we gave them that opportunity and get out of their way, they will become self-sufficient."

Tracy: "Well, amen. But here's the problem I see and the question is, if you have to prioritize between equal individuals entitled to TANF funds under our current budget constraints and you have a person that is a nonfelon and a person who is a felon, where should the priority be?"

Flowers: "Representative, all I have to say is those of us without sin cast the first stone. No one is perfect and everybody is deservant of a second chance."

Tracy: "But why..."

Flowers: "And... and so..."

Tracy: "...if there isn't the money?"

Flowers: "...and so, I'm not God. I'm not about to pass judgment on anyone. If I see someone hungry, I want that person fed. I don't want nobody's child to go hungry because of the sins of their mothers and fathers. That's not who I am. That's not who we are. That's not what we should be doing for the families and the taxpayers because this same felon that you're talking about was probably once a taxpayer. They paid their dues. There are... They are entitled to what their tax dollars have been doing for other people as well."

Tracy: "And I... I mean this in the most respect to you because I totally agree. In America, no person should be hungry."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

However, we have the situation because we have overspent in our Federal Government, in our State Government. We have children hungry because of it. Because we have squandered away programs and the like that don't work, that aren't assessed and here we are presented with lack of funding on TANF particularly and we don't have enough money to go around. How do we prioritize?"

Flowers: "Excuse me, Representative, let me tell you something about the TANF. You know the reason why it's called TANF? First of all, all the money comes out of the GR revenue funds, GRF revenue fund and so it depends how you want to split the pie. So, the tax breaks that we give to the wealthy, the tax breaks that we give to the business people, those are TANF funds also. Those are taxpayer dollars. So, if I can give tax breaks to the wealthy.. wealthy, if I can give tax breaks to business people, surely I can help the poor. What is wrong with us that we refuse to help poor people? Do we see ourselves in these people? What are we afraid of? We're talking about children. Why can't we help the children? You don't have to like the parents, but can we respect the child, please? Can we help the babies?"

Tracy: "Thank you. Perhaps I should speak my turn to the Bill. I... I just think it's a matter of prioritization right now in this state. We don't have the money. We cut 2 million from TANF last year, I suspect it's going to face other cuts this year. We don't know how many would be available, we can't quantify, we don't even know how much it's going to cost. Passing programs, expanding programs at this time

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

when we don't have the money to pay the ones we do have is bad business policy and that has led to the problems of why there are children hungry in this state, and people are unemployed in this state. And I would urge that we not vote for this Bill to expand a program that couldn't possibly be funded properly last year."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, I... As I've listened to some of the debate, I think maybe some clarification on some order might be necessary because I think for many of us when we see drug felony we're thinking about someone who probably is moving or distributing large sums of some illegal substance. So, can you maybe clarify under, I guess, if you can, and I don't know if you can... It's possible that someone may be convicted of a drug felony that has a very small amount of something, correct?"

Flowers: "You're correct, yes."

Davis, W.: "Okay. So... so, my point being is that, as many have talked about, 'cause I think they're thinking about big time drug dealers and things like that. Sometimes we could be talking about someone who may be in possession of, you know, a couple of joints, if you will, very small amounts of... of cocaine. I'm not saying that they are users, maybe they unfortunately were in a situation where they were holding it for somebody and who may be eligible for TANF. So again, we're not necessarily talking about, I think in

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

the mindset of some, people who are driving Mercedes Benz, living in large houses, we're talking about people who otherwise would be eligible for TANF. Which means that they're low income, possibly poor but unfortunately have been caught in a situation where they maybe have been charged with a felony for very small possession, if you will. Something of that nature. Is that correct, Representative?"

Flowers: "You're correct, Representative. This also could have been a young person as a teenager who was convicted of this crime, now he's a young adult. He cannot find a job. He cannot get TANF. He cannot go to school. This is giving him a second chance."

Davis, W.: "Abso... Absolutely, Representative, and that's... that's the point that I wanted to make, Ladies and Gentlemen. Again, let's start thinking about drug offenses, even if it's classified as a felony, as someone who may be pushing or moving large amounts of a particular substance. We're talking about regular everyday people who, for whatever reason, maybe... maybe have been charged with a felony for a small possession or something... something of that nature. So again, these are people who would otherwise be eligible for TANF, if for no other reason would be eligible for TANF. I'd like to encourage you to support the Lady's Bill and lets pass this so that we can continue to provide resource for individuals in our state which is what we, as government, are supposed to be doing. Thank you."

Speaker Lang: "Representative Ives."

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

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Speaker Lang: "Lady yields."

Ives: "Could you give me a little bit of history? Obviously, there was a Bill put in place that prevented them from getting this cash assistance. So, why did we have that put in place originally?"

Flowers: "Representative, in 1996 Bill Clinton passed a law and he did TANF, welfare reform. And as a result, that was the height of the crack cocaine. And that's when we started passing all kinds of laws in regards to, if you've been convicted of a crime, you cannot collect welfare. That was the purpose of it then. Since then, Representative, we have realized that we've painted ourselves into a corner. We have locked people up longer for crimes that used to be probationable. And we have ended up spending more money on incarceration and destroying people's lives because we never did have enough beds to give them the type of treatment, like an alcoholic get treatment. We don't grow these drugs over here for the most part, the crack cocaine. We do grow the marijuana, but for the most part these drugs are being imported to our country, placed into our communities, and children and peoples lives were being destroyed. So, now the Federal Government is realizing that we've made an error. And as a result... as a result, there are 39 states that have modified the ban that said we need to change this because this is costing us more money because these people who are being incarcerated, again, are being incarcerated for crimes because they wanted to feed their family, they wanted to keep a roof over their head. So, let's try to help them as opposed to hurt them. And I

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

just want to answer some of the previous questions that were asked."

Ives: "Well, I have a few more questions."

Flowers: "Okay. I'm sorry. Yes."

Ives: "Okay. So, do you have statistics actually indicating the number of people that would fall into this category?"

Flowers: "No, because right now we don't know how many people would fall into the category."

Ives: "Okay. Do you know if the Federal Government still prohibits this type of cash payment?"

Flowers: "The Federal Government has given states the opportunity to opt out. And as I stated earlier, 39 states have eliminated this ban and they have allowed states to give TANF as well as food stamps. In Illinois, we have opt out in regards to the food stamps. So... so, we've allowed these people to have food stamps and now this Bill would allow them, with conditions, to also collect the TANF."

Ives: "Okay. But it says also that they can use this, the TANF, for food, shelter, utilities and other expenses."

Flowers: "Absolutely, what they need to live with."

Ives: "Okay. So, what they can't get is actually just simply the cash, correct?"

Flowers: "Pardon me?"

Ives: "They cannot just simply get cash. It'd have to go to a specific..."

Flowers: "Absolutely."

Ives: "Okay. So, we're still providing them some measure of assistance that's actually fairly significant."

Flowers: "I would... I wouldn't say it's..."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Ives: "Their basic needs are met. Is that correct?"

Flowers: "Pardon me?"

Ives: "Their basic needs are met."

Flowers: "No, no, no, no, their basic needs are met."

Ives: "We're giving them food assistance. They can already be eligible for shelter and utilities. Is that correct? What else should we be giving people that have been previously been convicted of a drug offense?"

Flowers: "No, I'm... You know, I'm sorry Representative, I don't know what shelter are we giving them? We're not... I don't understand what you're talking about."

Ives: "That's exactly what it says here in the Bill, in the analysis."

Flowers: "I don't know what you're reading from, but I can tell you that we are not... Only in the jail, yes, in the jail while they're locked up, we are providing them with food and shelter, while they're locked up. But now we want..."

Ives: "Now, do they also have an out? Because I'm reading here, too, that the prohibition shall not apply if they're actually in a treatment program, aftercare or a similar program. So, is that their out, if they're in treatment, they can still get the cash benefit?"

Flowers: "I'm sorry, Representative. Can you speak a little closer to the mic? And I don't... what are you asking?"

Ives: "I'm right on top of the mic. It says that the prohibition shall not apply if the person is in drug treatment program or an aftercare program or a similar program. So, they're still eligible for the cash if they're in a program. Is that correct?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Flowers: "It is my understanding that two years after their conviction, if they complete the program they would be eligible."

Ives: "Then they're eligible, again."

Flowers: "Yes."

Ives: "Okay. And while they're underneath the two years, if they're in a treatment program, they're still eligible. Is that correct?"

Flowers: "After the two years."

Ives: "So, we're trying to give them cash assistance while they're still within the two year plan or... or not?"

Flowers: "Yes."

Ives: "So, from zero to two years they're eligible... they're... they're not eligible for the cash. After two years of the conviction, they're then eligible for the cash as it stands right now regardless."

Flowers: "Yes."

Ives: "Okay. So, I mean, I thought I heard in testimony earlier that you were actually saying that they are forever banned from getting this cash assistance."

Flowers: "That was the initial Federal Law."

Ives: "Okay. So, after two years, though, regardless if this passes or not, they can get cash assistance after two years of their conviction being completed."

Flowers: "Only for certain felonies. Only for certain felonies."

Ives: "Okay. So, essentially, then you're... you're... you're asking the people of Illinois to support drug offenders with cash."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Flowers: "No. No."

Ives: "Is there any followup here saying what they're spending that cash on?"

Flowers: "As I stated earlier, there's no statistics that says that ex-offenders are more apt to use drugs than anyone else. And there's no statistics that shows that people that are on TANF use it for drugs. The point of this is that a woman or man who's on TANF would be able to be self-sufficient and not go to prison because they are trying to provide food on the table..."

Ives: "You're... you're basically telling me then..."

Flowers: "...or provide for their family."

Ives: "Okay. Then, so, everybody who is struggling is going to become a criminal to put food on their table. That's the solution here. That's what these guys fall to."

Flowers: "Excuse me. Excuse me. Excuse me. Whatever you do, don't you put words in my mouth, please."

Ives: "Well, you're alluding to the fact that these..."

Flowers: "Don't do that, please."

Ives: "...that these people..."

Flowers: "No do not do that. Don't do that. Now, if you want to ask me a question..."

Ives: "I was just extrapolating from the conversation."

Flowers: "...if you want to ask me a question, please feel free to do so."

Ives: "Do you believe that punishment actually deters crime?"

Flowers: "Does that have anything to do with this Bill?"

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Ives: "Sure, because if... essentially, if you're a drug user and you happen to know that you're going to be cut off from certain assistance, I would say that..."

Flowers: "Are there any... are there drug users that are not on TANF?"

Ives: "Okay. I'm sorry. Can..."

Flowers: "Are there rich drug users?"

Ives: "Well, I would say convicted..."

Flowers: "Are there rich drug users?"

Ives: "I don't know. Okay."

Flowers: "Oh. Well, then..."

Ives: "Let me rephrase the question. So, if you're..."

Flowers: "Excuse me."

Ives: "...if you're convicted of a crime for drug possession, use, everything here, would you... would you say that it would be a deterrent if you were then told that you were going to, if you were convicted of this type of crime, be cut off from further assistance that could actually help your family and you?"

Flowers: "I'm sorry."

Ives: "I would say that that's a deterrent."

Flowers: "Excuse me, Representative. Excuse me. I just need for you to understand that, while that person is convicted of a crime and serving time in jail, we are spending thousands and thousands of dollars a year to keep this person that's been convicted of a crime incarcerated. And as a result, it has caused us not to be able to spend more money on senior citizens, not to spend more money on education, not to expand our libraries and our institutions, and our access

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

to health care because of what we've been doing. And I'm trying to follow 39 other states that realize the errors of their ways. According to the Federal Government, we've made some mistakes. It is okay, the Federal Government said, to now allow these people, who have served their time and under certain conditions, to be able to apply for food stamps, as well as TANF. For food stamps as well as TANF so they will not return to prison, so they could be self-sufficient, eventually find a job and become a tax contributor as opposed to a tax burden on the State of Illinois."

Ives: "And here's... I... Okay. To the Bill. I actually believe that financial incentives either work to incentivize the right action or they work as a disincentive. And this is basically gives... this would be a strong disincentive if we were to... If we were to allow this Bill to go forward, you would remove an incentive to remain straight and drug free. And I... I urge a 'no' vote on this. Thank you."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Speaker, I move the previous question."

Speaker Lang: "Gentleman moves to the previous question. Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The 'ayes' have it. And the previous question is put. Representative Flowers to close."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I want to make a correction, please. Representative Tracy asked me a question and I was not able to answer her properly. And I would like to answer the Lady's question. I want you to know, Representative, as a

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

result of the... the rolls, there's less people that's on TANF today and we have over \$100 million increase from FY12. The rolls have dropped, so we have ample money and ample space to add these people on to the roll without being a burden to the State of Illinois, without being a burden to any other program. Ladies and Gentlemen, I want you to remember, with this legislation we're talking about children. And if a man or a woman wants to try to do the right thing, can we please help them. It's less expensive to help them with 200 and some-odd dollars a month versus \$67 thousand a year. I would appreciate an 'aye' vote on behalf of the children of the State of Illinois as well as the taxpayers. Thank you very much."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Arroyo. Please take the record. On this question, there are 36 voting 'yes', 80 voting 'no'. And the Bill fails. Members, on page 2 of the Calendar, under the Weekly Order of Business-Second Reading, there appears House Bill 1154. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 1154 is on the Order of House Bills-Third Reading."

Speaker Lang: "Please return that to the Order of Second Reading and read the Bill."

Clerk Bolin: "House Bill 1154, a Bill for an Act concerning public employee benefits. The Bill was read for a second time on a previous day. Amendment #7 has been adopted."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Floor Amendment #10, offered by Speaker Madigan, has been approved for consideration."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Mr. Speaker, I move for the adoption of Floor Amend... Amendment #10. It is a gut and replace that becomes the Bill."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. The Chair recognizes Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans wish to caucus for one hour."

Speaker Lang: "Representative Osmond, we're about to adjourn and go to committees. So, the Sponsor has taken the Bill from the record. Does that change your request?"

Osmond: "I'm very grateful. Thank you so much."

Speaker Lang: "Sponsor takes the Amendment from the record. Mr. Franks, for what reason do you rise?"

Franks: "I wanted to ask about the Amendment, but if we're going to adjourn I'd..."

Speaker Lang: "All right. So, we'll move on..."

Franks: "Thank you."

Speaker Lang: "...because the Bill's out of the record."

Franks: "Thank you."

Speaker Lang: "Mr. Clerk, take the Bill out of the record. And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Friday, March 8 at the hour of 10 a.m. Those in favor say 'aye'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til Friday, March 8 at the hour of 10 a.m."

STATE OF ILLINOIS
98th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

3/7/2013

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 3418, offered by Representative Mayfield, a Bill for an Act concerning appropriations. Second Reading of House Bills. House Bill 1188, offered by Representative Daniel Burke, a Bill for an Act concerning revenue. This Bill will be held on the Order of Second Reading. First Reading of Senate Bills. Senate Bill 1213, offered by Representative Mayfield, a Bill for an Act concerning the Department of Juvenile Justice. This is referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."