

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

41st Legislative Day

4/16/2013

Speaker Turner: "Good morning. Members are asked to be at their seats. We shall be led in prayer today by Dr. Mike Fogerson who is the Senior Pastor of the First Baptist Church in Chester, Illinois. Dr. Fogerson is the guest of Representative Costello. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and the Pledge of Allegiance."

Dr. Fogerson: "In light of what's happened in our country over the last 24 hours, the one thing that draws us together is our love for country and our love for one another. Could we have a moment of silence to remember those who lost their lives yesterday in Boston? Also remember to pray for those who are still hurting and injured from what took place yesterday. Almighty God, the Living One, the Great I Am, You are the mighty maker of heaven and earth, who established government, family and Your church. Lord God, today I pray over the General Assembly and the House of Representatives of the sovereign State of Illinois. Every Member in this House has been elected by the people in their district, but most importantly, they've been placed in office by You. Your word confirms that for there is no authority except from God and those which exist are established by God. I ask that these Representatives would find knowledge and understanding from Your statutes, Your word, and Your will. I pray that they would form their opinions, their convictions, and their leadership from Your timeless word and Your perfect will. I pray that their decisions concerning a just government and the sanctity of

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

41st Legislative Day

4/16/2013

marriage, the sanctity of life, the sanctity of family will be full of mercy and justice and humility. And God, today we pray for our fellow countrymen in Boston who are suffering loss and suffering tragedy and God our hearts rally around them and our prayers gather with them in faith and complete trust that You know what You're doing. And Lord God I pray that you would bless this House. And though we love You, we ask this in the name of our Savior and our King, Jesus, Amen and Amen."

Speaker Turner: "We shall be led in the Pledge of Allegiance today by Representative Gordon-Booth."

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

Speaker Turner: "Roll Call for Attendance. Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present and ready to do the work of the people."

Speaker Turner: "Thank you, Representative. Representative Lang."

Lang: "Thank you, Mr. Speaker. Mr. Riley is excused on our side."

Speaker Turner: "Thank you. Mr. Clerk, please take the roll. On a count of 117 present, a quorum is established. Representative Manley, for what reason do you seek recognition?"

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

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

41st Legislative Day

4/16/2013

Speaker Turner: "Please state your point."

Manley: "Members of the House, up in the gallery here are my friends from Will County. It's the Belcher family, Lisa, Larry, and Braden. There's also the Baxters, Gina and Hunter and Mrs. Ashley Burkey, who is their first grade teacher. What I want to point out is Braden and Hunter are currently Bobcat Scouts but on Saturday, because of their dedication to their community and their success at collecting 52 bags of trash during the trashathon, they will now earn the designation as Tiger Scouts. Will we give them a big round of applause? Good job, guys."

Speaker Turner: "Welcome to your Capitol. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 16, 2013: recommends be adopted, referred to the floor is Floor Amendment #2 to House Bill 226, Floor Amendment #2 to House Bill 479, Floor Amendment #3 to House Bill 576, Floor Amendment #3 to House Bill 1581 and Floor Amendment #2 to House Bill 3178. Representative Verschoore, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #1 to House Bill 1648, Floor Amendment #2 to House Bill 1648, Floor Amendment #4 to House Bill 1650, Floor Amendment #1 to House Bill 1652. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #1 to House Bill

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

41st Legislative Day

4/16/2013

1344. Representative Daniel Burke, Chairperson from the Committee on the Executive reports the following committee action taken on April 15, 2013: do pass as amended Short Debate is House Bill 2994; recommends be adopted is Floor Amendment #1 to House Bill 226, Floor Amendment #1 to House Bill 479, Floor Amendment #2 to House Bill 630, Floor Amendment #2 to House Bill 1694, Floor Amendment #1 to House Bill 2606, Floor Amendment #1 to House Bill 2716, Floor Amendment #1 to House Bill 2843. Representative Phelps, Chairperson from the Committee on Public Utilities reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #3 to House Bill 2856, Floor Amendment #2 to House Bill 3207. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #2 to House Bill 490. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #2 to House Bill 922, Floor Amendment #2 to House Bill 923, Floor Amendment #3 to House Bill 3005. Representative Nekritz, Chairperson from the Committee on Personnel and Pensions reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #1 to House Bill 1296, Floor Amendment #1 to House Bill 3372. Representative Jackson, Chairperson from the Committee on Counties & Townships reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #1

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

41st Legislative Day

4/16/2013

to House Bill 1562, Floor Amendment #1 to House Bill 2832, Floor Amendment #1 to House Bill 3111, Floor Amendment #2 to House Bill 3312. Representative Feigenholtz, Chairperson from the Committee on Adoption Reform reports the following committee action taken on April 15, 2013: recommends be adopted is Floor Amendment #2 to House Bill 2809. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on April 16, 2013: recommends be adopted is House Resolution 154, Floor Amendment #3 to House Bill 492, Floor Amendment #1 to House Bill 496, Floor Amendment #1 to House Bill 513, Floor Amendment #2 to House Bill 2762: recommends be adopted as amended is House Joint Resolution #27. Representative Nekritz, Chairperson from the Committee on the Judiciary reports the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #2 to House Bill 827, Floor Amendment #1 to House Bill 806, Floor Amendment #3 to House Bill 1773, Floor Amendment #2 to House Bill 1711, Floor Amendment #4 to House Bill 1243, and Floor Amendment #5 to House Bill 1243. Representative D'Amico, Chairperson from the Committee on Transportation-Vehicles & Safety reports the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #4 to House Bill 756, Floor Amendment #2 to House Bill 1199, Floor Amendment #1 to House Bill 1810, Floor Amendment #2 to House Bill 1814, Floor Amendment #1 to House Bill 1815, and Floor Amendment #4 to House Bill 3054. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports

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

41st Legislative Day

4/16/2013

the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #1 to House Bill 1604 and Floor Amendment #1 to House Bill 1709. Introduction of Resolutions. House Resolution 246, offered by Representative Berrios, is referred to the Rules Committee."

Speaker Turner: "Representative Thaddeus Jones."

Jones: "Thank you, Mr. Speaker. I'd like to introduce to the Members, standing next to me is one of the best Pages, my son Thaddeus Jones is down here today. Please welcome him. He's going to be a Page today."

Speaker Turner: "Welcome, Mr. Jones. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if we could have your attention. We have a special guest today and if the staff could retire to the rear of the chamber and the Members please take their seats. You don't need to stand, Rita. We're very honored today to have a representative from the government of the Bahamas, Mr. Fred Mitchell, currently serves as the Foreign Minister and the Minister in Charge of Immigration to the Bahamas. In speaking with Mr. Mitchell in my office, I learned that there is a very substantial trade between the Bahamas and the United States with a certain amount of it occurring between the Bahamas and the State of Illinois. One of his goals today is to begin a process of increasing the level of trade between the Bahamas and the State of Illinois beginning, of course, with travel and it is very easy to travel from Chicago to the Bahamas in less than three hours. Now, I was there

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

41st Legislative Day

4/16/2013

many, many years ago; I would recommend it to all of you. It's a very pleasant place to visit. So, let me give you the Foreign Minister and the minister in charge of Immigration for the Bahamas, Mr. Fred Mitchell."

Minister Mitchell: "Thank you very much. Thank you, Mr. Speaker. Ladies and Gentlemen, thank you very much for your warm welcome here this morning. It's great to be here in the State of Illinois and in this historic Capitol. And I brought some liquid sunshine from the Bahamas. I'd also like to thank the chair of the Illinois Legislative Black Caucus, Representative William Davis, and other Members of the House of Representatives. At the outset, let me thank you for this invitation to address this august Body and your warm hospitality during my stay in this charming and historic city of Springfield. The state has a special historic and social resonance with the African Diaspora globally and certainly in the Bahamas. A few blocks from here, President Lincoln began his rise from a tiller of the soil to eventually convincing a nation of the equality of all men and the necessity for a national unity. And more recently, President Obama began his campaign, prefaced on hope and change, for the Presidency on the Old State Capitol. Speaking of President Obama, you may be aware of the recent visit of his daughters to the Bahamas. They had, by all accounts, a safe and enjoyable time. Last year we welcomed some 33 thousand or so people from this area to the Bahamas and we would welcome more and invite you to come. Joining me from the Bahamas is a delegation which includes Mr. Anthony Stuart from the Ministry of Tourism,

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

41st Legislative Day

4/16/2013

Miss Kimberley Lam from the Ministry of Foreign Affairs, and my aide, Mr. Kenneth Christy. It is in the same spirit of hope and optimism of Lincoln and Obama, despite the intractable challenges they both faced, that I stand here today to welcome the strengthening of our diplomatic relations and our bilateral cooperation. I'm here to seek to expand ties with this area, to seek to learn more about the area and to ask you to learn more about us in cultural exchanges, which we both shape... which we both share... a cultural heritage which we both share and the trade and commercial opportunities which exist and can be expanded. Thousands of Bahamians have received their tertiary level education from institutions in this state. And in the census of 2010, 330 people listed themselves as being of Bahamian decent, who live in this state. And that year there was some \$10 million in business done between the State of Illinois and the Bahamas. Clearly, this can be expanded because we do over a billion dollars worth of business with the State of Florida each year. Our population is 358 thousand local people, Bahamians, but we host 5 million tourists a year. The base is there then. And to show you what I mean, in 2005, 40 thousand people visited the Bahamas from this area. And if you compare that to last year when it was just 33 thousand, there is obviously scope for growth. The Bahamas also maintains regional and hemispheric superiority in the areas of financial services with one of the longest established international financial services sectors in the Americas and remains a high quality destination for wealth



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

41st Legislative Day

4/16/2013

management and for capital investment. Our two communities have been socially and culturally close as well. For example, the founder of the Bahamas Dance Theater is a woman named Shirley Hall Bass, one of the Bahamas' cultural and artistic treasures, but she was a native of Chicago. And before moving to the Bahamas, she moved at a time when she was at the apex of her professional and dancing career. Throughout her career she consistently used her craft and capacity as a director to foster an understanding between the two loves that she had, the United States and the Bahamas with the creation of the Foreign Cultural Exchange in 1968, when in that year, 58 young Bahamian ambassadors traveled to the City of Chicago. These are the types of linkages, not just economically but also socially and culturally, that we wish to develop and expand with this great state. So, against this as background we are looking at the possibility of appointing an honorary council with residence in Chicago to assist with enhancing the bilateral relationship between our two peoples. We've asked a Chicagoan with Bahamian roots, Michael Fountain, if this is something he would consider and of course, this is subject to your governmental approvals at the federal level. I seek your support for this and I raised the matter with the Honorable Speaker this morning. We think Mr. Fountain would do an excellent job. As we celebrate today, the deepening of the friendship and the collaboration between our two governments and peoples, I wish to close with the words of motivation from the son of your soil, President Lincoln, and I quote, 'The dogmas of the quiet past, are inadequate

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

41st Legislative Day

4/16/2013

to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew, and act anew. With malice toward none, with charity toward all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the both our nation's wounds.' On behalf of the Rt. Honorable Prime Minister Perry Christie, the government and people of the Bahamas, may God bless the people and government of the State of Illinois and the wider United States and may God bless the people and government of the Commonwealth of the Bahamas. I thank you for your attention."

Speaker Madigan: "Mr. Mitchell will be down in the well to greet those who wish to spend some time with him and to take pictures. And is Representative Soto in the chamber? Apparently not. So, Mr... Mitchell, thank you very much. Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker. May I make an announcement?"

Speaker Madigan: "Proceed."

Davis, W.: "Ladies and Gentlemen of the House, again, we'd like to thank Foreign Minister, the Honorable Fred Mitchell for his... for coming to visit with us today. We'd like to announce that myself and Senator Napoleon Harris will be hosting a reception for Minister Mitchell tonight at the Old State Capitol from 6 to 8. All of you should have this in your offices, but certainly everyone is welcome to attend. Thank you very much, Mr. Speaker."

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

41st Legislative Day

4/16/2013

Speaker Turner: "Members, we'll begin on the Order of Third Reading. First is House Bill... We'll begin with House Bill 3232, Representative Gordon-Booth. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3232, a Bill for an Act concerning education. Third Reading of this House Bill."

Turner: "Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. Currently, school boards must award all contracts for the purchase of supplies and materials or work involving an expenditure in excess of \$2 thou... excuse me... \$25 thousand to the lowest responsible bidder. House Bill 3232 simply adds to the list of contracts which are exempt from the lowest bidder requirement. Contracts awarded to a contractor located in the county where the school district or any portion of the school district is situated who was not the lowest bidder but who is a responsible bidder, who qualifies under the School Code, and whose bid does not exceed 2 percent of the lowest responsible bid received by the board. This piece of legislation is an initiative of the School Management Alliance. The intent of this legislation is to give school districts the ability to provide increased contracting opportunities to the local business owners in the community where those school districts reside. There is no opposition to this legislation. I am open for questions. I ask for your favorable vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3232 pass?' All those in favor say 'aye'; all those opposed say 'nay'. The voting is open. Have all voted

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

41st Legislative Day

4/16/2013

who wish? Have all voted who wish? Have all voted who wish? Representative Drury, Dunkin, Reis, Sosnowski, Durkin. Mr. Clerk, please take the record. On a count of 75 voting 'yes', 40 voting 'no', 0 voting 'present', House Bill 3232, having received the Constitutional Majority, is hereby declared passed. Representative Jefferson."

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

Speaker Turner: "Please state your point, Sir."

Jefferson: "Today, I'd like to take this opportunity to recognize and congratulate our colleague and my seatmate, Esther Golar, who is having a birthday today. Let's give her a round of applause."

Speaker Turner: "Happy birthday, Representative Golar. Representative Roth."

Roth: "Thank you, Mr... thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Turner: "Please state your point."

Roth: "I'd like to introduce to you today, my Deputy Fire Chief from Morris as well as our... Bob Wills and our Fire Trustee, Mike Feeney up in the gallery."

Speaker Turner: "Welcome to your Capitol. House Bill 3023. Representative Hurley. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3023, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Hurley."

Hurley: "Thank you, Mr. Speaker. Today I'm presenting House Bill 3023. This Bill is an initiation of the Cook County Sheriff's Office in response to situations experienced by

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

41st Legislative Day

4/16/2013

their Detective Division. The Bill closes a loophole in the Criminal Code by preventing a convicted child sex offender by being present in a playground or recreation area with any publicly accessible, privately-owned building. Currently, these individuals are prohibited from being in public parks and playgrounds and this Bill closes a loophole so that our local law enforcement can properly prosecute individuals taking advantage of this gap in the law to prey on young children. I appreciate your comments and ask for an 'aye' vote."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "The Sponsor yields."

Bost: "Okay. When we start talking about... and I thought, obviously, that you're trying to fill a loophole, you've said that. But, you know, we... we put 500 feet around schools, 500 feet around everything, so where does this directly affect?"

Hurley: "Through the Amendments this just directly affects being in the playground or recreation area in a privately-owned, publicly accessible building. For example, a McDonald's playground."

Bost: "Okay. That's... that's what I needed to know. Thank you very much."

Speaker Turner: "Representative Hurley to close."

Hurley: "Thank you for your support. I appreciate an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 3023 pass?' All those in favor vote 'aye'; all those opposed vote

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

41st Legislative Day

4/16/2013

'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Feigenholtz. Representative Hurley. Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3023, having received the Constitutional Majority, is hereby declared passed. House Bill 125, Representative Gordon-Booth. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 125, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. House Bill 125 is a local initiative that allows the Tri-County Regional Planning Commission to acquire, hold, sell real property. Currently the Code does not grant any joint regional planning commission the ability to do as such. The Bill is an initiative of the Tri-County Regional Planning Commission which simply seeks to purchase a building that they currently rent from Peoria County. Again, there is no opposition to this Bill. I am open for your questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 125 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 125, having received the Constitutional Majority, is hereby declared passed. House Bill 1648, Representative Cavaletto. Mr. Clerk,

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

41st Legislative Day

4/16/2013

please read the Bill. Mr. Clerk, what is the status of House Bill 1648?"

Clerk Hollman: "House Bill 1648 is on the Order of Third Reading."

Speaker Turner: "Please move this Bill back to Second Reading."

Clerk Hollman: "House Bill 1648, a Bill for an Act concerning animals. This Bill was read a second time on a previous day. Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Cavaletto."

Speaker Turner: "Representative Cavaletto."

Cavaletto: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill and requires that organizers of coon hunt events with at least 25 coon hounds to provide adjacent land owners written notice of at least 30 days before the end.. the event. And this is all sponsored by DNR."

Speaker Turner: "Gentleman moves for the adoption of House Amen... Floor Amendment #1 to House Bill 1648. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Representative Cavaletto and has been approved for consideration."

Speaker Turner: "Representative Cavaletto"

Cavaletto: "Floor Amendment #2 adds to the Bill to provide that local organizers of coon hunt events that allow the same day registration and that don't expect to have more than 25 participants will not be in violation of notification

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

41st Legislative Day

4/16/2013

requirements if more than 25 participants are registered at the start of the event. This is also sponsored by IDNR."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2. And on that question, we have Representative Leitch."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just wondered if the Sponsor... is this the highlight of your legislative career?"

Cavaletto: "Well, it means about \$3 million to my county and during a weekend. So, we'll take the money."

Leitch: "All right. Well, I just was checking 'cause I know you're a very diligent Legislator and would be looking out for your district. I'm..."

Cavaletto: "Thank you very much, Representative."

Leitch: "...very interested in this issue."

Cavaletto: "Thank you."

Leitch: "Can I cosponsor?"

Cavaletto: "Yes, you can."

Leitch: "Thank you."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to House Bill 1648. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No Further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 2341, Representative Jakobsson. Out of the record. House Bill 2562, Representative Jones. Out of the record. House Bill 3379, Representative Tabares. Out of the record. House Bill 1391,



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

41st Legislative Day

4/16/2013

Representative Yingling. Out of the record. House Bill 2748, Representative Harms. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2748, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Harms."

Harms: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2748 states that the Illinois Finance Authority must include no fewer than two members who have expertise in agribusiness or production agriculture. I'd be happy to answer any questions. And I move for the passage of this Bill."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2748 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2748, having received the Constitutional Majority, is hereby declared passed. House Bill 2649, Representative Arroyo. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2649, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker. House Bill 2649, the purpose of this Act is to address the common practice in the construction industry... in construction, the misclassification of work... workers as independent contractors in order to avoid tax and labor laws obligating

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

41st Legislative Day

4/16/2013

such as payroll taxes, unemployment insurance taxes. Also designed to ensure the employment of Illinois are not placed at a compensation disadvantage to contractors who would bid their work based on upon disadvantage of gain and improper classification of employees and independent contractors. I urge an 'aye' vote."

Speaker Turner: "Representative Reboletti."

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

Speaker Turner: "He indicates that he will."

Reboletti: "Representative, our analysis is showing four opponents: the Chamber, NFIB, Builders and Contractors and Home Builders. Can you explain what their objections were or have those objections been taken care of with your Amendments?"

Arroyo: "I don't... I didn't know that there was any opponent to the Bill. I didn't know that there was any opposition to the Bill but..."

Reboletti: "You didn't know that there was any opposition. That's what we're indicating. I see the number of proponents, but I am seeing four opponents. So..."

Arroyo: "I was... I was too busy having a conversation with you a few minutes ago and I didn't ask him."

Reboletti: "That's right. We're talking about lion meat and energy drinks. I know, so, could you take it out of the record just for one second to see if the opponents are still opposed and what the... if we could just give them a quick call, would that be all right, Representative?"

Arroyo: "No, not really. I have my guy here. I don't want him run up and come back down. So..."

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

41st Legislative Day

4/16/2013

Reboletti: "It'll only be a few minutes, Representative."

Arroyo: "If you have any questions, I'll be happy to answer any questions."

Reboletti: "Well, I'm trying to find out what their opposition is. That's all... that's all I'm trying to do so we can..."

Arroyo: "Reboletti, I believe that they're opposed because of the individual liability. That's what I was told."

Reboletti: "They're opposed because of individual liability?"

Arroyo: "Yeah."

Reboletti: "And who is this an initiative from?"

Arroyo: "Department of Labor, Joe Costigan. He brought the Bill to me."

Reboletti: "Thank you."

Speaker Turner: "Representative Sacia."

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

Speaker Turner: "The Sponsor yields."

Sacia: "Representative Arroyo, picking up a little bit on the previous speaker's concerns, and reading down through it here, I... I've been... I see it is an initiative of the Department of Labor and I guess I feel a little challenged that you're not willing to take it out of the record to determine the degree of the opposition from the Illinois Chamber and NFIB and the Contractors and Home Builders. And in fairness, you know, I have not spoken with any of them, but if this is an issue with probusiness groups like that, I really think we should get a explanation as to why this is good legislation. Would... would you do that for me, please?"

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

41st Legislative Day

4/16/2013

Arroyo: "I think that the only problem is the personal liability. That's what they object to. That's what they've told us."

Sacia: "Well, that... that's pretty significant. You know, personal liability for a contractor and a homebuilder and obviously, the Chamber and NFIB are standing with them regarding that. Is that how you understand it, Representative?"

Arroyo: "Yes."

Sacia: "I'm sorry, Representative, did you respond?"

Arroyo: "Yes, I says yes."

Sacia: "Okay. Ladies and Gentlemen, I... I would advise a degree of caution on this Bill and if you're standing with labor, I understand where the Representative is coming from, but many private businesses seem to have concerns here. With all due respect, Representative Arroyo, I will be voting 'no'."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "Sponsor Yields."

Bost: "You know, it's common practice when we're working on law that rather than using calendar days we actually use work days. Is there a reason why we only 14 calendar days and not... not a certain number of work days would be implemented?"

Arroyo: "I don't think there's any difference."

Bost: "Actually, there is. There's... there's almost a full week difference. And that's, you know... so... Mr. Speaker, to the Bill. Ladies and Gentlemen, in the last 12 years... in the

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

41st Legislative Day

4/16/2013

last 12 years, we, in the State of Illinois, have lost 177 thousand jobs, 177 thousand jobs. Now we pass pieces of legislation day after day after day thinking that, okay, well, this will be good. We get advice from both sides, whether it's labor or management. Through every labor group and through the Chamber and the NFIB and in this case, the Associated Builders and Contractors, they're the people that work in it every day. They have advised the Sponsor that there seems to be some problem that could endanger some of their businesses and therefore, bring up more risk to their businesses. But yet you pushed forward with this piece of legislation that can actually, once again, stop people, not necessarily from being in business but for going out and creating new jobs to the level that you might have in other states. Folks, wake up. We're chasing jobs away from our state. This... even though it's just a small Bill, it still falls into that same category. When do you back off the people who provide the jobs and actually start swinging the door open so that we can have more employment, so that we can have more people working, so that we could have more people paying taxes, so that we can get out of this budget crisis we're in. It's very clear that there's some opposition to this. If you truly believe in allowing the working people of the State of Illinois to continue to work, stop this. Vote 'no'."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "Sponsor yields."

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

41st Legislative Day

4/16/2013

Kay: "Thank you. Representative, I just heard the previous speaker say that this was sort of a small Bill, maybe an insignificant Bill, and all due respect, Jim, I think it's a pretty big Bill."

Arroyo: "I think so too, but..."

Kay: "I think it's a huge Bill."

Arroyo: "This is only to the law-abiding citizens."

Kay: "No, let me... let me just... let me back up a second... let me take my time and ask some questions if I may, Representative. Did you sign up on any of the progrowth jobs Bills that have been put out as a package this year?"

Arroyo: "I don't recall."

Kay: "Well, have you signed up on any projobs Bills ever?"

Arroyo: "I support any projobs Bill, but this..."

Kay: "But none this year?"

Arroyo: "...this... this is different, Kay."

Kay: "I know it's different. I understand that, but you have supported none this year because your name doesn't appear on any of those Bills. So when I look at our analysis and it says that your Bill allows for individual liability of an officer of a corporation or agent of the employer that means that the individual as well as the corporation or LLC or sole proprietorship or whatever the case may be, may be liable. Is that not correct?"

Arroyo: "There's a lot of people that have a company and when they get a fine the Department of Labor can't retrieve the fine 'cause they'll change the name from one name to another name. They change it four or five times so not to

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

41st Legislative Day

4/16/2013

pay the fine, so the Department of Labor can't retrieve their fine. That's the problem with this Bill."

Kay: "Well, I understand that and I would suspect that a state's attorney or even the Attorney General can track those few people down, but please answer my question. I'm looking at our analysis and it says it allows individual liability of any officer of a corporation or agent of the employer and that would also be in addition to an LLC or a sole proprietorship or whatever the case might be. Is that not true? You can..."

Arroyo: "Yes, Sir."

Kay: "...hit two people... Yeah. Yes, Sir. I guess my question is just this. If you're concerned about business and jobs in the State of Illinois and your concern about those businesses and jobs is so great, why would you throw a Bill at the General Assembly, which is just another one that we've seen this year, which makes the environment within the State of Illinois unacceptable to business and job creators?"

Arroyo: "We... we want to be able to have the people do the right job and we want to be able to collect the fines. If they create a penalty, you want to be able to extract the money for the Department of Labor."

Kay: "But Representative, wouldn't it be sufficient to just collect it..."

Arroyo: "And this is also cre... this is also creating jobs, Representative."

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

41st Legislative Day

4/16/2013

Kay: "Wouldn't it be... wouldn't it be sufficient, Representative, just to collect the fine and have the wrongdoer be the company and not the individual of the company?"

Arroyo: "It helps create jobs to a law abiding citizens. It helps to be able... there's been 15 cases of the... to the Department of Labor, nine of the companies have dissolved."

Kay: "Well, that... again, though, my question is this. Why are we taking two bites at an apple when one is sufficient if there's wrong doing?"

Arroyo: "It's not two bites. I don't consider it to be two bites."

Kay: "Well, it is. If you are suing the LLC or... or a company or a sole proprietorship..."

Arroyo: "It's just protecting... it's just protecting..."

Kay: "...and you sue the company itself, that's two bites."

Arroyo: "That's your opinion, Representative."

Kay: "Well, but what you're really saying is, if the company does something wrong, we want to make sure we penalize them and then want to make sure..."

Arroyo: "We're not talking... if they have the penalize... if they have the penalty already, we just want to retrieve... the Department of Labor wants to retrieve the penalty. We're not going to penalize them."

Kay: "Well, yeah, you are because it says that you're making two people liable... or two entities liable instead of one. So, you're going to... you're going to make sure that the entity itself pay and then you're going to put the small businessman or LLC out of business. Isn't that correct?"



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

41st Legislative Day

4/16/2013

Arroyo: "This is just a safeguard to make sure the company doesn't dissolve."

Kay: "Well, Representative, I... we could debate this back and forth, but this is one of many, many Bills that are going to pass. I'm sure that this will pass... pass through this Assembly with another letter to a businessman that says, put on your hat and coat and take off because the environment in this state is unfriendly. Thank you."

Speaker Turner: "Representative Tracy."

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

Speaker Turner: "Sponsor yields."

Tracy: "Representative, I'm trying to understand like the 14 calendar days. Does that include business... is that interpreted as business days or just straight calendar days?"

Arroyo: "I would say it would be calendar days."

Tracy: "Okay. So, a straight 14 days from the time a person gets notice and if they for some reason were traveling out of the country or on a simple vacation or anything, they're gone 14 days, they don't respond then everything is taken true against them and a small business guy could suddenly find himself subject to criminal and civil penalties."

Arroyo: "Well, I would have to get back to you. I think that they have the opportunity to have a hearing based on the first violation or their first fine..."

Tracy: "Well, the way I'm reading it..."

Arroyo: "...and they could also appeal it."

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

41st Legislative Day

4/16/2013

Tracy: "...if... it looks like they're only given this 14 calendar days to respond. And if not then the allegations are taken as true."

Arroyo: "That's correct."

Tracy: "And then they would have criminal and civil liability. I'm just imagining... imagining the new roofer that starts a business, perhaps he's incorporated, perhaps he is not. He starts a business and then for whatever reason, he's out of the office for 15 days and when he comes back it's like he's almost out of business because he's not responded. He now has criminal and civil penalties..."

Arroyo: "It... it doesn't say anything..."

Tracy: "...even if he is incorporated."

Arroyo: "...it doesn't say anything about criminal it's exempted."

Tracy: "Well, I do think there's..."

Arroyo: "It says it on the Bill that it's criminal exempt."

Tracy: "So, it is not criminal in any way?"

Arroyo: "No."

Tracy: "But it's a civil penalty not to exceed \$1500 for each violation or 25 so."

Arroyo: "Yes."

Tracy: "Okay. So it's not a criminal penalty but yet it's significant civil penalty. Does this Bill pierce the corporate veil?"

Arroyo: "I would have to get back to you on that."

Tracy: "Well, it says that it's individual liability and so what I'm trying to figure is if this small roofer scenario that I... I've described, incorporated and then, you know,

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

41st Legislative Day

4/16/2013

it's highly unusual that we'd be piercing the corporate veil and imposing individual liability for a corporate officer."

Arroyo: "There is precedent for personal liability..."

Tracy: "So, we are piercing..."

Arroyo: "...under wage payment..."

Tracy: "...the corporate veil?"

Arroyo: "...by the selection law..."

Tracy: "Okay."

Arroyo: "...of the unemployment insurance."

Tracy: "Well, thank you. I, you know, to the Bill. I think this is going to be one more nail in the coffin irregardless of what size business you are and it's the small businesses in Illinois that are closing up their doors rapidly. And they're the largest type of business we have in Illinois. You get a letter in the mail. You've opened a business and the Department of Labor, to whom you pay a lot of taxes and fees to, is telling you that if... within 14 calendar days you don't respond, then you're going to incur this type of civil liability. I think is a terrible, terrible Bill and I would encourage... encourage a 'no' vote."

Speaker Turner: "Representative Sandack."

Sandack: "To the Bill, Mr. Speaker. Ladies and Gentlemen, this Bill may seem innocuous. It isn't. This Bill imposes individual liability in the statute itself. A previous speaker asked of the Sponsor if it pierces the corporate veil. It absolutely does pierce the corporate veil and makes the corporate entity, whether it's an LLC or a corporation, a nullity. For that singular reason, you

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

41st Legislative Day

4/16/2013

should vote 'no' and I urge a 'no' vote. Thank you, Mr. Speaker."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "Sponsor yields."

Zalewski: "Representative, this is an initiative of the Illinois Department of Labor, correct?"

Arroyo: "Yes."

Zalewski: "And it's being done because the department feels though there's a policy problem with the statute as it's currently constructed when it comes to enforcement, correct?"

Arroyo: "Yes, it's supposed to be some cleanup of the Labor Department."

Zalewski: "And in the... the Illinois Department of Labor feels as though that they can better ensure that there's compliance with existing State Laws by enacting these changes, correct?"

Arroyo: "Absolutely."

Zalewski: "And there's nothing in this Bill that deals with criminal penalties, isn't that accurate as well?"

Arroyo: "Right."

Zalewski: "So, to the Bill, Mr. Speaker. I mean, with all due respect, we've heard a lot of criticism of the Bill as it's antibusiness and pierces the corporate veil and it's going to do things that are burdensome to the business community. What I would say is what about the businesses that currently comply with the law? What about the businesses that ensure proper classification of employees and are

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

41st Legislative Day

4/16/2013

doing things that are necessary to ensure that they comply with the law and do things in the best interests of their business and compliance? What about those businesses? What are we saying when we say, it's okay to not abide by the law? I think the Gentleman's Bill is good. I think it deserves worthy consideration. I think it deserves an 'aye' vote."

Speaker Turner: "Representative Reis."

Reis: "Thank you, Mr. Speaker. I would like to give my time to Representative Sacia."

Speaker Turner: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Representative, obviously I already spoke to your Bill and as I read it I become more and more and more and more concerned. Ladies and Gentlemen, Representative Sandack said it very, very well. I personally own a corporation. The reason it's a corporation is to protect me. I deal with over a thousand sales of trailers a year. This does pierce the corporate veil. Ladies and Gentlemen, this isn't about Democrats, this isn't about Republicans. This is very invasive legislation that goes directly against the reasons that corporations are formed. They are to protect the individuals. I could be sued. I could lose my business. I could deal with that, but I don't want to lose my... you know, the... the few assets I'd have left as a family and this does that. Ladies and Gentlemen, this is highly invasive legislation. It is totally antibusiness. And Representative Arroyo, again, you know we're dear friends and I respect what you're trying to do, but I think you're very misguided on this one. This is

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

41st Legislative Day

4/16/2013

a very invasive piece of legislation. And both sides of the aisle, Ladies and Gentlemen, I think we need to be a 'no' on this particular... this particular Bill. Thank you."

Speaker Turner: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I can't add too much more to the debate, but I will add one point that I think needs to be brought up. What you're going to see is some bad actors; you're going to see some things that happened that maybe were on accident. What this will do is increase costs on business, though. We have errors in admission insurance. This Bill will hold the corporate entity... or the corporate entity and the owner liable. It's going to increase costs on these people. It's going to increase costs on business. Please do not go down this path. And Mr. Speaker, if this Bill would get the required number of votes, I ask for a verification."

Speaker Turner: "Your request is acknowledged. Representative Durkin."

Durkin: "To the Bill. I've just started reading this and just saying you have 14 days to respond otherwise the allegations are deemed true. It doesn't say that 14 days with a continuance. There are times when employers... I'm a practicing attorney, a lot of us are in here, 14 days turnaround to respond these... any type of allegation whether it's a civil complaint, an administrative complaint is unreasonable. They have to perform their own due diligence. They have to make a responsible answer and 14 days is just... it's... it's ridiculous to hamstring them like that. But the

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

41st Legislative Day

4/16/2013

bigger... the bigger picture is... is that how much more do we want to pound the employers in the head? These guys have got to put people in the state. We are... they're running to Indiana, Missouri, Wisconsin by the droves. The more and more we have legislation... we pass legislation similar to this, the more and more we're telling the employers of the State of Illinois that you're not wanted, but if you're going to stay here, we're going to make life so difficult for you that it's not going to be even worthwhile to, you know, to cut a check for your employees around holiday time 'cause there's going to be no margins left. I think that this is a bad Bill. I think that everybody should put this one... vote 'no'. It is... there are so many things in this Bill that I think that are unfair to the employer that I can't even believe we're here. Vote 'no'."

Speaker Turner: "Representative Martwick."

Martwick: "Thank you, Mr. Speaker. To the Bill. I want to address some... a couple of the points that have been made by our colleagues on the other side of the aisle. Number one, this is not an antibusiness bill. It is absolutely not. This does not change the rules by which businesses have to comply. It changes enforcement provisions. This goes after the businesses that would break the rules. It does not do anything to punish the businesses that comply with them. And as we all know, that's probably the majority of businesses. Now, much has been made of this piercing the corporate veil, which is a wonderful legal term of art. And to the Representative that spoke about selling trailers, if you sold a trailer that was knowingly defective, if you

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

41st Legislative Day

4/16/2013

knew that that trailer was defective and someone was harmed, there'd be no question about whether or not you would be personally liable. Piercing the corporate veil is not illegal. In fact, it's done regularly in these types of situations. All this does is it codifies it. It says that if an employer knowingly violates the provisions that are already illegal under the Act, that... that officer of that corporation, if they knowingly allow the employer to violate it, then they will be liable. This is not something new. This is not something crazy. This does not punish the vast majority of businesses in Illinois. It only gives the Department of Labor a tool to enforce the laws that are being broken by the bad businesses. I urge an 'aye' vote."

Speaker Turner: "Representative Cloonen."

Cloonen: "Yes. Thank you Mr... will the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Cloonen: "I have a couple of questions. Representative Arroyo, did you say that in fact this Bill does pierce the corporate veil with regards to liability?"

Arroyo: "Yes."

Cloonen: "And does this also set a precedent for piercing the corporate veil for other areas such as workers' compensation?"

Arroyo: "I believe not."

Cloonen: "So, it states specifically it's only for personal liability and that no workers' compensation could be pierced then to owner of the corporation?"

Arroyo: "No."



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

41st Legislative Day

4/16/2013

Cloonen: "Then my last question is, on the 14 days, is this already proven that it's a violation or it's a question of whether or not it's a corporation is in violation?"

Arroyo: "Could you answer the question again, please? Could you an..."

Cloonen: "I'm sorry, I can't hear you."

Arroyo: "Could you ask the question again, please?"

Cloonen: "Yes. Regarding the 14 days, does this regard a question of whether there is a violation or a proven violation?"

Arroyo: "Well, I believe when they get a fine they have 14 days to answer to the fine. This... an allegation... this only affects the people that are not... that are misqualification... misclassification of the employees. Some of them could be a private contractor or an independent contractor or stuff like that. So, when the company's doing a misclassification of their titles of the employees."

Cloonen: "So, they have been proven already to be misclassified. Is that correct?"

Arroyo: "Sure."

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

Speaker Turner: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. To the Bill. With all due respect to the Sponsor, truly this is one of the worst Bills, most anti-business Bills that we've seen this Session. What in affect can happen underneath this Bill, by piercing the corporate veil a small business person could literally lose everything that they have because of what may be a clerical error. This Bill makes absolutely no

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

41st Legislative Day

4/16/2013

sense whatsoever and will have uncalculated damage to the small business community in this state and perhaps the larger entities as well. I think this is a shining example reflected in this legislation as why businesses are fleeing the state in droves. Nobody in their right mind would recommend coming into Illinois given the business climate that has been developing here through the years. I think this is a very, very bad Bill. And at a time when we have such financial difficulties in our state and should be looking for ways to grow out of this mess, this Bill, certainly, is a step in the wrong direction. Thank you."

Speaker Turner: "Representative Hatcher."

Hatcher: "Thank you, Speaker. I'd like to give my time to Representative Sandack."

Speaker Turner: "Representative Sandack."

Sandack: "Thank you, Mr. Speaker. Real briefly because we've had a lot of rhetoric and rancor. Here's the bottom line. The statute provides way too much armament for the DOL. If a bad employer commits heinous acts, knowingly or otherwise, piercing the corporate veil is always an availability for a trier of fact to utilize in its endeavors. Putting it in the statute makes running a company or having an LLC a nullity. That, again, is the singular reason to vote 'no'. It is absolutely intolerable to let this happen. Why would you want a business in this state? Why would you want to be in the construction business in this state if your company veil meant nothing? Folks, we're trying to build business. This is a big step backwards. I, again, urge a 'no' vote."

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

41st Legislative Day

4/16/2013

Speaker Turner: "Representative Monique Davis."

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

Speaker Turner: "Sponsor yields."

Davis, M.: "Representative, would you tell us who the proponents of this Bill are?"

Arroyo: "The Department of Labor."

Davis, M.: "Well, I see the Department of Labor, the Attorney General, the Carpenters Association, the Foundation of Contracting in the State of Illinois, the Council of Operating Engineers, the Pipe Traders Association, Partners and District Council 14 AFL-CIO. And to the Bill, Mr. Speaker. I think when people want to do the right thing then they are not afraid of being held liable. If people want to do the right thing, they have no fear of being held liable because they know they will not do the wrong thing. I urge an 'aye' vote."

Speaker Turner: "Representative Lang."

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

Speaker Turner: "Sponsor yields."

Lang: "Representative, this is obviously a more controversial Bill than you had anticipated, would that be true?"

Arroyo: "I think you hit the nail on the head, Lou."

Lang: "And can you explain to us what all the uproar is about? Can... First of all, I think because we're running a lot of Bills now and there's a little noise in the chamber perhaps everyone doesn't know exactly what the Bill does. So, can you start us from the beginning and tell us what this Bill does, slowly and carefully?"

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

41st Legislative Day

4/16/2013

Arroyo: "Well, the Employment and Classification Act attempts to address the widespread problem in employment misclassification in construction industry. After several years enforcing this law, the Illinois Department of Labor and the Attorney General's Office has identified some barriers to effectively enforce House Bill 2649 that would address several of those barriers specifically in the Bill. Streamlines... streamlines the administration process. It adds provisions to the ECA that allows the Department of Labor to hold hearings. Under the current system, the department investigations ECA cases attempt information, resolve them and... but it does effect file... file the cases and sends the Attorney General's Office essentially start over in course. Sometimes is up a year or later and we have found that some unscrupulous employers take advantage of this delay and use this time to transfer their assets and dissolve their companies and avoid liability. This Amendment provides that the corporation officers or grants may be held individually label... liable where the evidence shows that the officer or agent knowingly permits that employers violate the ECA. This is the same type of provision recently added to the waste payment and collection law to the unemployment insurance law. It is not provision that can be used only knowingly. It is a highly legal standard to provide... to prove, but it is effective tool to put... be used to collect from those bad actors that will choose to dissolve their corporation and start a new company in order to avoid this legal obligation. Currently, the ECA does not include any incentive for work... for

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

41st Legislative Day

4/16/2013

workers who risk their jobs to complain and misclassification. House Bill 2649 provides that effected workers receive 10 percent of any penalties recovered by the Department of Labor, in this case."

Lang: "So, Representative... I'm over here, Representative. So, you read all that into the record?"

Arroyo: "Yes, Sir."

Lang: "What's the Bill do?"

Arroyo: "It helps... it gives power to the Department of Labor so that they collect their fines, stronger enforcement power."

Lang: "Well, it sure sounds like a good Bill to me. Vote 'aye'."

Speaker Turner: "Representative Roth."

Roth: "I'd like to yield my time to Representative Reboletti."

Speaker Turner: "Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. After much debate, I remember a Bill we passed, probably this year or last year, that we would send a letter to employers as to why they left the State of Illinois. And there could be a laundry list of reasons why people leave the State of Illinois, we have at least one person leave every hour. We're one of the few states that's not growing economically. And I can only imagine after the company's bankrupt and the person not only loses their corporation and the corporate assets and they have to lay people off and fire them because the corporate veil has been pierced, now they'll lose their home and they'll lose their car and they'll lose all their personal assets. And so, then when you are able to find

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

41st Legislative Day

4/16/2013

them to ask them why they left the State of Illinois, they could simply respond House Bill 2649. Vote 'no'."

Speaker Turner: "Representative Arroyo to close."

Arroyo: "If you vote 'no' for this Bill, you will be voting with the people that don't comply with the law and the Department of Labor. I urge an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 2649 pass?' A verification has been requested, so Members please vote your own switches. The question is, 'Shall House Bill 2649 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 69 voting 'yes', 45 voting 'no', 1 voting 'present', House Bill 2649, having received the Constitutional Majority, is hereby... Representative Sullivan, would you like to proceed with your verification? Mr. Clerk, please read the 'aye' votes."

Clerk Hollman: "A poll of those voting in the affirmative:  
Representative Acevedo; Representative Arroyo;  
Representative Beiser; Representative Berrios;  
Representative Bradley; Representative Burke, D.;  
Representative Burke, K.; Representative Cabello;  
Representative Cassidy; Representative Chapa LaVia;  
Representative Conroy; Representative Costello;  
Representative Crespo; Representative Currie;  
Representative D'Amico; Representative Davis, M.;  
Representative Davis, W.; Representative DeLuca;  
Representative Drury; Representative Dunkin; Representative Evans;  
Representative Farnham; Representative Feigenholtz;

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

41st Legislative Day

4/16/2013

Representative Fine; Representative Flowers; Representative Ford; Representative Franks; Representative Gabel; Representative Golar; Representative Gordon-Booth; Representative Harris, G.; Representative Hernandez; Representative Hoffman; Representative Hurley; Representative Jackson; Representative Jakobsson; Representative Jefferson; Representative Jones; Representative Kifowit; Representative Lang; Representative Lilly; Representative Manley; Representative Martwick; Representative Mautino; Representative Mayfield; Representative McAsey; Representative McAuliffe; Representative Mell; Representative Mitchell, C.; Representative Moylan; Representative Mussman; Representative Nekritz; Representative Phelps; Representative Rita; Representative Scherer; Representative Sims; Representative Smiddy; Representative Smith; Representative Soto; Representative Tabares; Representative Thapedi; Representative Turner; Representative Verschoore; Representative Walsh; Representative Welch; Representative Williams; Representative Willis; Representative Zalewski, and Mr. Speaker.

Speaker Turner: "Representative Sullivan."

Sullivan: "Mautino. Oh, well, you're not in your seat. Rita. "

Speaker Turner: "Representative Bob Rita."

Sullivan: "You want to call it or wait for a while?"

Speaker Turner: "Representative Rita is not on that..."

Sullivan: "Is Representative Rita on the floor or not?"

Speaker Turner: "Representative Rita is not on the floor."

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

41st Legislative Day

4/16/2013

Sullivan: "Proceed. Are you going to remove him from the Roll Call or not?"

Speaker Turner: "Please remove him from the Roll Call, Sir."

Sullivan: "Thank you very much. Hoffman."

Speaker Turner: "Representative Hoffman is not on the floor. Please remove him from the Roll Call."

Sullivan: "Mautino's there. Nekritz. Oh sorry, I didn't see you."

Speaker Turner: "Representative Nekritz is in the chamber."

Sullivan: "Cabello."

Speaker Turner: "Representative Cabello is not in the chamber. Please remove him from the Roll Call."

Sullivan: "I believe that's all I have. Thank you."

Speaker Turner: "Mr. Clerk, please take the record. On a count of 66 voting 'yes', 45 voting 'no', 1 voting 'present', House Bill 2649, having received a Constitutional Majority, is hereby declared passed. House Bill 2420, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2420, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Chapa LaVia."

Chapa LaVia: "Do we... can we adopt... let me see... oh, I'm sorry. What it does... thank you, Jack, would you like to get up and speak on it? Thank you, Speaker and Members of the House. This is... what it... 2420 does is amends the School Code to allow before January 30, 2013, a person who holds a school service personnel certificate to renew their certification if they are married and a family therapy... a marriage or family therapist. I've spoken to IEA and INC... IEA and IFT,



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

41st Legislative Day

4/16/2013

they're neutral on it. A lot of people received a lot of e-mails on this, but what we've agreed on... and it's going to be amended over there and brought over here back for Concurrence, if there's any language. But what we've decided... what happens here is when they go for their certification for their license for marriage and family therapist they get one certification. And then if they want to practice in a school, they have to get another certification. So, the way the Bill reads, it looks like they don't have to get a certification to work in a school setting, but it... they do. It follows all the same statutes as the school counselors, school psychologists, school speech and language pathologists, school nurses, and school social works... workers. The same thing has happened. The Bill simply provides additional mental health service options in our school system that are desperately needed in light of recent school shootings, the tragedies that happen. And the Bill does not mandate schools or school districts to utilize the services of a licensed marriage or family therapist. It simply provides them with another tool, in fact, that... it is because of that fact that all major school district organizations of Illinois are neutral on House Bill 2420. I'll take any questions."

Speaker Turner: "Representative Zalewski."

Zalewski: "To the Bill, Mr. Speaker. I urge an 'aye' vote. The type of therapy we're talking about in this Bill, we've been working with the various licensures and it's abundantly clear that there's a very specific need for what the Representative is trying to accomplish. And this would

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

41st Legislative Day

4/16/2013

not, in any way, interfere with cross licensure and who can do what. The goal here is good public policy and to ensure that these kids are getting the accurate training they... the families are getting the accurate amount of help they need. So, I encourage a strong 'aye' vote."

Speaker Turner: "Representative Sacia."

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

Speaker Turner: "Sponsor yields."

Sacia: "Representative Chapa LaVia, I'm... I'm a little bit conflicted. Our analysis, you know, lists a group that are in opposition and I also have been handed a sheet from a lobbyist that indicates Chicago Teachers Union, Illinois Federation of Teachers, Illinois Allow... Alliance for Special Education Administrators, Illinois School Psychologist Association, Illinois School Social Workers Association, Illinois Mental Health Counselors Association, Illinois Psychological Association, and the Illinois Special Education Legislative Alliance are all in opposition. Is that valid?"

Chapa LaVia: "Yeah, once again, to the Bill. What happens is that all of those professions that are opposed to it think that these people are going to have a special lice... that... that they're going to get into schools without the proper certification that all those other people are opposed to. It's a discussion out there. The way the Bill is written, is written like it was for every other profession in the whole list that you were talking about, okay. So... except for teachers because they have a different certification. Anybody coming into the school that has a certification in

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

41st Legislative Day

4/16/2013

the counseling, the therapist, speech pathologist, what have you, they have their certification from schooling, and then they have to go through another schooling once they go into the Chic... into the school system. So, the way the Bill reads somebody would say, hey, they don't have to get the same qualifications as we do. That's correct the way it reads, but they can't go into a school until they get certified to work in to a school setting. So it's a whole different series of classes that they have to take. This just gives them the ability. If they want to try to go down that street and work in the school, this is the first step that needs to happen. But they can't get in to work in a school right now just based on their Marriage and... their Marriage and Family Therapist degree. They have to take another certification. So, it's like two separate entities that's happening here and that's why it's all the confusion. Okay. It... and we've... I've spoken... this is two weeks long discussion that we've had with the Marriage and Family Therapist and IFT. The other ones, I'm... I'm... they're probably having the same issue of not comprehending this because it's they're members that notified them. It wasn't the people here that brought it to me. It was all the e-mails that went out and then the... the la... the lobbyists for the unions then got engaged, right. So, there's two pieces. I don't want... allow anybody in a school district that's not certified to teach... to teach certain elements in a school district. So, once again, this is just like the initial foundation we pass for any legislation for school counselors, psychologists, speech therapists, what have

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

41st Legislative Day

4/16/2013

you, but on their certification is one thing. If they want to go into our public schools, they have to be given another certification, so they have to go through more training. This is just the first door into that. So, it's a very confusing piece of legislation."

Sacia: "I give you that."

Chapa LaVia: "Right. So, but this... in order for them to even venture into that... now, we're not mandating any schools to allow them in. It's... there's tools in the toolbox to help the children through any issues that happen. This is just one of the professions that can help. But this is the first step. They still have to go through the same training as all the other counselors, psychologists, therapists in order to counsel the children in schools. Okay? So, there's two different doors that are open and I can see the confusion on the second one. And it just gives the students and the families and the schools more options for specific different counselors in different areas to help them through issues that are happening today. I'm still talking with, like I said earlier, IFT. I have no problems with them amending it over there and bringing it back over here for Concurrence. Okay?"

Sacia: "Great. You know, I... Representative Chapa LaVia, I... I understand and in fairness, my analysis now shows that the IFT is now neutral and... but these others are in opposition. Is it because they're still conflicted and... and they don't really understand?"

Chapa LaVia: "Right. This is... this is correct. But the way they're reading it is correct. This just does half of the

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

41st Legislative Day

4/16/2013

apple. After we pass this, then if the person wants to work in the school district, then they have to be certified to do that. So, that's a whole other class that they have to take not..."

Sacia: "But you're going to work on amending it and bringing it back, is that right?"

Chapa LaVia: "Right. This is just allowing that... that subsection of profession to even have the possibilities to be in the school system

Sacia: "Okay."

Chapa LaVia: "And then from that, they have to go through the training... they're required by the state for them to get certified to work in the school district. So, when the counselors and psychologists and speech la... they all had to go through this same stuff. So, there was that confusion, like we're having. So, I'm sure if we pull all the record, it's kind of the same debate. But this is just another profession that the schools, the children, the families can utilize to help them through whatever situation they're in. This doesn't mandate. This doesn't say they go right there. This is just the first step for that to go in that door of being able to get another certification to work in the school system."

Sacia: "Thank you, Representative."

Chapa LaVia: "Thank you."

Speaker Turner: "Representative Chapa LaVia to close."

Chapa LaVia: "I know this is a very difficult piece of legislation to really understand. I thank Representative Lou Lang, Representative Z, they both had the same Bill in

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

41st Legislative Day

4/16/2013

the past. It's just very confusing. I... I would hope that we could support it and we could keep on working on this 'cause it's just another tool, another profession we can help our children with in the State of Illinois to deal with issues. I ask for an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 2420 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Currie. Will Davis. Mr. Clerk, please take the record. On a count of 76 voting 'yes', 38 voting 'no', 1 voting 'present', House Bill 2420, having received the Constitutional Majority, is hereby declared passed. House Bill 1323, Representative Berrios. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1323, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Today I bring you House Bill 1323 which requires that the Illinois Department of Financial and Professional Regulation write rules establishing examination procedures and creating a fine schedule to bring consistency to the licensee examination and fine process for businesses licensed under the Consumer Installment Loan Act and the Payday Loan Reform Act. This is an agreed Bill between all parties. I'd ask for your support."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1323 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all

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

41st Legislative Day

4/16/2013

voted who wish? Have all voted who wish? Representative Christian Mitchell, Scherer, Sommer. Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1323, having received the Constitutional Majority, is hereby declared passed. House Bill 1047, Representative Durkin. Mr. Clerk.. Out of the record. House Bill 2765, Representative Costello. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2765, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Turner: "Representative Costello."

Costello: "Thank you, Mr. Speaker, Members of the House. House Bill 2765, as amended, requires prescreeners for Medicaid eligibility to inform individuals of the Spousal Impoverishment Program and the financial information they are required to provide and the consequences if they fail to do so. I thank you. And I ask for an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2765 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2765, having received the Constitutional Majority, is hereby declared passed. House Bill 2404, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2404, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Turner: "Leader Currie."

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

41st Legislative Day

4/16/2013

Currie: "Thank you, Speaker and Members of the House. This measure would bring Illinois law into line with those 38 other states, Federal Law, and the law of many other nations by bringing 17-year-olds into the juvenile court system. This is a Bill that is not, in fact, soft on crime because all of the automatic and mandatory transfers would still be in effect. So, a 17-year-old charged with a forcible felony with a firearm, with a Class X offense, with murder, they would still go into the adult court and a judge would retain discretion under this Bill. If the state's attorneys succeeds in petitioning for an individual to be removed to the adult court, that would continue to happen. But what it would do for the low level felons is give them an opportunity to be treated in juvenile court where there are services available to try to encourage those kids to move beyond a life of crime where there are options to incarceration, deferral programs, and so forth and so on. This is, I think, a strong Bill. We've already gone down this path to a degree. Several years ago we said that youngsters accused of misdemeanors would stay in juvenile court. The effect of that actually has been to reduce the number of young people in state detention facilities and local detention facilities as well. This Bill has the strong support of Illinois State's Attorneys, of the State Bar Association, of the Sheriff of Cook County, Tom Dart, of President Preckwinkle of the Cook County Board and it is also an initiative of the Juvenile Justice Initiative and has support from many other organizations, Catholic Conference, Lutheran Social



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

41st Legislative Day

4/16/2013

Services. And I would be happy to answer your questions. I think it's time for us to treat young people as young people because as we know they really are young and their minds are not fully formed and their judgment is not always as mature as we would like it to be. Thirty-eight other states do it this way and I would strongly urge Illinois to join the rest."

Speaker Turner: "Representative Reboletti."

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

Speaker Turner: "Sponsor yields."

Reboletti: "Representative, besides the Class X offenses and murder what other crimes... what Class 1 would be..."

Currie: "First degree murder, armed robbery with a firearm, aggravated criminal sexual assault, aggravated battery with a firearm, aggravated vehicular hijacking, unlawful use of weapons on school property, forcible felonies, Class X felonies. For all other felonies, again, any... any juvenile can... the state's attorney can petition the court to send that individual to adult court. The court would retain the discretion to do just that. And remember under Illinois, once the youngster is tried in adult court, in adult court once, you're in adult court forever. And we know what happens when people are convicted in adult court of felonies, we know how difficult it is for them ever to turn their lives around. We also know from research done by, I think the Pew Foundation, that youngsters who are in the adult setting, in adult correctional facilities for example, are 38 percent more likely... almost 40 percent more likely, to return to a life of crime once they're out on

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

41st Legislative Day

4/16/2013

the streets than those youngsters who were treated in the juvenile system."

Reboletti: "How did we... how do we end up here? Representative... I'm sorry. Leader, how did we end up with this? Misdemeanors are treated one way and felonies are treated the other way?"

Currie: "I'm sorry. I don't... I didn't get the question."

Reboletti: "I said, how did we get end up this predicament, so to speak? How did we end up with only misdemeanors being treated as... for juveniles as..."

Currie: "In the juvenile court."

Reboletti: "...separate. Right, in juvenile court?"

Currie: "We did that several years ago and the results, I think, were pretty compelling. We actually saw a reduction in incarceration rates, both in detention facilities and in the state institutions. So, I think there's a lot to be said for making sure that young people are given the behavioral help they need, the tools, the support that may turn them away from deciding to do the same bad thing all over again."

Reboletti: "Well, I... and Mr. Speaker, to the Bill. I... I appreciate the Leader's comments and there has been some good, I think, with respect to some of the misdemeanors. I didn't vote for it then. I thought it was a bad idea to split the baby as we did. Where you... cases can end up partially in juvenile court, partially in adult court. But we should be able to trust the prosecutors that we elect and their staff and their assistants to decide if a 17-year-old who breaks into your house if they should be

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

41st Legislative Day

4/16/2013

treated as an adult or not, if they... how they should be adjudicated moving forward. So, if I had my druthers we would move the age back and treat 17-year-olds like adults and here's the reason. As soon as this Bill passes, gangs will now use 17 year olds to do more of the dirty work that they couldn't do before. So, now you'll have them breaking into cars, stealing from homes, selling drugs, and they will know that their punishment is that they're going to go to the juvenile detention home and they may go into the youth facilities, IYC, wherever, St. Charles, and that's what is going to happen to them. On the other side, if they were treated like an adult, then they would end up in the either felony probation or the Illinois Department of Corrections. I think it sends a bad message. There are a lot of sophisticated 17-year-olds out on the streets. I know that because I've prosecuted them. They aren't children. As a matter of fact, they're quite intuitive. They're very ingenious and the gangs know this. And as soon as they know that 17-year-olds are going to get a free pass, which is how they'll treat it, they'll be doing a lot more dirty work for the gangs. I think this is a bad public policy and I would urge a 'no' vote."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. To the Bill. To believe, first off, that by placing someone in the juvenile justice system is going to help them more than the adult... first off, we need to look at our numbers since we changed and created the juvenile justice system. When the juvenile was... were part of adult division where there could be some control,

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

41st Legislative Day

4/16/2013

where we had some programs in place... after creating that, and I know that doesn't have to do with the Lady's Bill, but... but it needs to be said that our juvenile justice system here in the State of Illinois is failing miserably. Best example that I have of that is a... when we had the boot camp which we set up which was a sensible way... which was... when handled correctly had a 17 percent recidivism rate. Now, those that would have been there are in the other facilities where the 77 percent recidivism rate occurs. Don't tell me that it's going to make it better by applying the fact that they'll only go to the juvenile system. I think our juvenile system has failed us over and over and over again. Doesn't mean I won't necessarily support the woman's... the Lady's Bill, but I do think it's very important to put on the record how disappointed I am and how disappointed many others are with the system and how it fails our juveniles."

Speaker Turner: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. When we had the Bill the last time we had a lot of debate on it. A lot of people were thinking it made us look soft on crime. I think that around the United States, since we have done this, it has proven that it is not soft on crime but that it has kept young people out of prison. That's the main reason I signed on to this Bill. I think all of us, in all the issues that we do here regarding juveniles is to keep those young people out of adult prisons. We've done mental health courts. We've done drug courts and I think that this issue is not soft on crime this is in 38 other

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

41st Legislative Day

4/16/2013

states and the Federal Government is with this and the state's attorneys in Illinois are in major support of this Bill. I think that this is a way, automatic transfers of serious crimes will go right to adult courts. Other people can... prosecutors can petition that they be reviewed. So, I think there are safeguards in this Bill and I think the major issue here is not how much it's going to cost us to keep these kids one more year in a juvenile facility, which I know is an issue by a lot of counties, but I think the top regard here is for young people, to keep them out of adult prisons because we know the recidivism rate is so high that the chances are those children will go into adult courts for the adult prisons for rest of their lives. Thank you."

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

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

Speaker Turner: "Sponsor yields."

Sacia: "Representative Currie, I... I stand in strong support of your Bill, as you know. And I appreciate you putting me on as a cosponsor. A couple things about this Bill that I think are very, very significant. There was a time and many of us in this... in this learned Body will remember when, if a person had committed a crime, a judge would give them an alternative. He would sentence the young person to a prison sentence or to a particular charge or he would give that person the opportunity to go into the military. That helped many young people. This is, in my opinion, a commonsense piece of legislation and when you see that an organization

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

41st Legislative Day

4/16/2013

like the Illinois State's Attorney's Association strongly endorses it that speaks volumes in itself. These are the people that prosecute these cases. And one of my learned colleagues that I spar with often and who will criticize me significantly this evening over fermented beverage, the fact remains that not all of Illinois is dealing with significant gang problems. There are many rural areas throughout the State of Illinois where many young people have an opportunity to be rehabbed. No, I'm not speaking of the gangbangers. We have to continue to prosecute them with as much vigor and as much strong legislation as possible. But there is a time when a young mind has a chance for rehabilitation. That is the purpose of this legislation. Leader Currie, I applaud you for your Bill and I will be voting with you. Thank you."

Speaker Turner: "Representative Durkin."

Durkin: "To the Bill. I think the previous speaker and myself do not have a history as being referred to as soft on crime and oftentimes we, myself and the Gentleman behind me, we get along on a number of issue but sometimes we disagree. We come from similar backgrounds. I'm not going to mention his name because I don't want to give him another opportunity to speak. But I think... I've thought about this Bill. This goes back a few years where we made the change in misdemeanors and it was a risk but it was a risk worth taking. And I also feel the same way today. We have a chance to change these kid's lives. They make mistakes. I'd rather not have them going to the criminal court house in Cook County or DuPage County, Lake County on that first

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

41st Legislative Day

4/16/2013

felony which is a burglary where they've made a terrible mistake. These kids, you can turn their lives around in the juvenile court and I think they do a good job, but I think this is the last chance where we can really make a difference in a kid's life, send him in the right direction in life. So I would support this Bill and I ask everybody to join me."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. To the Bill. I join the not soft on crime caucus, if there were ever such a thing, that support the... the Lady's legislation. And the reason I support it is because we're in this huge debate around a number of pieces of legislation about what we should be doing with our criminal justice system. What should be classified as restorative justice and what should be classified as, you know, ensuring that those who commit violent acts go to... go to prison. I... I certainly understand some of the concerns raised by some of the previous speakers about pushing the... pushing the crime downward, but on the other hand, we need to ensure that we have systems in place that protect those who are young and do things out of... out of maybe naiveté or stupidity versus them who do things versus out of malice or violence. And I think the Lady's Bill ensures that those mechanisms remain in place. I further think that when... that there are times when Illinois has to join the chorus of what states are doing in terms of criminal justice and ensure that we are creating accurate safeguards. So, I... I am in support of the Lady's Bill and I urge an 'aye' vote."

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

41st Legislative Day

4/16/2013

Speaker Turner: "Representative David Harris."

Harris, D.: "Thank you... thank you, Mr. Speaker. And I have a question of the Sponsor. Representative, help me understand for one who is not as familiar with the juvenile justice system and the criminal system, are there certain offenses, did you say, that would automatically be referred to adult court?"

Currie: "Yes, we have certain mandatory automatic transfers in law today that would not change under the provisions of House Bill 2404. Additionally, judges would retain the discretion they have today on petition of a state's attorney to send any young person to adult court never mind the specifics of the offense. That would not change under this Bill."

Harris, D.: "So, some of the offenses that were mentioned by the Gentleman from DuPage County could, indeed, be referred automatically to adult court?"

Currie: "Absolutely, and I believe that is why the States Attorneys are for of this Bill."

Harris, D.: "Thank you."

Speaker Turner: "Representative Ford."

Ford: "Thank you, Mr. Speaker. To the Bill. I rise in support of the legislation because this is truly a form of restorative justice. When we think about the inequities in education, in housing and opportunities in this state, it leaves me no choice but to support this legislation for the students, for the kids that have been failed by the State of Illinois. So, for that reason, I rise in support of this legislation. I hope that we move in a direction in Illinois



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

41st Legislative Day

4/16/2013

to be more fair and more just so that we don't have to lock up juveniles at this rate anymore. Thank you."

Speaker Turner: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. We had a colleague, his first Representative John Millner, then State Senator John Millner, he was a former Chief of Police and he counseled us to vote not to be soft on crime but to be smart on crime. And I would urge, with the states attorneys of Illinois, with the State Bar Association, with the Sheriff of Cook County, I would urge that being smart on crime is to vote 'yes' on House Bill 2404. I hope you will join the state's attorneys and me, the 38 other states that have seen the wisdom of this approach and cast your 'yes' vote for a smarter juvenile system in Illinois than what we have today."

Speaker Turner: "The question is, 'Shall House Bill 2404 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers. Mr. Clerk, please take the record. On a count of 89 voting 'yes', 26 voting 'no', 1 voting 'present', House Bill 2404, having received the Constitutional Majority, is hereby declared passed. House Bill 3357, Representative Meier. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3357, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Meier."

Meier: "Thank you, Mr. Speaker. This legislation is in response to the Eva Cameron case. Illinois resident Eva Cameron

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

41st Legislative Day

4/16/2013

abandoned her 19-year-old daughter, Lynn, who has severe developmental disabilities, in a bar in Tennessee and refused to take her back. Prosecutors could not charge her with a crime because Lynn is over 18. House Bill 3357 creates the Vulnerable Adults Abandonment Prevention Task Force Act. Thank you."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3357 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3357, having received the Constitutional Majority, is hereby declared passed. House Bill 3218, Representative Crespo. Out of the record. House Bill 3227, Representative Crespo. Out of the record. House Bill 3049, Representative Hernandez. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3049, a Bill for an Act concerning State government. Third Reading of this House Bill."

Speaker Turner: "Representative Hernandez."

Hernandez: "Thank you, Speaker and Members of the House. House Bill 3049 makes some technical changes to the Latino Family Commission Act by replacing Public Aid to HFS and adds the liaisons from Education, Human Rights, and Capital Development Board. I ask for your 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3049 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please

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

41st Legislative Day

4/16/2013

take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3049, having received the Constitutional Majority, is hereby declared passed. House Bill 2508, Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2508, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Turner: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2508 would amend the Motor Vehicle Franchise Act and will provide... it's a violation of the Act for a motorcycle manufacturer or distributor or any officer or agent thereof to impose certain requirements on motorcycle dealers. I ask for a favorable Roll Call."

Speaker Turner: "Representative Sandack."

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

Speaker Turner: "He indicates that he will."

Sandack: "Thank you. Representative, can you just explain to the Body where this Bill emanates from and what caused you to file it?"

Hoffman: "Yes. This is an initiative of the Motorcycle Dealers Association. Basically, what it says is that if you are a dealer, you will have certain rights under your franchise agreement. Currently, the manufacturer can require motorcycle dealers to do certain things that auto dealers don't have to do. This is an initiative of the Dealers Association. I believe it's reasonable and gives them certain rights under the law so that they can't just have

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

41st Legislative Day

4/16/2013

their franchise agreement, after years, pulled out from under them."

Sandack: "Representative, isn't it accurate to say that this initiative really stems from one dispute between a franchisor and a franchisee?"

Hoffman: "No. This... this is an initiative of the entire Dealers Association. There is a certain dispute by a... by a dealer versus a manufacturer, being Harley-Davidson, I assume that's what you're talking about. That individual actually came to committee and testified, but there are dealers in my area as well who are having the same issue. Basically, the franchise agreement is drafted by the manufacturer and is really put... is in favor of the manufacturer. The duration of the agreements vary. Sometimes they only cover 1 or 2 years but often covering up to 10 years. And basically, what we're saying is there should be some rights of the dealer that the manufacturer just can't come in and pull the franchise agreement out from under those dealers in Illinois. We have certain protections for people who sell cars in this state. Those same protections should be for motorcycle dealers as well."

Sandack: "Last question, Mr. Representative. Is it fair to say that your Bill, if it passes, would rewrite, to a certain extent, a franchise agreement that's currently in place between a certain franchisor and franchisees?"

Hoffman: "What this would say is that... Number one, I understand that manufacturers have a right to protect their brand. I understand that. This would not interfere with that. What this simply would say is that the dealers have certain

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

41st Legislative Day

4/16/2013

rights in order... and they could not be required... a motorcycle dealer to install on the dealership's premises any pictures, displays, or lighting. Currently, they can say... that they're not specifically related to the product. Now if it's not related to the product, if it has to do with just lighting in your building, you shouldn't require... be required to hire a contractor from the... from the manufacturer at an undue amount of cost. We're just saying, let's be fair to the dealers who actually are in Illinois who sell these products and not an out of state company who comes in here and requires them to have onerous expenditures simply because they can."

Sandack: "To the Bill, Mr. Speaker. Ladies and Gentlemen, in our haste to pass Bills sometimes we're not fully attentive to things that could have an undue or unforeseen consequence. Actually, this isn't one of those instances, the bad intentions of the parties in this dispute or good intentions of the parties in this dispute, notwithstanding. Folks, if you push green on this button you're getting in the middle of two commercial entities who have bargained at arm's length and signed an agreement. I want to make sure everyone hears that. This is interfering with the contractual relationships of commercial entities at arm's length that can bargain for themselves. They needn't come here for special legislation. If we do this, expect more of the same. We could see a corporate entity like McDonalds having a franchisee problem and all of a sudden seeking legislation to get out from underneath its contractual rights, obligations, and duties. I ask everyone to look at

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

41st Legislative Day

4/16/2013

this Bill carefully. It's not a good Bill. We're getting in the middle of a dispute between commercial entities that can fend for themselves. They always have the right to go to court and duke it out there. They shouldn't be here trying to get special legislation passed. I respectfully urge a 'no' vote."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "Sponsor yields."

Franks: "I'm following up on the last speaker. I piqued my interest on this. So, I'm reading the analysis and it looks as though you're trying to change the Motor Vehicle Franchise Act, correct?"

Hoffman: "Yes. It would amend the Motor Vehicle Franchise Act regarding motor... Illinois Motorcycle Dealers Association members and their dealerships."

Franks: "And... and what you're saying as I'm reading this, it would be a violation to require a dealer to install on the premises fixtures, displays, or lighting not specifically related to products not made by the manufacturer. Correct?"

Hoffman: "Yes. What we're talking about here is... there are eight manufacturers of motorcycles that are sold in Illinois. Seven out of eight of those manufacturers are okay with this Bill. What we're simply saying is that if you're a dealer and you want to put lighting in, not related to the product... not related to the product, you don't have to hire someone from outside of the country, that Harley-Davidson is requiring them to hire, to come in here at an exorbitant amount of money at an exorbitant cost

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

41st Legislative Day

4/16/2013

in order to put just regular lighting, not related to the product, in your dealership."

Franks: "But wouldn't that be something they could satisfy via contract? Is it something that a court could handle if they think it's an egregious contractual requirement? Why is the General Assembly getting involved in the minutia of a franchise contract for one dealership?"

Hoffman: "It is not, again..."

Franks: "Okay. Let's say for all dealerships."

Hoffman: "It is for all..."

Franks: "Why do we care about the minutia of the contract? Because right now we have franchise agreements. So, let's assume... And we're talking about an iconic brand. I understand they're not an Illinois company. We're talking about Harley-Davidson, which is world known, but let's forget about this for a second... that it's Harley. I'll wait 'til you're ready. And let's think that there is another brand and let's assume you have a Chevy dealership and we have the same issue. Would you really say that a Chevy dealer... that... that a Chevy company, Chevrolet, could not tell the distributor, the franchisor, what their expectations are in those showrooms? Because if they couldn't, they would just close the showrooms. And we saw a few years ago, with Chrysler... Remember when Chrysler had such big problems a few years ago and Chrysler started to shut the franchises. Do you remember that?"

Hoffman: "We have... we have similar provisions... It's my understanding we have similar provisions to this in the Franchise Act regarding automobiles. So, what you're saying

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

41st Legislative Day

4/16/2013

to me a few years ago we passed certain rights for dealers... of automobile dealers in Illinois. We're... It's not exactly like this, but this is very similar... very similar to some of the rights that we gave automobile dealers. I don't know the exact... the exact date, Representative Franks, but we gave them certain rights as well because we... we have a Franchise Act in Illinois. We have a Motor Vehicle Franchise Act here in Illinois. It's a law; we're simply changing that law."

Franks: "Well, can't the franchisees and the franchisors at the time of the entry of the agreement negotiate these things?"

Hoffman: "Well, the problem is, is there's always the threat from the manufacturer of pulling the franchise. Now you talked about the one instance, but there's been threats throughout the entire state of Illinois from Chicago to the suburbs to the Metro East to downstate. This is an initiative of the entire Dealers Association. Again, seven out of eight manufacturers are okay with this Bill. One isn't because they want to hold it over the head of dealers, some of which have had dealerships in this state for over a hundred years."

Franks: "I get that. And I... and I understand the argument but you think about someone who's had a dealership for over a hundred years. What were to happen if that person simply did not want to spend any money to fix up the dealership? And said, you know what, I'm not going to put in these lights I know that the new look is, you know, the xenon lights or whatever it might be, but we're just not going to do it. We're not going to spend the dough and we're going



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

41st Legislative Day

4/16/2013

to keep up our 1970 décor and there's nothing you can do about it. Now is that fair, when you have a brand that base itself on a lifestyle and not necessarily on ccs."

Hoffman: "I... first of all, if you're in business and you're a dealer, you're going to do what's necessarily... necessary in order to make your business attractive. Okay. The... we're... we're not saying that the manufacturer can't come in and say you have to have certain displays or other things. We're just saying on the rudimentary capital expenditures you shouldn't have to buy from their approved... approved contractor."

Franks: "Well, what's this part about segregating products from other manufacturers? Let's assume you've got the Harley dealership, is it okay for that dealership then to sell Ducati parts next to the Harley parts?"

Hoffman: "I apologize, someone just handed me something."

Franks: "Okay, I'm sorry. I'm looking here in one of the things that you're saying that you want to change is you're not going to require a dealer to segregate or locate aftermarket products of one manufacturer away from products of other manufacturers. So, let's assume you have someone who has a Harley dealership and doesn't sell any other type of motorcycles, is exclusive to Harley, then you'd be allowing them, under this Bill, to sell Ducati aftermarket parts alongside a Harley. Wouldn't that diminish the value of the Harley franchise?"

Hoffman: "Well, these are aftermarket parts. They're not..."

Franks: "But they make a ton of dough on their parts. I mean. Look at Caterpillar, for instance. They make more money on

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

41st Legislative Day

4/16/2013

parts than they do on new stuff. So, I think that is a major change. I mean, if we substituted the word Caterpillar for Harley, I think there might be more outrage here because it's not an Illinois company. But I'm just concerned that if we do something like this then it will be open game for others. So, thank you."

Speaker Turner: "Representative Kay."

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

Hoffman: "Yes."

Speaker Turner: "Sponsor yields."

Kay: "Thank you. Jay, a lot of these previous comments, I think have covered a good deal of what I intended to cover. But I'm curious, would you be agreeable to amending this Bill to cover all franchise agreements, not just motorcycles but let's consider every franchise agreement in the state?"

Hoffman: "Well, this... this deals with motorcycles. We didn't, as I said we gave dealers of automobiles a few years ago more power vis-à-vis the manufacturers. This only deals with motorcycles and that's what I intend it to deal with."

Kay: "I understand, but I think this is a serious Bill and I think Representative Franks brought out some things that are serious about this Bill. And I'm curious, if it's good enough for the Harley dealership is it not good enough for everyone else who feels like they're paying a penalty for carrying out a franchise agreement that has to do with lighting or paving or signage?"

Hoffman: "Well, I... I don't... I don't know under current law whether under franchise agreement if it's not related to the brand what you can actually require. We're just... we

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

41st Legislative Day

4/16/2013

believe these are unreasonable requests that, for whatever reason, 7 out of 10 manufacturers don't require but this one is requiring."

Kay: "Okay. Are you aware that there are 600 dealerships... franchise dealerships in America that are Harley?"

Hoffman: "There... there may be. I don't know."

Kay: "Okay. Well, there are. And are you aware that there hasn't been one problem with lighting with 599 other dealerships in the nation?"

Hoffman: "Well, that's... that's not correct because other states have begun to address this issue in a similar fashion. In fact, Virginia and Colorado are two states that recently just passed very similar legislation. There's other... I believe, three or four other states that are beginning to pass legislation. And so, I... I wouldn't agree with that statement."

Kay: "Well, they may be addressing legislation, but as a practical matter and a simple fact, out of the 600 other franchises that pertain to Harley, there hasn't been a problem. Let me ask you a..."

Hoffman: "Well, there's problems..."

Kay: "...separate question."

Hoffman: "This isn't about one franchise. I don't know who's selling that bill of goods. There was one franchise that came and testified. There's a franchise, I believe in O'Fallon, that is very interested... a dealership, I shouldn't say a franchise, a dealership that is very interested in this Bill as well. There's a dealership in Marion, there's a dealership in Representative Mautino's

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

41st Legislative Day

4/16/2013

district, there's a dealership in the Chicago area, it isn't about one dealership. I don't know who's selling that bill of goods. It's just not true. There's one person who came and testified, who incidentally after they came and testified had their dealership franchise threatened. It's too much power over minimal... minimal expenses in a dealership that become maximum because..."

Kay: "Okay. Well, Representative..."

Hoffman: "...Harley is forcing it."

Kay: "Representative, I know you feel good about your Bill. You don't have to yell at me. I understand..."

Hoffman: "I'm not yelling."

Kay: "...what you're saying."

Hoffman: "You haven't heard me yell."

Kay: "All... all... the only thing I want to tell you is, there's a process here that you..."

Hoffman: "Representative Bost yells."

Kay: "...apparent..."

Hoffman: "I don't yell."

Kay: "Well, I'm not Representative Bost. Let me put it this way. Let me put it this way. Are you... are you aware that there's an arbitration clause in those franchise agreements?"

Hoffman: "No, I am not. I'm sure there is because the most..."

Kay: "Well, there is."

Hoffman: "...most contracts between businesses there are arbitration clauses."

Kay: "Okay. And are you aware that this particular dealership did not avail itself of that arbitration clause?"

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

41st Legislative Day

4/16/2013

Hoffman: "Once again, this Bill is not... is not about one dealership. It's about dealerships throughout the state."

Kay: "Well..."

Hoffman: "Whether Chicago, the suburbs, downstate, or your area."

Kay: "Okay. Well, then let me ask you this. Would you amend this Bill so it's fair for all, so that we include everybody and not just Harley-Davidson?"

Hoffman: "This doesn't just include Harley-Davidson. It does include everybody. Every motorcycle..."

Kay: "No..."

Hoffman: "Every..."

Kay: "No, no, no, no, Jay. You're not listening. McDonalds, Ford, Chrysler, Kentucky Fried Chicken, you name it and I'm talking about it."

Hoffman: "This deals with the Motorcycle Dealers Act."

Kay: "Well, you don't think that this Act is going to have some effect on other franchise agreements starting with automobiles and going down to food producers?"

Hoffman: "As I indicated before, we did something similar giving automobile dealers protection a few years ago. The Motor Vehicle Code... I think is... Franchise Act is distinct and apart from food dealers and other franchises."

Kay: "So, in essence when or if this Bill is passed, we're simply going to say, in terms of this particular franchise agreement or any motorcycle franchise agreement, that you can pretty much do what you want?"

Hoffman: "I'm sorry. Someone was talking in my ear. Could you please repeat that?"

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

41st Legislative Day

4/16/2013

Kay: "Representative Harris, please... please don't interfere.  
I..."

Hoffman: "I'm sorry."

Kay: "...simple question... simple question. No, I understand, Representative. Simple question, if we in some way abridge these franchise agreements, which by the way have been in place for over a hundred years. They have a long history. Is that not correct? Yeah, well, they have. Won't we indeed be saying then, it's open season on what a franchise agreement means and indeed the franchisee can do whatever he wishes with respect to signage and lighting and pavement and facility up keep?"

Hoffman: "That's not what this Bill says."

Kay: "Well, if that's the intention of this Bill, though."

Hoffman: "No, it is not."

Kay: "What is the exact intention of this Bill?"

Hoffman: "The exact intention is to allow and give certain rights to dealers... motorcycle dealers so that they don't have to deal with expensive and onerous demands from the manufacturer who have certain power over them because they are the manufacturer who write the franchise agreement."

Kay: "Okay."

Hoffman: "We, so often in Illinois, we give rights to individuals including franchisees. This would simply do that for motorcycle dealers similar to what we did for auto dealers a few years back."

Kay: "Is there any other industry that's regulated in the manner that you wish to do here?"

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

41st Legislative Day

4/16/2013

Hoffman: "Well, several. I mean, we pass laws all the time that require certain contractual provisions. And we pass laws that say you can't use duress over individuals in contracting situations. That's what's happening here. And so, we need to give our local dealers in Illinois who are Illinois businesses based here in Illinois some rights. This would do that. As I indicated before, we did it a few years ago by giving additional rights to auto dealers, vis-à-vis, the manufacturers."

Kay: "So, Representative, are you familiar with the dealer council that Harley-Davidson has to handle disputes?"

Hoffman: "This is not about only Harley-Davidson. It's about the entire Dealership Act. Seven out of ten manufacturers have no problem with Bill. Only one and that would be Harley-Davidson. They've not talked to me about their dispute resolution system."

Kay: "Wouldn't it... wouldn't it be important, though, to know that because, in fact, they do have a method in place to handle dispute resolution? And the particular folks that came to us the other day in committee never mentioned the fact there was an arbitration clause, they never mentioned the fact there's a dealer council to handle problems. Doesn't that seem to be an important feature?"

Hoffman: "I would assume that's in most contracts between businesses."

Kay: "So, if that's the case and you don't argue that fact and that wasn't done here, why are we dealing with this Bill?"

Hoffman: "Because the dispute resolution process, as it is, is still controlled and written by the manufacturer. We're

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

41st Legislative Day

4/16/2013

just saying our local businesses in Illinois should have certain rights and we're giving those rights, vis-à-vis, the manufacturer."

Kay: "Thank you, Representative. To the Bill. We're basic... we're basically changing fundamental contract law here which I think is very, very dangerous. This is a carveout for one company who has a complaint, they don't want to go to court. They don't even want to go their dealer council to handle a problem. The simple truth is just this. They feel like they're going to get a better shot here in Springfield than they are going to get in court or their dealer council and I think we need to recognize that. And I think as Representative Sandack said, if we open the door to this one case we're opening the door to a floodgate. Thank you very much, Mr. Speaker."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "Sponsor yields."

Bost: "First off, Jay, I really don't yell. I just express myself at a higher level."

Hoffman: "I don't. And I..."

Bost: "What's your answer going to be to that?"

Hoffman: "...I have in the past expressed myself..."

Bost: "I've seen you do the same."

Hoffman: "...at a higher level. But since we're now being streamed via the Internet, I've decided to..."

Bost: "Calm it down?"

Hoffman: "...calm myself down."



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

41st Legislative Day

4/16/2013

Bost: "Yeah. I'd like to go back and get some of your old tapes. Specifically, though, this does affect existing contracts. Is that not correct?"

Hoffman: "Yeah. There's nothing that says that this wouldn't. So ,basically..."

Bost: "So... the... the two bod... two parties and, you know, you're an attorney, I'm not, don't even play one on TV. So, but two parties have entered into an agreement, a binding legal agreement, that they agreed to the fact that the lighting and those things would be certain and specific that the company that created the product has a certain brand and they want to keep it to a certain level based on the lighting and based on what the facility looks like. Would you agree with that? And that was in their contract."

Hoffman: "No. This specifically does not deal with anything... anything that deals with the products that are made by the manufacturer."

Bost: "I understand."

Hoffman: "The problem... the problem is, and I understand what you're saying, but here's the problem. If it were equitable and not under duress it would be one thing, but it's difficult when the manufacturer holds all the cards to have an equitable contract that has legitimately on an equal basis negotiated between two equal parties."

Bost: "But it... but it was nothing that was not in the contract the day that they signed the contract. Am I correct in that? I mean, it was in the contract."

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

41st Legislative Day

4/16/2013

Hoffman: "I'm at a bit of a... I'm at a bit of a disadvantage in that, I'll be very honest with you, I haven't read their contracts. Okay. I've heard..."

Bost: "Okay. Well..."

Hoffman: "So... so, and I'm not trying to..."

Bost: "I know, I know."

Hoffman: "I'm not trying to say that it is or it isn't. And I'm not sure that these specific things were in the contracts."

Bost: "All right."

Hoffman: "But... but they're being forced on dealers in Illinois, independent dealers in Illinois as if they were."

Bost: "But..."

Hoffman: "I'm not sure that they are specifically in the contract that they can do this. They're doing it, though."

Bost: "Well, if it's not... if it is not, then they would be able to argue their point either before a court or before the council and not necessarily bring it in... in this realm of law."

Hoffman: "Who?"

Bost: "And let me tell you the concern that I have as well. Certain products and I know that we mentioned Harley. I don't care if it's Kawasaki. I don't care if it's Suzuki. I don't care who it is and I also don't care whether it's just motorcycles and I know this just deals with motorcycles. If I have a brand and that brand has become known worldwide with certain specific attributes and... and the quality... the quality at which they are presented there may be a person who owns a franchise that finally gets an attitude that, you know what, I've been in this a long time

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

41st Legislative Day

4/16/2013

and I kind of like it the way we had it setup in the '60s. And... and even though the brand wants to switch, I don't want to switch. Well, that is not good for the brand and that's the idea behind a franchise is that the one who first created the franchise would have enough control to make sure that that brand looks the same today and tomorrow and whether you're in Collinsville or whether you're in Marion or whether you're in Chicago or whether you're in... in England. The idea and intent is... is the quality of that brand still looks as good. And that may be with lighting."

Hoffman: "But I... no, I agree with you. I want to... I want to correct one thing. It's my understanding that this Bill does not regulate what is specifically in the contract. The Bill addresses issues that the contracts do not address but have become huge financial burdens on the dealership. What happens is the manufacturer comes in... and once or twice a year... comes in and makes you go up to certain specifications. You then bring it to those specifications, they come in and change... change the bar. We're just saying let's be reasonable because the dealer... the dealer is in an unfair ad... disadvantage because they have... they don't have the equitable bargaining power as the manufacturer does. That's all this Bill does and I appreciate your question but these are things that have been outside the specific contract that now the manufacturer's coming in and are requiring to be done at a huge cost to the dealer. A dealer who's selling these things would not want to let their space not be up to standards because it would affect their sales. And I don't... I don't know at least in my area the

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

41st Legislative Day

4/16/2013

dealerships and I think in your... most of your area those are some..."

Bost: "Bis."

Hoffman: "...big expensive dealerships and they keep them that way because that's good for business."

Bost: "Mr. Speaker, to the Bill. And I'm going to use the most abused phrase on the floor, with all due respect to the Sponsor. Ladies and Gentleman, this... and I just disagree with the Representative on this. We are stepping over and into an area that we should never step into. This is a contract between the dealer and the manufacturer. These franchises, and it doesn't matter whether it's motorcycles or hamburgers, if all of a sudden Wendy's changes their color scheme, then they're going to require their franchises to change their color scheme to make sure that the brand is marked correctly. The same thing here, if you look at the actual language... if you look at the actual language, it says that all of a sudden we're talking about lighting. Well, certain lighting and signage that is occurring at these particular motorcycle dealers, as I said, regardless of what brand name it is Harley, Kawasaki, Suzuki, they should have the ability to protect their brand and sell it nationally, all around this state, the way that they would choose to as that company. And though it may not be specific to Harley-Davidson, let me tell you that this company which has been through the ringer for many years on a... they were an American-made motorcycle, then they went off and kind of sold out, kind of almost lost their brand and their ability, brought it back, built it up, and now

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

41st Legislative Day

4/16/2013

are selling at an unbelievable pace, with great pride in those people who purchase them. All that they're saying is, is allow the opportunity for these franchise agreements to hold and do exactly what it is that they are supposed to do and that is to protect the brand. Thank you. And I would encourage a 'no' vote."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "He indicates that he will."

Zalewski: "Representative, in the Franchise Act, the part we're amending, there are already prohibitions that franchisors or franchisees cannot violate, correct?"

Hoffman: "Yes."

Zalewski: "So, there's been a judgment by this Body that with respect to contracts there are certain things that cannot be done already, we made that judgment."

Hoffman: "Yes."

Zalewski: "And in this instance, what we're doing is we're adding to that list. We're not creating a new list, we're simply adding to that list."

Hoffman: "Yes, with regard to motorcycle dealers."

Zalewski: "To the Bill, Mr. Speaker. You know, not less than maybe an hour or an hour and a half ago we had a robust discussion of what we're doing in Illinois to help Illinois businesses and now here we are with an Illinois business that's crying out for help and all of a sudden we... we're struggling with it. I... I wish some of the opponents that have spoken would have been in committee and had heard the testimony of the owner of the franchise that we're talking

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

41st Legislative Day

4/16/2013

about because what's occurring isn't normal. What's occurring isn't a simple contract dispute that we can wash our hands of and say, oh, that's the way it goes. Let them sort it out in court. Again, a small business is saying, I need help, and our advice to them is go to court, litigate it? I'm confused. And if we're going to start treating the sanctity of contracts as holier than thou in this particular Body, then I guarantee you we're going to have struggles when it comes to the much, much bigger issues that are down the road. So, I... I... the points are well-taken and I understand them, but when... when we have a business that needs help and they come to us and... they say I'm... I have a disparate bargaining position here, then I think it's our duty to respond in a positive way and try to help that business owner. I urge an 'aye' vote on the Gentleman's Bill."

Speaker Turner: "Representative Sacia."

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

Speaker Turner: "Sponsor yields."

Hoffman: "Yes."

Sacia: "I very much appreciate the last speaker's comments and I proudly join the Sponsor as one of his chief cosponsors. One of the former speakers on this floor asked the question, 'Do you know how many Harley-Davidson dealerships there are in this country?', and then he said 600. Does he know which one is the oldest one? Guess which one, folks. This one. This is one of the most onerous, over-the-top examples of a manufacturer coming after a dealer that I have ever seen in my adult life. What they are asking him...

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

41st Legislative Day

4/16/2013

no, no, no... what they are telling him to do... he can't go downtown Rockford, Illinois and buy his lighting. He has to order it at an exorbitant cost out of Canada. This is nuts, absolutely nuts. This is an American corporation. The former... the previous speaker said it so well. We're trying to preserve business. Several years ago, this dealer was ordered to upgrade. He built a beautiful brand new facility. It's an amazing facility. And as Representative Hoffman said, then they come in and well, oh, by the way, your lighting isn't good enough. So, he puts in new lighting. Whoops, it didn't come from Canada. That isn't going to work. You bought it in Rockford. How ridiculous is this, Ladies and Gentlemen? This is a dealership that is trying to survive. This is a dealership that brings the greatest pride that this country has. It is an amazing dealership selling an amazing product and all it's asking to do is to stay alive. This is one of those Bills where legalese can start going back and we can start saying, oh, is it in the contract?' How many of us have signed a contract? How many of you have redone your mortgage? It's about 80 pages deep. That's a contract. Did you read every single line? Of course not, it's impossible to do. This was brought upon this gentleman under duress and as the previous speaker said, we're trying very hard to keep businesses alive. And my learned colleague right behind me asked me to be sure to mention something and I forgot what it was and I have to ask him. Thank you, and I appreciate the momentary pause. It's a classic example of a corporation with unclean hands coming at the little guy

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

41st Legislative Day

4/16/2013

who's trying to stay in business. And as a corporation owner that have had this very type of onerous obligations put on me, I know exactly where he's coming from. And I stand in strong support of the Gentleman's legislation. All of us should vote 'yes' on this Bill. Thank you."

Hoffman: "Thank you."

Speaker Turner: "Representative Will Davis."

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

Speaker Turner: "Sponsor yields."

Davis, W.: "No, I'm not going to ask the RTA question. No, not at all. So, Representative, so, this dealership exists and is able to sell this brand of motorcycle based on an agreement that they have with the parent company, correct?"

Hoffman: "Yes, all dealerships, they'll enter into a franchise agreement with the manufacturer. As the previous two speakers said, the problem is the manufacturer has an unequitable power over that dealership and that's why we're trying to correct this."

Davis, W.: "I'm not... not disputing that. This particular dealership, do you have any idea how long this franchise agreement lasts?"

Hoffman: "Well, franchise agreements, they vary. Some are two years, some are three..."

Davis, W.: "I mean, do you know about this one in particular?"

Hoffman: "This isn't about... I don't. But this Bill does not deal with one dealership. It deals with all motorcycle dealerships..."

Davis, W.: "And their ability to be able to set their displays up the way they want to. I guess... I guess what I'm saying



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

41st Legislative Day

4/16/2013

is that essentially my question is that, is it possible that this Bill passes, that the parent company could not renew franchise agreements with some of these dealers?"

Hoffman: "Well, that's..."

Davis, W.: "...these local dealers. Is that possible?"

Hoffman: "...that's been the problem. They're coming in and threatening with unreasonable requests that they're going to pull the franchise agreement..."

Davis, W.: "So..."

Hoffman: "...when they don't do something. And these specific things that are in this Bill are not contained in the contract. So, they're additional demands by the manufacturer."

Davis, W.: "I got that. So... so, again, essentially what I'm just want to make sure that I'm clear on is that as much as we talk about not losing businesses here in the State of Illinois, it is possible that this Bill pass and then they could decide not to renew franchise agreements. So, it is possible that businesses could be lost in this conversation. Is it... is it possible? I'm asking."

Hoffman: "I don't... I don't believe that would be the case. I believe that if we don't pass this Bill, dealerships who have done all the right things are in unfair disadvantage and they could be lost, if we don't pass this Bill."

Davis, W.: "Well, I mean, I get what you're saying about the parent company making demands on them that seem unreasonable or those that are not in the... in the contract, but I would be concerned that with the passage of the this Bill and if the impetus of the passage... impetus of this

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

41st Legislative Day

4/16/2013

Bill was one franchise in particular, even though it affects many, that if this franchise... if they decide not to renew their agreement, then this goes away. Now, that is not to say they can't now sell other brand of motorcycles, you know if they choose, but this one could indeed go away. That is a possibility."

Hoffman: "First of all, and I don't know where... I think because only one gentleman, one dealer came and testified on behalf of the Association, I don't know where the fallacy began this is just about one dealer. Representative Sacia spoke to a dealer in his area. I have dealers in my area who are concerned about this. There's dealers in Chicago. There's dealers in the suburbs I'm sure..."

Davis, W.: "Well, I'm sure..."

Hoffman: "So, it's not dealing with just one dealer. And with regard to them closing, I don't believe that... first of all, there are eight manufacturers of motorcycles, only seven... seven out of the eight of them are okay with the Bill. There's one that isn't and I don't believe that that one is going to stop selling Harley-Davidson... Harley-Davidsons in Illinois. They're not going to close all their dealers. We did something similar to this by trying to level the playing field with automobile dealers a few years ago. Chevy, GM, Ford didn't stop selling cars in Illinois."

Davis, W.: "Well I'm not suggesting that they will stop selling cars, but again, if this was indeed about one particular dealer and while others may agree with the idea of the legislation, but if this is where it ultimately came from, I would just be concerned that the parent company could say

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

41st Legislative Day

4/16/2013

if you don't want to comply with what we are suggesting you do, heavy handed or not, that when that franchise agreement comes to an end that they could decide not to renew it."

Hoffman: "Well, I suppose, but they're trying to do that now under..."

Davis, W.: "Okay. Fair enough. Thank you very much."

Speaker Turner: "Representative Thapedi."

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

Speaker Turner: "Sponsor yields."

Thapedi: "Representative, we fully vetted this issue out during committee and we did use Harley-Davidson as an example when we were discussing it. And we talked a little bit about the franchise agreement. Do you recall who actually drafts the franchise agreement, as far as Harley-Davidson is concerned in dealing with its dealers?"

Hoffman: "The manufacturers themselves. So, Harley-Davidson does the drafting, Harley-Davidson and the manufacturer have the upper hand. And so, basically, it's a take it or leave it; you don't really negotiate these things."

Thapedi: "And in fact, I think that we talked about this issue during the Judiciary Committee that, in the event that there is an ambiguity in a contract, who are those ambiguities to be construed against in a contractual setting? The drafter, correct? In other words, an ambiguous provision in a contract is generally deemed to be viewed against the drafter because that drafter of that provision had the ability to make it more clear. If they didn't make it more clear, it's assumed that they wrote what they

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

41st Legislative Day

4/16/2013

wanted to write and anything that's ambiguous is to be deemed against them. Isn't that accurate?"

Hoffman: "I believe so, yeah."

Thapedi: "So, it would be fair to say, then, that if there were any ambiguities in these franchise agreements that Harley-Davidson drafted, that any ambiguities should be construed against Harley-Davidson, correct?"

Hoffman: "Yes."

Thapedi: "Vote 'aye' on this Bill."

Hoffman: "Thank you."

Speaker Turner: "Representative Hoffman to close."

Hoffman: "Yes, real briefly. I believe we've had a good debate.

This is very simply... and I appreciate the healthy debate and I particularly appreciate the Representatives who spoke in favor of the Bill. This is simple. Are we for Illinois businesses staying in business? Do we want to give them the rights to be able to negotiate in a fair setting? If you do, vote 'aye'. One thing that wasn't brought up and I think it's interesting to note, ABATE, which is the organization that represents motorcycle riders throughout the State of Illinois, is hugely in favor of this Bill as well. So, I would vote 'aye', if for nothing else, to keep Illinois businesses and to be on the side of the people who enjoy riding motorcycles in Illinois."

Speaker Turner: "With that, the question is, 'Shall House Bill 2508 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Davidsmeyer. Mr. Clerk, please take the record. On a count of 74 voting

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

41st Legislative Day

4/16/2013

'yes', 39 voting 'no', 3 voting 'present', House Bill 2508, having received the Constitutional Majority, is hereby declared passed. Representative Ford."

Ford: "Thank you, Mr. Speaker. I rise for a very special point of privilege."

Speaker Turner: "Please state your point, Sir."

Ford: "Mr. Speaker, there is a very special guest in the audience with us today. A young lady from one of Chicago's finest public schools, Chicago does have good public schools. She's a kindergartener at Skinner Elementary School and she aspires to be a composer and she loves music and she's making her decision to be a Republican or a Democrat today and I think the Democrats are winning. Please give her a round of applause."

Speaker Turner: "Welcome to your Capitol. Representative Jones."

Jones: "Thank you, Mr. Speaker. I would like to introduce members of my Adopt a Legislator from the McLean County Farm Bureau. They reside not only in Representative Sommer's district and also Representative Brady's district, but also in Representative Bill Mitchell's district. They're in the gallery. I'd like to introduce Scott Hoeft, Fred Grieder and Mark Hines from the McLean County Farm Bureau. If you guys could stand up and wave to the General Assembly."

Speaker Turner: "All right. Gentlemen, welcome to your Capitol."

Jones: "Thank you."

Speaker Turner: "Representative Hatcher."

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

41st Legislative Day

4/16/2013

Hatcher: "Point of personal privilege."

Speaker Turner: "State your point, Ma'am."

Hatcher: "I cannot help but comment, since I heard the Holy Grail, Harley-Davidson mentioned so much on the floor. I do have a low mileage Sportster for sale and Mother's Day is coming."

Speaker Turner: "Thank you, Representative. Mr. Sta... Mr. Clerk, the status of House Bill 1571."

Clerk Hollman: "House Bill 1571 is on the Order of Third Reading."

Speaker Turner: "Please move that Bill back to the Order of Second Reading and read the Bill, Sir."

Clerk Hollman: "House Bill 1571, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Lang, has been approved for consideration."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a technical Amendment that was... has been agreed, suggested by the Department of Insurance. I move its adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to House Bill 1571. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 1140, Representative Lang. Mr. Clerk, please read the Bill."

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

41st Legislative Day

4/16/2013

Clerk Hollman: "House Bill 1140, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Let me start my comments by saying that this is not gaming expansion in any way. This is really a cleanup Bill. There is some conflict between two different statutes, the Criminal Code and the Video Gaming Act regarding the use of video raffles. And so, all this Bill it says is that if a machine is not illegal under the Criminal Code, then it's not illegal under the Video Gaming Act. The Illinois Gaming Board is neutral on this Bill and they've asked me to read the following comment into the record. I declare the statement of legislative intent that House Bill 1140 does not in any manner alter the criminal provisions now contained in Section 35(a) of the Video Gaming Act pertaining to unlicensed gaming devices. Specifically, under House Bill 1140 as amended will remain the case as currently stated in Section 35(a) that no person may own, operate, have in his or her possession or custody, or under his or her control or permit to be kept at any place under his or her possession or control any device that awards credits or contains a circuit meter or switch capable of removing and recording the removal of credits when the award of credits is dependent upon chance. It will also remain the case as stated in this Section that any violation of the above prohibition is a Class 4 felony. So, the idea here is to fix the conflict between the Acts and I would ask for your support."

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

41st Legislative Day

4/16/2013

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1140 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, please record yourselves. Representative Berrios, Burke, Davidsmeyer, Martwick, Tabares. Mr. Clerk, please take the record. On a count of 98 voting 'yes', 18 voting 'no', 0 voting 'present', House Bill 1140, having received the Constitutional Majority, is hereby declared passed. Representative Lang in the Chair."

Speaker Lang: "Thank you for the comments. So, House Bill 2993, Representative Senger. Please read the Bill."

Clerk Hollman: "House Bill 2993, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Representative Senger."

Senger: "Thank you, Mr. Speaker. House Bill 2993 is basically just moving language from one part of the Bill to another, one part of the Code to another part of the Code. This pertains to when we passed our Tier 2 legislation several years ago we put every system in the general provisions piece of the Code. Now, we are taking SURS part and putting in the other parts of SURS. So, I ask for an 'aye' vote."

Speaker Lang: "Lady 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? Please record yourselves, Members. Davidsmeyer, Davis, Kay, Leitch, Morrison, Sandack, Sommer, Turner. Please record yourselves. Kay, Morrison, Sommer. Mr.



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

41st Legislative Day

4/16/2013

Morrison. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2675, Representative Lilly. Please read the Bill. Do you need this Bill move back to Second Reading for an Amendment, is that correct?"

Lilly: "Yes."

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

Clerk Hollman: "House Bill 2675, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Lilly, has been approved for consideration."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise today to offer House Bill 2675, a measure that creates a standard for existing sexual health education courses taught in the public health system for ages 6 to 12. Under House Bill 2675, if a public school offers sexual health education in grades... Thank you. I'd like to adopt the Amendment."

Speaker Lang: "Could you just tell us briefly what the Amendment does, Representative?"

Lilly: "Yes. Briefly, it amends... I'm sorry. It clarifies public school."

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

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

41st Legislative Day

4/16/2013

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

Speaker Lang: "Third Reading. House Bill 2585, Representative Manley. Out of the record. House Bill 3052, Representative McAsey. Out of the record. House Bill 1011, Representative Mitchell. Please read the Bill."

Clerk Hollman: "House Bill 1011, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. So, House Bill 1011 is some language that adds a few violations to DNR's Boat Registration and Safety Act. And I ask for an 'aye' vote."

Speaker Lang: "Gentleman has moved for the passage of the Bill. The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Certainly."

Reboletti: "Representative, is this an issue in your district? Is that why you brought this Bill?"

Mitchell, C.: "It's a... it's a... there's certainly a... living near Lake Michigan, I'm sure this might be a little bit of an issue, but most of this is a Bill that I've been working on with my seatmate Mr. Zalewski."

Reboletti: "Was there a reason he couldn't carry this Bill? I mean, it's almost like your first Bill again we've already done that a couple of times, but... Is there a reason he couldn't... can't carry this Bill anymore? Was he on a limit or something?"

Mitchell, C.: "You'd have to ask Mr. Zalewski although I'd imagine he had confidence in my ability to get this done."

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

41st Legislative Day

4/16/2013

Reboletti: "Well, I have no doubt in your confidence, obviously it was his confidence. So, that was at question. So, thank you, Representative."

Speaker Lang: "Mr. Zalewski. Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? Evans, Lilly. Mr. Evans. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Pritchard."

Pritchard: "Mr. Chairman, on 2508 I'd like to be reported as voting 'no'."

Speaker Lang: "The record will reflect your intention, Sir. House Bill 2640... Out of the record. House Bill 2762, Representative Scherer. Ple... Sponsor requests the Bill be put on the Order of Second Reading. Mr. Clerk, please put the Bill on the Order of Second Reading and read the Bill."

Clerk Hollman: "House Bill 2762, a Bill for an Act regarding education. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Scherer, has been approved for consideration."

Speaker Lang: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker. Today, I'm presenting House Floor Amendment #2 to House Bill 2762. I appreciated Committee Members support for the underlying Bill last month. After discussions with ISBE and Members on both

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

41st Legislative Day

4/16/2013

sides of the aisle, I'm amending the Bill to limit its scope. While the original Bill required all students to begin school at age six, this Amendment would require students who turn seven during the upcoming school year to start school at the beginning of that school year. This will limit the number of students affected by the Bill and reduce costs to the individual districts. Thank you and I would appreciate an 'aye' vote."

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

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

Speaker Lang: "Third Reading. House Bill 3104, Mr. Sosnowski. Please read the Bill."

Clerk Hollman: "House Bill 3104, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Sosnowski."

Sosnowski: "Thank you, Mr. Speaker. This Bill does two things. Basically creates a framework in which... for municipal water billings and the billing cycle on how those will work. It'll be... basically give consumers 21 days from the time in which a bill is mailed out. There's been some discrepancies from different things that I've heard and sometimes the printed on date has been 21 days by the time that an individual actually receives the bill shortens up that gap on the payment cycle. The second thing that this does is it changes the... it sets a criteria for shutoffs. A shutoff cannot happen on the last business day of a week, it would have to happen on the day before the last business day. To

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

41st Legislative Day

4/16/2013

take care of those issues, if a pers... individual has been at work all day, the water is shut off on a Friday, they don't get home 'til after work hours, the inability for a municipality to turn back on that water service raises an issue. I'd ask for an 'aye' vote and I'm available for any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, 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. Smith. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Bradley."

Bradley: "Point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Bradley: "Wasn't able to be there today, but I'd like to call everyone's attention, back in Marion we're celebrating the 50th anniversary of our good Mayor Bob Butler's tenure in office. So, congratulations, Mayor Butler for 50 years in office as mayor of a community. And to have won 11 elections is a monumental feat... or 12 elections is a monumental feat for anyone. So, congratulations, Mayor Butler."

Speaker Lang: "House Bill 3390, Mr. Sims. Out of the record. House Bill 2971, Mr. Smiddy. Out of the record. House Bill 2616, Representative Tracy. Please read the Bill."

Clerk Hollman: "House Bill 2616, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

41st Legislative Day

4/16/2013

Speaker Lang: "Representative Tracy."

Tracy: "Thank you, Mr. Speaker. What this Bill does is make just a minor clarification to the existing language to clarify that it amends the Funeral Directors and Embalmers Licensing Code and it tweaks it such that it's clear that an owner who may not be a licensed funeral director still may be present on his premises and may interact with consumers so long as a licensed funeral director is present. So, there's no... we... we've worked on the Amendment and at this point there is no opposition."

Speaker Lang: "Lady moves for the passage of the Bill. The chair recognizes Mr. Brady."

Brady: "Thank you very much. Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Brady: "Representative, just a point of clarification a little bit. We've talked numerous times on this legislation. I've tried to help in the situation. Can you, for the benefit of the Body, explain... I mean, is this some type of a widespread issue throughout the State of Illinois? Is it more of an isolated situation of which brought your attention and your issue into this?"

Tracy: "Well, thank you for mentioning that and I... we had worked long and hard to address preneed and the like, negotiations to make it very clear and protect Illinois consumers to make it clear that only... only licensed funeral directors could negotiate preneed or meet with families to negotiate burial arrangements. However, there's wording in that Section that says direct contact and the Department of Professional Regulations... and it is not widespread, I don't

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

41st Legislative Day

4/16/2013

believe, but there was an interpretation that that meant that an owner could not have any contact with clients or consumers. And I don't think that was the intent of the Act whatsoever. So, we're just clarifying that. So long as you have, directly within the presence, a licensed funeral director that there's nothing to prohibit an unlicensed owner from being present on his premises to being present at visitations and the like or... or just saying hello to the consumers that he is selling services through... to through his licensed funeral director."

Brady: "So, the point of your legislation is simply trying to clarify what you think is something that needs to be more clearly identified in statute and that the whole thing really stems over what the interpretation was of an investigator through the Department of Professional Regulation. Is that correct?"

Tracy: "Yes."

Brady: "Okay. Thank you very much. And I intend to support your legislation and I appreciate you working with me regarding that. Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sandack, Crespo. Mr. Crespo. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1555, Mr. Sandack. Please read the Bill. House Bill 1555. Please read the Bill"

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

41st Legislative Day

4/16/2013

Clerk Hollman: "House Bill 1555, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 1555 is a good government initiative which provides that the Illinois Transparency and Accountability Portal will list municipalities and other units of government and provide the same information that's on ITAP now. This is an initiative of Leader Cross and myself in an effort to expand transparency and make ITAP a one-stop shop for taxpayers and residents interested in knowing what's going on with any unit of government. At one time, the Municipal League was an opponent. They've added language; they are now a proponent. I'm happy to answer any questions."

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? Mr. Fortner. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2517, Representative Hurley. Please read the Bill."

Clerk Hollman: "House Bill 2517, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Hurley."

Hurley: "Thank you, Mr. Speaker. Today, I'm presenting House Bill 2517, which is an agreed upon Bill between the Department of Financial and Professional Regulation and the Illinois State Veterinary and Medical Association to extend



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

41st Legislative Day

4/16/2013

the sunset of the Veterinary Medicine and Surgery Practice Act of 2004. The Act is currently scheduled to expire on January 1, 2014 and this Bill will extend it an additional 10 years. House Bill 2517 also makes technical changes to the Act which has also been agreed on by the Illinois Department of Financial and Professional Regulation and the industry. I appreciate your comments and ask for an 'aye' vote."

Speaker Lang: "Lady's moved for the passage of the Bill. She has her staff in front of her. The Chair recognizes Mr. Franks."

Franks: "Thank you. A parliamentary inquiry. I don't know if the..."

Speaker Lang: "Please state your inquiry."

Franks: "...whether the parliamentarian may be aware that the Democratic analysis is not functioning on this Bill. Both sides? So, you broke the system. Lou, Lou broke it. Did it just update? I don't have it yet."

Speaker Lang: "Mr. Franks, I think our technology is not working at the moment. So, we're going to just wait a moment and see if we can get that working."

Franks: "How about we just debate it in the blind like we don't know what we're talking about."

Speaker Lang: "Well, you mean like usual."

Franks: "Exactly."

Speaker Lang: "Yeah."

Franks: "You couldn't tell any different."

Speaker Lang: "So, we'll just wait a moment, Sir."

Franks: "Okay."

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

41st Legislative Day

4/16/2013

Speaker Lang: "The House will be in order. Mr. Franks, I understand that your analysis should be on your computer now."

Franks: "Sure."

Speaker Lang: "The Chair recognizes Mr. Franks."

Franks: "Thank you, Mr. Speaker. And thanks for fixing this. Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Franks: "Representative, is there anyone opposed to this Bill?"

Hurley: "No, it's an agreed upon Bill."

Franks: "Now, I see some of the changes in here is that you're extending the statute of limitations from three to five years, correct?"

Hurley: "Correct."

Franks: "Okay. Now let me ask you this question. Why did you... why does this Bill increase fines from 1 thousand to 10 thousand dollars?"

Hurley: "I was not in the room when they discussed it, but the Financial and Professional Regulations and the veterinarian agreed to it."

Franks: "Okay. I just wondering... it's interesting. Okay. Thank you."

Speaker Lang: "Mr. Bost."

Bost: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Hurley: "Is it... this is your second Bill, correct?"

Hurley: "Correct."

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

41st Legislative Day

4/16/2013

Bost: "Okay. Just checking. Is it always on the second Bill that anything you've ever tried to do before we you try do it a second time, it breaks the equipment?"

Hurley: "I don't know."

Bost: "Okay. All right. This is basically... seriously, to the Bill. The Act of 2004, other than the update of the fines, what specific things have changed in this Act that relate more to present day rather than nine years ago?"

Hurley: "There is some enforcement provisions that the veterinarians and the Financial and Professional Regulations agreed upon. There's also some increased fees, updates to renewal provisions, et cetera."

Bost: "Is there any like electronic questions that might have been updated or anything like that or ability to search out? I tell you, I'm really impressed with the staffer that you've got there helping you and you know."

Hurley: "Hold on, please. Could you repeat the question, please?"

Bost: "Yes. Any... any technology updates. Is that what we're talking about here? When we say we're trying to come in with pred... you know, updating the law... obviously, updating one thing means it... we feel it's important to put higher fines out there because that's the one line we were dealing with. But is it because of technical changes in the way that they can report or anything like that, to how they report. Or... or..."

Hurley: "Can I get back to you on that, Sir?"

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

41st Legislative Day

4/16/2013

Bost: "That'd be fine. I think there's others seeking questions. If you'll just answer that in the future, that's fine by me."

Speaker Lang: "Mr. Reboletti. Gentleman does not wish to speak. Representative Hurley to close."

Hurley: "This is an agreed upon Bill. And I would appreciate an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Harris, Sommer, Wheeler. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2646, Representative McAsey. Out of the record. House Bill 29, Representative Flowers. Please read the Bill."

Clerk Hollman: "House Bill 29, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 29 would merely require the Department of Human Services to adopt a rule that would permit WIC participants, regardless of their postal zip code to redeem their WIC food vouchers at any grocery store, any retail food establishment that's authorized to accept WIC and at any WIC Food Center. So, I would appreciate an 'aye' vote. And the purpose of this legislation would to allow the people that live in certain zip codes in the City of Chicago the same opportunity as

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

41st Legislative Day

4/16/2013

the rest of the state in regards to their WIC stamps. They can go to any store that accept WIC. And I would appreciate an 'aye' vote."

Speaker Lang: "Representative Osmond. I'm understanding that there's still some slowness to the computers. So, let's try to proceed. We'll... we'll stop if we need to. Representative Osmond."

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

Speaker Lang: "Lady yields."

Flowers: "Yes."

Osmond: "Representative, I know we've had a lot of discussion on this issue and one of your statements was that you wanted to make it fair to all that they go and be able to use the voucher necessary at any store available that accepts the WIC..."

Flowers: "That's correct."

Osmond: "...coupon. In... in my talking with the people from the program, there was definite problems as to certain areas in Chicago, and you and I both know the areas, that the stores in those areas would not be able to accept the WIC because they were not set up that way. And how is your Bill going to make that work?"

Flowers: "Well, first of all, Representative, I just need to clarify something. We had in... in the zip codes in which this Bill would be applicable to in the City of Chicago. So, we're talking about any store in the state, any store in the state that any woman who lived in one of these zip codes wanted to take their WIC stamps to, they should be

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

41st Legislative Day

4/16/2013

able to do so. They will not... no longer be limited to the WIC store in their community. But if they so choose to, under this legislation they can continue to go to that WIC store. Now, if a store is not available to accept WIC, that means that someone here in the government has not either accepted that application for WIC or that store has not applied, but there is plenty of stores. There's Walgreens, there's Walgreens. There's all kinds of grocery stores and on the outside of the store it says we accept WIC."

Osmond: "I understand what you're saying but you're asking all of the stores in that given zip code to be able to accept WIC?"

Flowers: "No, no, no. I am not asking any store to accept WIC. I am saying for the stores that do accept WIC vouchers that the people that live in certain zip codes, who is now prohibited from going to those stores, that they should be allowed to do so."

Osmond: "In my conversation with the department and understanding what the issues were, they said that there were certain ways that the store would accept them and certain ways that the WIC store would accept. So, there was two different types of vouchers given. So, is it my understanding that in your Bill you just want one type of voucher to be given either way?"

Flowers: "Representative, you're absolutely right. There are two kinds of vouchers. For the rest of the state, there is a blue voucher. Anyone that has that blue voucher can go to any store at any part of the state that they so choose to that accept WIC. In certain zip codes on the south and west

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

41st Legislative Day

4/16/2013

side of the City of Chicago there are yellow vouchers and those yellow vouchers prohibit those women from going across the street to that grocery store. They must go to what is called a WIC center. A WIC center is a... is a store. It's not a... it's a center that has WIC products in it."

Osmond: "Right, but they also have other services available at those centers, correct?"

Flowers: "Well, let me just say this, Representative. I have visited five of those centers and I have not seen any of the services that has been enunciated. I am not going to say with a broad brush that this is applicable to all, but the fact of the matter is, when an infant is crying at midnight that mother cannot tell that infant can you wait until 9:00 in the morning when the WIC store open or can that mother get up and take her infant or have someone to watch that infant while she goes to the closest store that accept the voucher to get her baby the necessary food or the fruits and vegetables that they might need because all WIC centers are required to have fresh fruits and vegetables and they do not."

Osmond: "I guess my concern... I understand what you're trying to do. I feel that in this Bill we should have more dialogue with them to correct the issues. I have been told that when they come in those certain zip codes, that you've put in your Bill, that when the individual comes to get the vouchers they are allowed to have either/or. Now, I know that that's not what you have in your Bill, but I do think that we need to work a little bit harder on this to make... WIC is a good program and I don't want to see it dissolved.

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

41st Legislative Day

4/16/2013

I think that we just need to work on a better way of distributing them and making it more appealing for the people that need it."

Flowers: "Excuse me, Representative. I just need to make a few points; I need to make this plain and clear. This Bill does not dissolve WIC. This Bill dissolves nothing. This Bill merely says what the law should say and what the rule is. The rule is, right now, and if I may read to you... I'll share it with you the letter from LRU and I had research done on this Bill July 26, 2011. And if I just may read to you the second paragraph where it says 'WIC Food Centers'. Mrs. Roth, she said, she's the person that LRU talked to at the department, said that WIC Food Centers are open... they open early in 1990 under an agreement with Catholic Charities, the USDA, and the Illinois WIC program. Due to fraud and committed by many WIC food vendors... due to fraud committed by many WIC food vendors in Chicago, many were not actual grocery stores but liquor stores and convenience stores. Of Cook County, 70 WIC clinics and 25 of them used 16 WIC stores. A participant... now, this is what the rule is right now. This is what it's supposed to be and this is the problem. A participant may transfer to a clinic that uses retail groceries instead of a Food Center. So, my point to you is, these mothers and parents right now they should, according to the rule, they should be able to go to a grocery store. They should be able to do it right now without this legislation, but they don't know it and as a result, \$310 million or more is being spent on the WIC Centers as opposed to a parent being able to go to any



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

41st Legislative Day

4/16/2013

grocery store. And this is about fairness, Ladies and Gentlemen, this is about fairness. I should be able to... This is one State of Illinois. One state, one State of Illinois and if a blue voucher is good enough for you, it's good enough for me. And if a yellow voucher is good enough for me, it should be good enough for you."

Osmond: "And I agree with you. I don't think that we should have discrimination, but I think that we need to work with the program and make sure that they clean up their act and make certain that there is no prejudice..."

Flowers: "Have them to comply..."

Osmond: "...as to it."

Flowers: "...with the law. Tell the mothers... put a sign up. Tell the mothers, if we're closed, you can go to any grocery store. But why are you making me suffer and my child suffer because you want to maintain a contract, you want to maintain control over my life? It's not fair. And I just want to share with you a letter that I found on the Internet where it says some moms complain about the WIC program."

Osmond: "Right. And..."

Flowers: They are complaining. These are women, these are ladies, these are children, these are human beings. They should not be treated any differently because someone wants to maintain their status quo. Allow these mothers, please, allow them what the rule says. Do not discriminate me... against me because I live in a certain zip code and another zip code is right across the street from me and you can go to any grocery store, but I have to wait until 5:30 or 6:00

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

41st Legislative Day

4/16/2013

the next morning or 9:00 depending on whatever time it opens to get my child some milk."

Osmond: "I understand what you're saying. I believe you have started the conversation to get this in the right track. I'm not sure that this Bill covers everything we need to do and I'm more than willing to work with you in the future on this subject."

Flowers: "But Representative, you asked me not to call the Bill a couple of weeks ago."

Osmond: "Right, I was hoping that we would get... and I know you weren't here last week, but I was really hoping that we would have more dialogue to get your Bill tightened up a little bit."

Flowers: "I don't know of no other way because the only thing my Bill is merely doing is reacting and reverbing what is and should be the law already. Allow these people to take their stamps to any store just like anyone else. It does not prohibit these people from going to a WIC Center if they so choose to."

Osmond: "Right. But the most important part is we have to make sure that those vendors are going to accept WIC vouchers."

Flowers: "No, no, no, no, no, no, no, no, no, that's not true. Because if a... this Bill has nothing to do with the vendors. It has nothing to do... whatever vendor that's out there already that accept WIC, sobeit. That's it. I'm not trying to add any more. I'm not trying to take away anything from anyone. This Bill says let me go where you go. And if you want to go to where I come to... where I have to go, that's your business. But see the problem is, Representative, they

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

41st Legislative Day

4/16/2013

won't accept your blue stamps at my WIC center and they won't accept my yellow stamps at your grocery stores. But if I had your blue stamps, they would accept my stamps... I should go to... be able to go to any grocery store I so choose to."

Osmond: "Right. Thank you."

Speaker Lang: "We'll be at ease while we try to figure out what's going on with our computers. We are not in recess. We are not adjourned. Please stay in your chairs. Thank you. The House will be in order. My understanding is the computers are up and working. Chair recognizes Mr. Dunkin. We'll get back to Mr. Dunkin. Representative Mayfield."

Mayfield: "Does the Sponsor yield?"

Speaker Lang: "Lady yields."

Mayfield: "Representative, would this Bill provide consistency in the administration of the WIC program?"

Flowers: "Yes, Representative, it would provide consistency. It would..."

Mayfield: "Wouldn't there be... wouldn't this Bill provide for a universal WIC voucher that could be used by participants anywhere?"

Flowers: "In the State of Illinois, yes."

Mayfield: "Would this Bill allow for choice to everyone in the state and not just certain individuals?"

Flowers: "Absolutely. Right now, it's limiting choice to people in certain zip codes, but if it were to become law, it would allow choice for everyone."

Mayfield: "Okay. Thank you. To the Bill. What the Representative failed to mention in this Bill is that this Bill would

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

41st Legislative Day

4/16/2013

actually save the State of Illinois \$31 million. Did you hear me? I said \$31 million. This is a Bill that I feel is very important. We need to look at this; we need to pass this Bill. We need consistency for everyone within the State of Illinois. Thank you. I recommend an 'aye' vote."

Speaker Lang: "Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Durkin: "Representative, it's Catholic Charities who does administer the program in Chicago and Cook County, or is it statewide?"

Flowers: "Just Chicago."

Durkin: "Okay. I've talked to them a number of times about the issue. Have you spoken with Catholic Charities about your concerns with the program and the way it's currently being administered?"

Flowers: "I have spoken with Catholic Charities on numerous occasions and they assured me that they would do better but that's not the issue. The issue is there are times when they have ran out of the products and so, therefore, the mother had to go and find another WIC store. The hours of the store is not conducive for the working mother and it causes the mother to go to two or three grocery stores where as that another mother that's on WIC that lives outside of the zip code..."

Durkin: "Okay."

Flowers: "...they can go to one to one grocery store and get a better bargain."

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

41st Legislative Day

4/16/2013

Durkin: "I understand. I understand. Now, there was an issue of consistency that was brought up earlier. The concern that all of us should have... this is a good program. And we want it to work. We want to make sure that we can provide for the families who are in need of this..."

Flowers: "Absolutely."

Durkin: "...but there's one... but back in 1993 it was Catholic Charities and DHS and USDA worked out the program to administer the WIC through the WIC centers. From the people who are running this program, their concern is that because this is a grant... this is a grant. This is a USDA grant. It'll... in their words, it takes away the mechanism for knowing the number of participants who are confirmed to utilize the WIC Food Centers; therefore, it impacts their ability to make sure that there is not too much or too little food inventory and whether or not special formulas or needs or foods prescribed are on hand. I trust Catholic Charities and I don't think that they're trying to operate in a way that isn't in the best interest of the people who are intended to benefit from this program. But I think that this is best that should be... we should not use the legislative process to change what I believe has been a great program that every now and then there are some adjustments which need to be made, but they should be made between... outside the chambers away from Springfield. And I think that, Representative Flowers, you and I have a long history and I have a profound respect for you, but I think that this could probably... It's not quite ready. I think that we should continue with the negotiation process with

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

41st Legislative Day

4/16/2013

Catholic Charities to see if there's a better way which we can administer this program. Now, I think that Catholic Charities just wants people to know exactly what they do every year. That they serve about 65 thousand individuals on a monthly basis and they do approximately 2.3 million transactions with WIC participants on an annual basis. In the past year, there were eight complaints. Eight complaints out of \$2.3 million transactions... 2.3 million transactions. So, Representative, I know you have a lot of passion for the issue, but I also think that Catholic Charities is doing a darn good job and I want them to continue with the program that they have and I think that if there are problems that you see with the program, the better place for it is at a table to negotiate 'cause they are willing to negotiate. They operate... and you know them. They're good people. And I think that that's a better way of approaching this. And I just think moving into the legislative process to make changes is not the right idea."

Flowers: "Representative, I agree with everything you said. Especially when you said about how much the reason why Catholic Charities need to know how many people is coming through their doors so they will know how much supplies to order and that is with every grocery store. That's with every grocery store. And also... now, that is Catholic Charities problem. But now that's who you were enunciating and trying to protect, but let me tell you about the mothers' problems. The mothers' problem is they, too, have a lot of things that they have to do. They want to go to a grocery store where they can do one-stop shopping, not shop

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

41st Legislative Day

4/16/2013

here and there for Catholic Charities and have to get back in their vehicles or walk or try to find another store that meet the needs of their other products that they may necessarily be trying to buy. And unfortunately, Representative, there are 1,576 zip codes in the State of Illinois and if this program is so good that it should be applicable to the entire State of Illinois, let's make it equal for everybody. Let's put everybody in a WIC center. My Bill is not taking away anything from Catholic Charities. It is stating that you can also continue to go to the WIC store or you can go to a grocery store. Once again, if the stores are closed because the mother got off work at 7:00, she... her babies should not have to suffer. She should be able to go to another grocery store. If a WIC store is not open, allow the mother some dignity to at least feed her child. That way we don't have to call in DCFS for child neglect or call the police to say a mother has done some harm to her child by feeding him or her. We're talking about human beings here. We're talking about dignity. We're talking about equal opportunity. And if it's good enough for me, Representative, it should be good enough for the people in your zip code as well. Remember, we live in one State of Illinois. There should be only one set of rules here."

Durkin: "Let me just finish. And you know, every now and then, folks, that we stick our nose in areas that we really shouldn't and we have a habit of turning a good thing into a bad thing and I'm afraid that's what this legislation is going to do. Again, this is the wrong place to address the

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

41st Legislative Day

4/16/2013

problems or concerns that the Representative has with the administration of the WIC program, particularly in Chicago and Cook County. Again, I'm going to defend Catholic Charities. I think they do a great job, but the fact is we're liable to do more harm than good to this program if we pass this legislation. And I encourage a 'no' vote."

Speaker Lang: "Mr. Dunkin."

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

Speaker Lang: "Lady yields."

Dunkin: "Representative..."

Flowers: "Yes, Representative."

Dunkin: "...I know you made a number of mentions toward women or mothers having places to go. Now, are you familiar with the WIC program in its entirety?"

Flowers: "Well..."

Dunkin: "Not just for the food and the nutritious value of the program, but are you familiar with the other services that are provided when you're in a WIC center?"

Flowers: "Representative, as I stated earlier, when that question was asked, I said that I have been into five or six WIC stores. All of them are not the same, so the programs that you are about to enunciate is not in all the stores."

Dunkin: "Well, yeah, and you're right."

Flowers: "And so I am familiar..."

Dunkin: "You're... you're..."

Flowers: "I am familiar with what they say they have versus what..."

Dunkin: "Representative..."



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

41st Legislative Day

4/16/2013

Flowers: "...they really have."

Dunkin: "Well, Representative, let me... let me speak personally with this here and professionally."

Flowers: "And I'm speaking personally and professional as well."

Dunkin: "Representative, well, I'm going to speak... I grew up on WIC receiving Women Infant and Children programs, nutritious food. You know what, so I'm keenly aware of that... of the program. But there are other programs. There's a reason that they're in specific locations. The other side of me is... I serve on the board of directors for a family qualified health care facility. We also have WIC programs in all seven of our locations. When they're there, at those particular facilities, they don't just get food or groceries... and by the way, many of the ones that I'm speaking of, they close... Well, they're open from 8:00 a.m. until 8 p.m. And the ones that are open on the weekends, and I have an extensive list of them, are open from 9 a.m. 'til 5 p.m. on Saturdays and Sundays. And I have a list of those WIC programs in our city, in the inner-city area that address that. Now, let me tell you the reason they go to the centers, outside of the food. For example, many of them have a number of ancillary services such as maternal health and... health services. They have early childhood. They have day care. They have Head Start. They have case management there. They have summer lunch program. They have a farmers market there. They have nutritional education, recipe testing. They have a demonstration kitchen that I've been a part of at most of the sites, Representative. So, it's not

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

41st Legislative Day

4/16/2013

by specific legislation or a particular reason why they're in certain areas, just because they're trying to help somebody out such as Catholic Charities or other organizations, because the organization that I'm a part of is not associated with Catholic Charities. However, the benefit of them going to these particular facilities or centers is that they're able to get a comprehensive level of health care to child care..."

Flowers: "Not true."

Dunkin: "...to additional other areas. So..."

Flowers: "Not true."

Durkin: "I'm trying to figure out why all of a sudden this is a big issue because, as someone who represents a large public welfare or WIC eligible population, I have not heard from this. Why, all of a sudden, is this a big issue today?"

Flowers: "Well, Representative, I think you told me that you were not aware that there was two different color vouchers, number one. Number two, in July 24 of 2011, I contacted the DHS about this issue and I have the letter here from the Legislative Reference Bureau. And again, all the things that you enunciated, I'm not trying to take none of that away. The only thing I would like to do is to have it, if it's good enough for the people in the five or the six zip codes that sponsor these WIC stores, it should be good enough for the 1576 other zip codes. That's all I'm saying."

Dunkin: "Well..."

Flowers: "And furthermore.. and furthermore Representative.."

Dunkin: "...that's my point."

Flowers: "...furthermore..."

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

41st Legislative Day

4/16/2013

Durkin: "Representative..."

Flowers: "...in the Austin area according to this... according to this letter here... in the Austin area the WIC stores are open from 6:30 a.m. to 7 p.m. and on Saturdays from 8 to 5. Babies are hungry every day."

Dunkin: "Representative, no one is..."

Flowers: "And according to... according to..."

Dunkin: "...arguing that, Representative."

Flowers: "...this letter, there's times..."

Dunkin: "Representative, can I speak?"

Flowers: "...when there are no..."

Dunkin: "Representative, can I speak?"

Flowers: "...summer schools available."

Dunkin: "Is there a way that I can address... speak as well, Representative?"

Flowers: "Pardon me?"

Dunkin: "Can I speak as well?"

Flowers: "Well, you asked... did you ask me a question, Sir?"

Dunkin: "I'm trying..."

Flowers: "Did you ask me..."

Dunkin: "I asked a question, but you..."

Flowers: "...for an answer?"

Dunkin: "...went into a diatribe to make your point. All I'm asking... what I'm telling you is I'm not speaking off the cuff or from some theoretical disposition. I grew up on the program. My constituents are part of it and I serve on the board of directors where we close at 8 p.m. and we have a multiple... multitude of problems that address those individuals who are on this program. Programs that cannot

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

41st Legislative Day

4/16/2013

be addressed at a Walgreens or a CVS or your typical grocery store, programs where they have... where they have child care, demonstration kitchens because everybody does not necessarily know how to cook. Every place does not... Walgreens doesn't have a child care. Your average grocery store does not have a cooking program. And so the federal program which is passed through the State of Illinois government is set up specifically and comprehensively for some of our most vulnerable populations..."

Speaker Lang: "Mr. Dunkin, could you suspend your comments momentarily? Ladies and Gentlemen, it's very loud in the Chamber. We can get through this Bill a lot more quickly if we could keep it down. We could get through a lot more business and get through more Bills before deadline. Let's keep it down. Mr. Dunkin, you've been speaking a while with no question. Can you either ask your question or bring your remarks to a close, Sir?"

Dunkin: "Representative, are you aware of the food deserts that exist on the south and the west side that you're trying to highlight here with this WIC program?"

Flowers: "Representative, would you please address the Bill?"

Dunkin: "No, I..."

Flowers: "No."

Dunkin: "No, because this directly impacts it, Representative."

Flowers: "Because I am the first one, Sir. I'm going to answer your question."

Dunkin: "Well, can you answer the question?"

Flowers: "I'll be more than happy. I am the first one to mention a food desert in the City of Chicago; that's number

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

41st Legislative Day

4/16/2013

one. This Bill does not take away a WIC center, a WIC stamp. It doesn't take away anything. The intent... the intent of this legislation would be to allow designated areas in Chicago to follow the same rules as the rest of the state."

Dunkin: "Representative, all..."

Flowers: "Now, what is wrong with that, Representative?"

Dunkin: "Let me ask... let me answer..."

Flowers: "Sir, I'm asking you."

Dunkin: "Let me answer, Representative. So, here's what's wrong with... you know, I get your general premise, and I'm the last person to want to adhere to any form of discrimination. But what I'm telling you is the intent of the WIC program is to have a more comprehensive approach other than just giving food away, that's why they have programs of cooking demonstrations, child care, job training, tax-free programs, programs that are far more comprehensive in how to take full advantage of the food programs other than just giving it to them."

Flowers: "Would you address the Bill, please, Representative?"

Dunkin: "And what I'm saying to you, Representative, this legislation does not address what you're trying to accomplish overall. And I don't think there needs to be a legislative solution for it. I think you need to sit down with the Department of Family... Family Services and address this issue. This is a wrong format for it. If... if... what you'll do is, you'll give someone WIC coupons, and they'll be able to go, let's say, anywhere and receive no comprehensive training, supplemental programs that address

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

41st Legislative Day

4/16/2013

some of the reasons why many of our citizens are on the program in the first place. This program.."

Speaker Lang: "Mr. Dunkin, could you bring your remarks to a close, Sir?"

Dunkin: "To the Bill. Ladies and Gentlemen, I certainly understand what my... my friend and colleague, who I have the utmost respect for, is trying to do, but this legislation, simply, does not get to it. It's right intended, but it's the wrong approach. The approach that needs to occur needs to include a comprehensive approach that addresses individuals who may not be familiar with cooking, who may need to know how to stretch their produce or their vegetables for the week or several weeks. It doesn't deal with a nutritional education component of this here or the recipe testing or Head Start on case management services that are offered in the WIC programs. WIC programs are designed to help some of our most vulnerable populations and give you a comprehensive approach on how to elevate yourself to the next level. Going anywhere does the individual with a WIC coupon a disservice. It'll be merely a voucher instead of receiving the comprehensive educational health approach and all the other ancillary services that... for programs like the Illinois health services provide, Komed, Winfield Moody, Catholic Charities, and a myriad of other programs. Again, this Bill does not address it. The right intentions, but the wrong result. I would encourage a strong 'no' on this here. Thank you."

Speaker Lang: "Representative Berrios."

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

41st Legislative Day

4/16/2013

Berrios: "Thank you, Mr. Speaker. To the Bill. I have three different WIC centers in my district, and last year, I had the opportunity to visit the... the Food Center which is there and I took members of my staff. We wanted to see this place firsthand. And what we encountered was a nice, clean area that looked like a real grocery store with fresh vegetables and fruit and all the necessary items for a family to have in their home. I had the chance to talk to some of the customers that were there making their purchases and all of them were very thankful that this location was in the district. It was near their home. It had what they needed. And they were able to go to the clinic, next door, to get any other services that they... that they might need. With 52 percent of the WIC clients in Cook County being from the Latino community, I am glad that Catholic Charities operates these Food Centers throughout the state and that they are there for my dis... constituents. They, also, hire people from the community. So, if we allow people to go to other places, what would happen to these locations that actually have local employees? Aren't we trying to make sure that we're keeping jobs in Illinois? I am worried about that part of this Bill that it might close some of these locations down. I think more discussions need to be had. And I urge a 'no' vote on this legislation. Thank you."

Speaker Lang: "Representative Bellock."

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

Speaker Lang: "Sponsor yields."

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

41st Legislative Day

4/16/2013

Bellock: "Thank you. Representative Flowers, I know there's been a long debate. I just wanted to ask the question why the..."

Flowers: "Speaker."

Bellock: "...Illinois Public Health Association..."

Flowers: "Speaker, can you lower the noise, please? I'm sorry."

Speaker Lang: "Ladies and Gentlemen, the Sponsor is correct. It's... it's really noisy in the room. Let's show some respect for those who wish to debate the Bill, and then we can move on to the next Bill. So, if you have conversations that you must have, move them to the rear of the chamber. Please proceed, Representative."

Bellock: "Thank you very much. I was just wondering, on our analysis, the Illinois Public Health Association was opposed. Are they still opposed to the Bill?"

Flowers: "Representative, I have not heard from the public health office at all. I have not heard from... I was not aware of that."

Bellock: "Okay. 'Cause I heard from one of my public health groups, and they were opposed to it, so I wasn't sure from the debate. We've talked about the difference in the centers, but that really wouldn't affect the Public Health Association, so I wondered what their opposition was. Okay."

Flowers: "I would imagine that any changes in WIC they would be opposed to. And I... for the life of me, I don't understand the reason why because public health is a public health; it's a statewide issue. This is not an issue for these 16



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

41st Legislative Day

4/16/2013

WIC centers in the State of... in the City of Chicago. Public health is a statewide issue."

Bellock: "Right. Thank you."

Flowers: "So, they should be concerned about more than that."

Speaker Lang: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Thank you for this opportunity that truly grieves my heart. It troubles me that anyone would stand on this floor and vote against and talk against themselves. Talk against their own rights and ability to not be discriminated against. What does this Bill do? This Bill does not close one WIC center. What this Bill says is if you're going to lunch in Springfield and I'm going to lunch in Springfield, I don't have the right with a blue voucher to go to any restaurant I want to. But you have a yellow voucher and you are limited to these four or five restaurants; that's what this Bill is all about. One group of people is being told you must get your things at this one location or these few. The rest of the State of Illinois, including all WIC babies, can get their food wherever they choose. This Bill does not close any WIC center. If parents choose to continue to use a WIC center, they have a right to choose that center. If parents choose to use the rest of what the state has availability for, they can do that too. Now, here's a major question. Why would we limit small group of people in Illinois limit their ability to buy food or what have you for their children from only a few locations when the rest of the state can go wherever they want to? If you're from Springfield, you can go to Chicago and buy whatever you

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

41st Legislative Day

4/16/2013

want to. If you're in Chicago and you're around the majority of the area, you can go wherever you want to. But there are few zip codes that are being held captive for whatever reason. These people can travel like anybody else. Mayor Rahm Emanuel is getting rid of food deserts in Chicago. Single-handedly with one order, he is removing food deserts in Chicago. So, that excuse no longer lies with us. If I'm a mother on 69th Street, I should not have to go to one or two locations when you're a mother in Naperville and you can go everywhere that you please. That is discrimination and it smacks of discrimination and there's nothing else to call it, regardless of what you did 30 years ago. This is a different state; this is a different time. People are treated equally. They're treated fair. And they're not used to make money for different organizations. I urge an 'aye' vote."

Speaker Lang: "Representative Flowers to close."

Flowers: "Mr. Speaker, Ladies and Gentle..."

Speaker Lang: "Excuse me, Representative. Representative Acevedo's light was on, and I didn't notice it. Representative Acevedo."

Acevedo: "Mr. Speaker, to the Bill. I said it last week and I'll say it again, here we go again. People of one color are not the only poor people. It's not the color of your skin that makes you poor. It's not the... the area you live in that makes you poor. White, black, brown, green, purple, we all can be poor. You talk about not closing down WIC centers. I think Representative Berrios hit it right on the head. You might not think you're closing them down now, but

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

41st Legislative Day

4/16/2013

eventually some of those people are going to lose their jobs because less people will be visiting these centers. You talk about... you talk about that this is racist. Folks, let's get that word out of our minds, racism. We're all here to do the same thing and that's represent our communities, to look out for our communities. But when we start and continue to pin us against each other is when we lose focus on the job we're supposed to get done. This is what I don't understand, folks. People can go to these WIC centers, and they do have clean facilities. And any mother who... who has a little child and runs out of milk at three in the morning, shame on her, she should've known the milk was running out in the first place. So, don't use this as an excuse. Ladies and Gentlemen, eventually people are going to lose their jobs at these WIC centers because more people are going to different... different areas. I think we have to stop, folks, and take a look and realize that we're all fighting for the same issues. We're all fighting for our constituents. And we all have to work together. And take that... take that nasty word out of our vocabulary, racism, so we can all work together as one color, as one group regardless of your religion. We have to work together, folks. I urge a 'no' vote."

Speaker Lang: "Representative Flowers to close."

Flowers: "Racist, racist, racist is exactly what is going on in the City of Chicago on the south and west side of the City of Chicago. This Bill does not talk about closing not one WIC center. This Bill does not talk about closing or taking away no one's job. This Bill merely says treat those women...

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

41st Legislative Day

4/16/2013

treat those poor women on the south and west side of the City of Chicago just like you do any other woman in the State of Illinois. Respect me, that's what this Bill says. You respect me. I spend my tax dollars; I work hard. If the stores are open at 12:00 at midnight and if I want to go to that store, that should be my right to do so. Do not limit me as to what I can do for my child because I'm happen to... I happen to be down and out on my luck at this time. This Bill does not take away not one program, Ladies and Gentlemen. This Bill says if it's good enough for you and your family members and your constituents to go to a grocery store, allow me the same opportunity and that is present law. I have tried to sit down with Catholic Charities. I've tried to sit down with the Department of Human Services. I've done all that I can. This was initiated back in 2011. How long do you want me to wait? How long do you want me to be on my knees begging for what is rightfully mine, for my children to have the same opportunity as yours, how long? Ladies and Gentlemen... Ladies and Gentlemen, I don't want to take away anything from Catholic Charities. Let the WIC centers stay open. Let them stay open, please. Put your hours whatever you want them to be, continue your programs; they're very good. If you want to go, fine, but let it be my choice. This is still America, Ladies and Gentlemen, remember, the home of the free, the land of the brave. The sons and daughters out of this zip codes went and fought in the wars. They gave their lives for the same opportunity that your sons and daughters gave theirs. Please, Ladies and Gentlemen, the

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

41st Legislative Day

4/16/2013

intent of this legislation is what it is to allow equal opportunity for everyone in the state. If I live in Springfield and if I'm traveling and I have my WIC stamps with me and I see a good sale, I should shop there. If I want to go to the WIC store in my community, I should shop there. Please, please, for the children, for the women and the poor people of this state, I urge, respectfully, an 'aye' vote. Thank you."

Speaker Lang: "Lady's moved 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? Please record yourselves, Members. Harris, Lilly, Mitchell, Smith, Turner. Mr. Mitchell, Mr. Smith, Mr. Turner. Please take the record. On this question, there are 35 voting 'yes', 79 voting 'no', 1 voting 'present', and the Bill fails. House Bill 2583, Representative Dan Burke. Please read the Bill."

Clerk Hollman: "House Bill 2583, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 2583 is an initiative of the Chicago Teachers Union. And as a very strong supporter of the charter school system, one might be curious as to why I would introduce legislation that would compel charter schools to comply with their reporting requirements having to do with pension contributions. This Bill would simply say to those entities it is strictly the City of Chicago Charter Schools very

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

41st Legislative Day

4/16/2013

often they do not comply, they do not report in a timely fashion to the Teachers Pension Board. This would impose a fine for those that don't comply. And I'd be happy to answer any questions."

Speaker Lang: "Gentleman 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? Members, please record yourselves. Have all voted who wish? Arroyo, Durkin, Wheeler. Mr. Clerk, please take the record. On this question, there are 65 voting 'yes' and 50 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2262, Representative Gabel. Please read the Bill."

Clerk Hollman: "House Bill 2262, a Bill for an Act concerning public aid. This Bill is on the Order of Postponed Consideration."

Speaker Lang: "There being no debate... Oh, excuse me. That... You're correct, Sir. Representative Gabel."

Gabel: "Than... thank you, Mr. Speaker. We had a very full discussion about this Bill, previously. What this Bill will do is it will save the... the state about a million dollars, and it will, also, allow low-income people to have some savings. I'd appreciate an 'aye' vote."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. DeLuca, Durkin, Harris, Smiddy.

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

41st Legislative Day

4/16/2013

Mr. DeLuca. Please take the record. On this question, there are 62 voting 'yes', 55 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Lang: "Please state your point."

Davis, M.: "I'd like to let the entire Body know that in Chicago we are celebrating the 30th year for the election of Harold Washington, the first black mayor of the City of Chicago. And throughout the rest of the month, there will be celebrations for those of us who recognize and appreciate the leadership that he showed. And many of us are here, today, because of his leadership. And I would just urge the Body to give him a big round of applause. Thank you."

Speaker Lang: "The Chair recognizes Representative Wheeler."

Wheeler: "Thank you, Mr. Speaker. I'd like to record my vote for House Bill 2583 as a 'no' vote, please."

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

Wheeler: "Thank you."

Speaker Lang: "House Bill 2518, Mr. Zalewski. Out of the record. Members, we're going to go through a series of Second Reading Bills, now. Second Reading Bills. Please be ready if your Bill is called so we can move through these expeditiously. First Bill is House Bill 756, Representative Monique Davis. Representative Monique Davis. Do you wish to move this Bill? Out of the record. House Bill 490, Representative Monique Davis. Please read the Bill."

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

41st Legislative Day

4/16/2013

Clerk Hollman: "House Bill 490, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Monique Davis, is approved for consideration."

Speaker Lang: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Amendment #2 merely says that the state Basic Skills test can be given at any time a university chooses to do so as long as it's prior to when the student does his or her student teaching. I urge an 'aye' vote."

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

Zalewski: "Mr. Speaker, inqu... could... on 2518, could we move that Bill back to the Second for an Amendment?"

Speaker Lang: "Can we get back to you after..."

Zalewski: "Okay."

Speaker Lang: "...this Bill, Sir? There being no debate, those in favor of the Lady's Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Now, Mr. Zalewski asks that House Bill 2518 move... be moved back to Second Reading. And do you have an Amendment? Are you ready to proceed on that, Sir? Just hold it?"

Zalewski: "Yes."

Speaker Lang: "That Bill will be held on the Order of Second Reading. House Bill 630, Mr. Farnham. Mr. Farnham. Out of



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

41st Legislative Day

4/16/2013

the record. House Bill 922, Representative Hurley. Please read the Bill. Please read the Bill."

Clerk Hollman: "House Bill 922, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Lang."

Speaker Lang: "Withdraw Amendment 1, Mr. Clerk. Please proceed."

Clerk Hollman: "Floor Amendment #2 is offered by Representative Hurley and has been approved for consideration."

Speaker Lang: "Representative Hurley."

Hurley: "I adopt that we... the Amendment #2 out of committee to the floor."

Speaker Lang: "I think the committee recommended..."

Hurley: "Committee..."

Speaker Lang: "...to the floor."

Hurley: "...recommended it..."

Speaker Lang: "So, explain the Amendment and then we'll proceed, Representative."

Hurley: "The Amendment moves forward from this point on... on for records kept for 10 years instead of the initial 3 years."

Speaker Lang: "Lady moves to adopt the Amendment. Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Lady yields."

Reboletti: "Representative, I had a little trouble hearing what the Amendment did. Could you state that again, please?"

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

41st Legislative Day

4/16/2013

Hurley: "I'm just adopting the Amendment. It... hold on just a second, if you would. It changes the record keeping from 3 years to 10 years from this point forward, so you don't have to keep records of the back. And I'm just asking for an adoption of the Amendment."

Reboletti: "Why did you want to go from 3 to 10 years?"

Hurley: "It's recommended by the Department of Labor."

Reboletti: "Are there any opponents to your Amendment?"

Hurley: "Is there any what, Sir?"

Reboletti: "Opponents."

Hurley: "Yes. Illinois Chamber of Commerce and a couple of others."

Reboletti: "Is there, also, an issue with bringing any type of cases against... I think there's a statute of limitations issue. Does this change the statute of limitations issues for bringing actions against a contractor?"

Hurley: "It does. Instead of 2 violations in 5 years, it goes 2 violations in 10 years."

Reboletti: "Was that also suggested by the Department of Labor?"

Hurley: "Yes, it was."

Reboletti: "And does... your Amendment does... does not take away any of the opposition, does it?"

Hurley: "It does not. No."

Reboletti: "Thank you."

Speaker Lang: "Representative Hurley to close."

Hurley: "I appreciate the adoption of the Amendment."

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

41st Legislative Day

4/16/2013

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

Clerk Hollman: "No further Amendments. A state mandates note has been requested but not filed at this time."

Speaker Lang: "The Bill will be held on the Order of Second Reading pending the note. House Bill 2496, Mr. Brown. Please read the Bill."

Clerk Hollman: "House Bill 2496, a Bill for an Act concerning State government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #3 is offered by Representative Bradley and has been approved for consideration."

Speaker Lang: "Mr. Bradley. Mr. Clerk, take this Bill out of the record. House Bill 1296, Mr. Chr... Representative Christian Mitchell. Out of the record. House Bill 2716, Representative Walsh. Please read the Bill."

Clerk Hollman: "House Bill 2716, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Walsh, has been approved for consideration."

Speaker Lang: "Mr. Walsh."

Walsh: "Yes. Floor Amendment #1 to House Bill 2716 just clarifies the intent language and the consequences for failing to noti... notify the township clerk in township caucus time and date. And I move for its adoption."

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

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

41st Legislative Day

4/16/2013

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

Speaker Lang: "Third Reading. Returning to House Bill 2496, Mr. Brown. Please read the Bill."

Clerk Hollman: "House Bill 2496, a Bill for an Act concerning State government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Bradley, has been approved for consideration."

Speaker Lang: "Mr. Bradley."

Bradley: "I move for the adoption of the Amendment. There's Amendment #4 coming as well, and I think we'll have to deal with that later."

Speaker Lang: "Can you explain the Amendment, Sir?"

Bradley: "The Amendment would deal with the Chicago Port District, a loan that's already been forgiven, if we get this off the books. The Chicago Port District is dependent on downstate commerce, in particular, downstate agricultural commerce. This is a meaningful and I think, a helpful marriage of two things which, hopefully, have a symbiotic relationship which the development of downstate agriculture through seed fertilizer and the further development of the port district which directly benefits the communities of downstate."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. The Chair recognizes David Harris."

Harris, D.: "Thank you, Mr. Speaker. I'd like to address the Amendment. Question of the Sponsor?"

Speaker Lang: "Sponsor yields."

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

41st Legislative Day

4/16/2013

Harris, D.: "Representative, there's... I really think that symbiosis is good and there were a lot of words tucked into that explanation as to what this Amendment does. But let me, for simpleminded people like me, let me just make sure I understand."

Bradley: "Mr. Speaker, I would contest simplemindedness of Representative Harris and ask for a parliamentary ruling on that."

Harris, D.: "So, it takes... it takes an extraordinary Majority, Mr. Speaker. So, as I understand it, what... what this Amendment does is to forgive a loan that the Chicago Port District owes to the State of Illinois. Is that the basic essence of this symbiotic relationship?"

Bradley: "The loan has actually been forgiven. It never performed. There's a piece of land; they've not been able to develop the land because of this outdated piece of legislation. This simply gets this outdated 1970s, I think, that... off the books so that they can further develop and benefit downstate commerce, in particular, the agriculture industry."

Harris, D.: "That's... the forgiveness of that is going to benefit agriculture in downstate?"

Bradley: "Well, the state's not been collecting on it. There's..."

Harris, D.: "Okay."

Bradley: "...no possibility of..."

Harris, D.: "Okay."

Bradley: "...collection and it... it keeps them from being able to develop because it's still on the books."

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

41st Legislative Day

4/16/2013

Harris, D.: "Okay. Was there a Bill, a stand-alone Bill, that... that did this?"

Bradley: "There is."

Harris, D.: "And what's the status of that stand-alone Bill?"

Bradley: "I believe it's on Second or Third."

Harris, D.: "And we don't... we don't want to just move that along on its own because it's such a good..."

Bradley: "We may. We might do that also."

Harris, D.: "...Bill to help the State of Illinois."

Bradley: "Yeah. We might do that, too."

Harris, D.: "Might want to do that, too?"

Bradley: "Might do that too."

Harris, D.: "Okay. I... a roll... the temptation to ask for a Roll Call was... was very close. But I'm being advised that that's probably not in the best interest of the Bill at this time, but we'll move the symbio... symbiosis along smoothly. Thank you... thank you."

Bradley: "Thank you, Mr. Speaker."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, I'm trying to figure out what's symbiotic between the Illinois International Port District and the City of Tuscola. How are those two things symbiotic?"

Bradley: "Well, there was a study done recently, and actually, the port district is dependent on downstate commerce. And so, it's not the Great Lakes which makes the port district in Chicago go. So, this is unique opportunity for there to

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

41st Legislative Day

4/16/2013

be a working relationship, a symbiotic relationship between downstate through our agriculture commerce, in particular, and the utilization of the downstate rivers and marketing that through the port in Chicago. So, there have been opportunities. You'll... you might have remembered, recently, that the port district passed a Resolution in support of the problems we were having with the drought downstate and the impact it was having on the rivers because they are recognizing the importance of downstate commerce on the rivers, downstate commerce in southern Illinois, in particular, with regards to agriculture."

Reboletti: "Representative, if the City of Tuscola does not get the plant, does your Amendment still, if passed, does it still become the law of the state, so that money will still be forgiven?"

Bradley: "I don't know the answer to that. I assume it would. But I assume, what we've been told, is my understanding, that if we pass this Bill that this is coming to Tuscola. And if that's not the case, then that's an assumption that's being made here and that's a representation that's been made here that we need to investigate further as well."

Reboletti: "Representative, I can appreciate the tone of your voice as well. But I will still ask some questions which is my... my concern is... look, I understand that this happened in 1978. This is still on the books, right, Representative?"

Bradley: "Yes."

Reboletti: "Has any... any money been paid back to the state at all since 1978?"

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

41st Legislative Day

4/16/2013

Bradley: "Not to my knowledge. And the development never happened. They bought the piece of land and the development never happened."

Reboletti: "So, who owns the piece of land now?"

Bradley: "I believe it's the port district."

Reboletti: "Has that been... is that given to them or is that originally their..."

Bradley: "I think they've acquired the piece of land, but..."

Reboletti: "Thank you."

Bradley: "...I'm not a hundred percent sure of that. I believe they acquired it through them."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Representative, I'm curious about, and I'm... I'm not sure I heard this correctly, the loan is forgiven or it's not forgiven?"

Bradley: "Well, the loan, the state has never collected on it. There's no opportunity for collection on it because it was based on the percentage of profits from the development of a port facility, cargo facility on this particular piece of land that has never happened since 1978. So, the Capital Development Board has not made any efforts, have not had the ability, and will not ever be able to collect on this so long as this... this quasi debt is on the books. Which then prohibits them from being able to further develop this area and actually get something going with regards to it, which benefits us downstate because then we have better access with our crops and with our downstate commodities



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

41st Legislative Day

4/16/2013

like coal and hopefully natural gas and oil to better market it through the Great Lakes as another resource in addition to the port of New Orleans."

Kay: "So, what happened that the port didn't develop?"

Bradley: "I don't know the answer to that. I think... I don't know the answer to that why it didn't develop. I think it had to do with..."

Kay: "Mr. Speaker, I... I'm sorry, I can't hear the responses."

Bradley: "I think it had to do with geography, Dwight. I think it had to do with the geography of it. There's one larger parcel and there's one smaller parcel, most of the development takes place in one area and not in the other. There's, apparently, no opportunity to develop this with this quasi debt hanging over it that's never been collected on that the state has never had any intention of collecting on but which remains on the books, I guess, since 1978."

Kay: "Well, here's my... here's my concern, John and I understand the accounting aspect, sort of, of debt and what you're trying to do. I'm not sure it's quasi, but I think Representative Brown has a good Bill, but his Bill is perspective in nature. There's no surety here. It only says the State of Illinois is going to help Representative Brown in his district allow some competitive bidding, so to speak. So, if that bid fails and we forgive this loan, we're really out on... on a limb aren't we..."

Bradley: "No."

Kay: "...as a state?"

Bradley: "No."

Kay: "Really?"

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

41st Legislative Day

4/16/2013

Bradley: "No. It... the point is and the hope is that this will allow the port district to finally develop the way it was supposed to and to allow the better utilization of, in particular based upon the studies, based upon the facts, the better utilization and marketing of downstate commerce, in particular, our... our resources, agriculture, and oil and gas resources as we move forward and try to better market downstate commodities."

Kay: "Wouldn't it have made more sense just to bifurcate this and run your... your thought here on a different Bill?"

Bradley: "Well, we may have, but in the past, when we've done economic development Bills, particularly, ones that complement one another, we've put these things together in the past. And this is an opportunity to do the same thing here."

Kay: "So, Representative Brown agreed that this was a good idea?"

Bradley: "I spoke with Representative Brown about this matter. I explained to him what the thought was that this was not a hostile attempt that I thought that this would, hopefully, be symbiotic; that this would be mutually beneficial to both areas of the state and to downstate, as well as, to northeastern Illinois. I was hopeful that that was understood."

Kay: "Did Representative Brown agree with you?"

Bradley: "Representative Brown and I had a conversation, and I'm not going speak with Rep... speak for Representative Brown other than he understood what was going on."

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

41st Legislative Day

4/16/2013

Kay: "Let me... let me see if I get this one more time. How... how is it that if Representative Brown's district doesn't get this business opportunity to come in and we forgive a \$15 million debt that we come out whole?"

Bradley: "It's going to better utilize or give a better opportunity to develop the port district which directly benefits downstate because the majority of the commerce that comes through there and the opportunities for further expansion of that and further development of that is conditioned and based on the development of the downstate economy. That's what the reports show."

Kay: "So, you're... you're saying that if Representative Brown's Bill passes, then there's an opportunity for this port, and if not, there is no opportunity?"

Bradley: "I'm... there's opportunity either way. I'm optimistic that we can pass both of these, that the seed fertilizer plant will come to Tuscola and that this will be another feather in their cap or another arrow in their quiver not only to that facility, but to all the downstate agricultural oil and gas facilities and downstate commerce, in particular, by better utilization of a state resource which is being underutilized now because of a quasi-debt that's still on the books from the 1970s that's never going to be paid off, in which, limits the ability to develop that which directly benefits downstate communities."

Kay: "For... forgive me because I don't..."

Speaker Lang: "Mr. Kay, could you bring your remarks to a close, Sir?"

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

41st Legislative Day

4/16/2013

Kay: "Yeah, I will... I will, Speaker. Thank you. Representative, is... is the port district functional, today?"

Bradley: "Yes."

Kay: "And they have any business flowing through it?"

Bradley: "I believe they do, but it's underutilized."

Kay: "Okay. And so, they're not able to repay their obligation?"

Bradley: "This particular piece of parcel has not generated, under the terms of the agreement that the state made with them, under the way that it was drafted which was when I was in grade school, there's no way under the current law for that ever to be repaid because there's no income being derived from the parcel that was purchased under that agreement."

Kay: "Okay. Now, Representative, I'm not going to comment on grade school, but I appreciate your answers."

Speaker Lang: "Leader Cross."

Cross: "Thanks, Mr. Speaker. I just want to make a couple of observations. First of all, Representative Brown has done about as good a job as you could do in putting the pieces together to get what will arguably be one of the biggest fertilizer facilities in the state, if not, the country in Tuscola, Illinois. If you're familiar with this area, it's right off Route 57. You get off on 36. I think it's right real close to the intersection of 36 and 45. Two thousand jobs to put this together, 150 jobs full-time at the end of the day, a variety of other inst... you know, jobs connected to that whether it's in the trucking world, transportation world, et cetera. And in the meetings that... in one of the

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

41st Legislative Day

4/16/2013

meetings I went to, one of the great things about... the company said about Illinois was the transportation was good, the railroads were good, the universities were good, and they were looking at another state that's in competition with us. But I want to make sure that everybody recognizes the incredible job that Adam Brown has done on this to stay on it and try to guide this piece of legislation through the General Assembly, a much needed piece of legislation that, I think, will cement the deal with this fertilizer company, and he's to be commended for that. I... I would encourage people to vote for this. What I find intriguing and Representative Kay and Representative Harris were very kind in their remarks and very kind in their questioning why this Amendment is being put on. The reality is, it really shouldn't be on this. There really isn't a nexus to it. The Sponsor of the Amendment is very, very clever in trying to create that nexus, and I admire him for trying, but the reality is, it shouldn't be there. But it is and you are in the Majority and you have the ability to do that. And in order for us to get this done, we realize what's going on. It's not something that we embrace. It's not something we like, but we have the opportunity to put 2 thousand people to work, 150 after that full-time and we can't let that go. But make no mistake about it, this Bill should be a stand-alone Bill. In the ideal world, that's what we would do, that's what we would advocate, and that's the way it should be, but this is... this is how we operate in Illinois government. We understand that. And we understand the Amendment's going to

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

41st Legislative Day

4/16/2013

go on. So, Mr. Speaker, thank you. And once again, I just want say that Representative Brown, incredible job and we will all continue to work with you to get this to the Governor's Office... the Governor's desk and the Governor's Office through DCEO, also, has been very, very helpful and I appreciate that as well. Thank you, Mr. Speaker."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, with regard to the Amendment, without regard to what the previous speaker's comments were, but about the Amendment. Would this otherwise have been a situation where someone defaulted on a loan?"

Bradley: "No. The way it was set up it was never... it was..."

Davis, W.: "You okay, Robbie? All right. Barbara... Barbara, thank you..."

Bradley: "Representative Gabel, are you okay?"

Davis, W.: "...for catching Robyn. Okay."

Bradley: "You okay?"

Davis, W.: "Sorry about that."

Bradley: "It... it was never set up to succeed."

Davis, W.: "Well, I mean... I mean, I guess I understand you mention an agreement that was..."

Bradley: "It was..."

Davis, W.: "...made back in 1978. But I'm asking under otherwise normal circumstances..."

Bradley: "The state... the state never set it up to succeed. It probably should have been a grant to begin with, but they set it up so it's never succeed. We were never going to get

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

41st Legislative Day

4/16/2013

any money out of this deal, but it's still on the books for the purpose of trying to go out and actually develop this area to benefit that area of the state as well as downstate."

Davis, W.: "So, since 1978 this parcel of land that you're talking about has never been developed?"

Bradley: "It's not ever generated any income and the state has never received any money."

Davis, W.: "Well, is there... is there a distinction between not... not generating any income versus not being developed?"

Bradley: "Apparently. I don't know that... I don't know what you're getting at there."

Davis, W.: "Well, I guess I'm trying to understand because..."

Bradley: "Is it part of the... is it part of the port district? Yes. Has it developed to the point that it generates any income? No."

Davis, W.: "Okay. Well, but you mean you're talking about a parcel of land that the state provided some resources for that we're now, with this Amendment, would forgive, if I can call it that, that particular loan. And I'm just thinking there are probably another... other opportunities in which..."

Bradley: "We've essentially..."

Davis, W.: "...there have been state dollars given for something that..."

Bradley: "The state has..."

Davis, W.: "...could... could be forgiven."

Bradley: "The state has, actually, already forgiven this in all intents and purposes."

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

41st Legislative Day

4/16/2013

Davis, W.: "Okay."

Bradley: "The state sends a letter to the port district every year saying they don't owe anything. And so, as a result of that, but it's still on the books which means if they try and go out and borrow money to actually develop it, they can't because this debt is technically on the books even though the state sends a letter to them saying they don't owe it."

Davis, W.: "Okay. Thank you very much. And very briefly to the Bill. To Leader Cross's comments about one of his Members having worked very hard to... to bring this company to the State of Illinois. I guess that's a testament that despite what many people say about the business climate here in the State of Illinois that we're still able to attract businesses. How about that? Congratulations."

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

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

Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 825, Representative Acevedo. Please read the Bill. Out of the record, Mr. Clerk. House Bill 1815, Leader Cross. Please read the Bill."

Clerk Hollman: "House Bill 1815, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Leader Cross, is approved for consideration."

Speaker Lang: "Leader Cross."



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

41st Legislative Day

4/16/2013

Cross: "Thank you, Mr. Speaker. This was adopted in committee, and I appreciate the committee's work on it. This is a fairly simple concept that creates a Diabetes Awareness License Plate. We currently have a provision in the law that allows for tax check off and we take half that money and give it to the American Diabetes Association to do research, as well as, the Juvenile Diabetes Research Foundation to do research in that field. So, some research in Type 1 and some research in Type 2. As you may have been following through the good work of the Diabetes Caucus, diabetes is growing at an alarming rate in this country and in fact, in this state throughout the state, upstate, downstate, and that includes in the City of Chicago and a lot of urban areas. This is an opportunity to create more awareness and also, raise some money for research. And I'd appreciate an 'aye' vote. Thank you."

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

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

Speaker Lang: "Third Reading. House Bill 738, Representative Cloonen. Please read the Bill. Out of the record, Mr. Clerk. House Bill 1243, Representative Kelly Burke. Please read the Bill."

Clerk Hollman: "House Bill 1243, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendments 4 and 5 have been approved for consideration. Floor Amendment #4 is offered by Representative Kelly Burke."

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

41st Legislative Day

4/16/2013

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. This Amendment was recommended do adopt in committee this morning. It is a... it becomes the Bill. It's a rewrite of the Illinois Parentage Act of 1984 in the Illinois Parentage Act. And it updates and modernizes the provisions as it relates to children who are not born of a marriage. I ask that we adopt."

Speaker Lang: "Lady moves for the adoption of the Amendment. Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. I'm sorry. It was a little noisy in here, Representative, can you repeat exactly what..."

Burke, K.: "Oh. Sure. This is a..."

Bost: "...Amendment 4 does?"

Burke, K.: "This is a rewrite of the Parentage Act of 1984 and the Illinois Parentage Act combining them into one Act. It's a product of the Illinois Family Law Study Committee which was a bipartisan group put forth through this Body at the end of 2008. The Bill becomes... the Amendment becomes the Bill and it was adopted in committee this morning or recommend do adopt in committee this morning."

Bost: "Okay. Exactly what changes occur to the original Act through this Amendment?"

Burke, K.: "There's many, many changes. Do you want me to hit the high points?"

Bost: "No. I think as long as there's many, many changes I feel wonderful about it. Thank you."

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

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

41st Legislative Day

4/16/2013

Clerk Hollman: "Floor Amendment #5, offered by Representative Kelly Burke, has been approved for consideration."

Speaker Lang: "Representative Burke."

Burke, K.: "Amendment 5 is some cleanup language to the bigger Amendment 4. Again, it was adopted.. recommended do adopt in committee this morning."

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

Clerk Hollman: "No further Amendments. A fiscal note, correctional note, and judicial note has been requested but not filed at this time."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 806, Mr. Bradley. Please read the Bill."

Clerk Hollman: "House Bill 806, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bradley, has been approved for consideration."

Speaker Lang: "Mr. Bradley."

Bradley: "This is a Bill that would forgive the debt of the Chicago... no, I'm teasing. This is the meth precursor rewrite Bill for the Attorney General's Office, initiative of the Attorney General's Office. We've made great strides with regards to meth, but we have more work to do. I'd ask for the adoption of the Amendment and debate it on Third Reading."

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

41st Legislative Day

4/16/2013

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

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

Speaker Lang: "Third Reading. House Bill 1459, Mr. Bradley. Please read the Bill."

Clerk Hollman: "House Bill 1459, a Bill for an Act concerning State government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 630, Mr. Farnham. Please read the Bill."

Clerk Hollman: "House Bill 630, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Farnham, has been approved for consideration."

Speaker Lang: "Mr. Farnham."

Farnham: "Yes, Mr. Speaker. House Amendment 2, it becomes the Bill. And it allows home brewers to be able to display their wares at charity events and to give out samples. And it sets forth all of the rules. It's an agreed upon Amendment."

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

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

Speaker Lang: "Third Reading. House Bill 3207, Mr. Halbrook. Please read the Bill."

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

41st Legislative Day

4/16/2013

Clerk Hollman: "House Bill 3207, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Halbrook, has been approved for consideration."

Speaker Lang: "Mr. Halbrook."

Halbrook: "Yeah. Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill. It amends the Emergency Telephone System Act, allows 9-1-1 boards that don't presently have staggered three-year terms to have those and it provides a method for removal of board members for misconduct, official misconduct and neglect of office. I ask for its adoption."

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

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

Speaker Lang: "Third Reading. House Bill 513, Mr. DeLuca. Mr. DeLuca, House Bill 513. Please read the Bill."

Clerk Hollman: "House Bill 513, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative DeLuca, has been approved for consideration."

Speaker Lang: "Mr. DeLuca."

DeLuca: "Thank you, Mr. Speaker. Floor Amendment #1... hold on a second. The House Floor Amendment #1 changes.. extends the date one year. I ask that the Amendment be adopted."

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

41st Legislative Day

4/16/2013

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

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

Speaker Lang: "Third Reading. House Bill 1562, Mr. Demmer. Please read the Bill."

Clerk Hollman: "House Bill 1562, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered Representative Demmer, has been approved for consideration."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. Floor Amendment 1 is a product of the negotiations of the Illinois Municipal League, the Treasurer's Association for municipal and counties and county board members. This clarifies the intent of the original Bill which is to add some accountability and transparency to audits and financial records at the city and county level. I ask for an 'aye' vote."

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

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

Speaker Lang: "Third Reading. House Bill 3006, Mr. Dunkin. Please read the Bill."

Clerk Hollman: "House Bill 3006, a Bill for an Act concerning local government. Second.. this Bill was read a second time on a previous day. Amendment #1 was adopted in committee."

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

41st Legislative Day

4/16/2013

Floor Amendment #2, offered by Representative Dunkin, has been approved for consideration."

Speaker Lang: "Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker. I move that... I ask that we adopt Amendment #1."

Speaker Lang: "Amendment #1, I think, is already on the Bill, Sir. We're on Amendment 2."

Dunkin: "Oh."

Speaker Lang: "You want to explain Amendment 2, Sir?"

Dunkin: "No. Can you move to... to three?"

Speaker Lang: "What do you want to do with Amendment 2, Sir?"

Dunkin: "I want to adopt Amendment #2, Mr. Speaker."

Speaker Lang: "Please explain the Amendment, Sir."

Dunkin: "Amendment #2 simply allows private citizens to participate, as well, in the process serve scene."

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

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

Speaker Lang: "Third Reading. House Bill 2668, Mr. Dunkin. Please read the Bill."

Clerk Hollman: "House Bill 2668, a Bill for an Act concerning agriculture. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Dunkin, has been approved for consideration."

Speaker Lang: "Mr. Dunkin."

Dunkin: "Thank you, Mr... Mr. Speaker, Members of the House, here. I move that we adopt Amendment #2 which simply allows

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

41st Legislative Day

4/16/2013

colleges and universities or state universities to apply to the Department of... DEA for research on hemp."

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

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

Speaker Lang: "Sponsor yields."

Franks: "What... what kind of research on hemp will the university be allowed to do?"

Dunkin: "Well, what they'll do is they'll ask the Department of Enforcement Administration if they can... understanding the cultivating... the cultivation, the harvesting, processing of it and seeing if they can see what the industrial or economic impacts would be for the State of Illinois."

Franks: "So, they can actually grow hemp not just study it? 'Cause I... I mean, I study how to play poker; I never get to play it though."

Dunkin: "Oh, really."

Franks: "Yeah. But... so, this is more than just studying? So, where would they grow this hemp?"

Dunkin: "Well, most of our state... a number of our state universities have agricultural space or land that they can test this hemp... industrial hemp as it relates to, you know, making clothing, products, lotions, balm, food, et cetera."

Franks: "How many... how many times can you grow hemp per annum? You know, how many crops of hemp would you be able to grow?"

Dunkin: "That's a very good question, Representative. With the universities studying industrial hemp and the benefits of agricultural hemp, we can answer that question."



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

41st Legislative Day

4/16/2013

Franks: "But... but haven't they done this in the past? Are there any states that are growing hemp right now?"

Dunkin: "I'm not exactly sure. But I do know that we import from Canada and China well over \$1 billion worth of hemp products every single year."

Franks: "I'm just wondering how much study we need if other countries are already doing it. Can't we just, you know, see what they have to say?"

Dunkin: "Hey, listen, you and I are on the same page, Jack, can you believe that? I agree with you."

Franks: "But... okay. Who are your Sponsors of this Bill?"

Dunkin: "Representative Jim Sacia and Representative Naomi Jakobsson."

Franks: "Mr. Mautino..."

Dunkin: "You know Sacia's... you know Sacia's background so that's a lot of credibility to this... to this hemp. I think Chapa LaVia and yourself, I think, want to go on the... the Bill..."

Franks: "Chapa LaVia..."

Dunkin: "...as cosponsors."

Speaker Lang: "Can I remind the Body that this is an Amendment. We can debate this on Third Reading."

Franks: "We... we can move it in a Second. I just... is there any truth to the fact that Doritos is also a Sponsor of this Bill or supporting this Bill?"

Dunkin: "I have no idea what you're speaking of, Representative."

Franks: "All right. Thank you."

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

41st Legislative Day

4/16/2013

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

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

Speaker Lang: "Third Reading. House Bill 1296, Representative Christian Mitchell. Please read the Bill."

Clerk Hollman: "House Bill 1296, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Christian Mitchell, has been approved for consideration."

Speaker Lang: "Representative Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. So, this is a Bill involving divestment of our pension systems for folks who manufacture firearms and ammunition. What this Amendment is, is simply cleanup language. There are a couple of... of our systems that have investments with a ceremonial weapons manufacturer that, I believe, is based in France. These weapons are like \$400 thousand. They're not being used for the purposes of... of actually shooting or killing anyone in most cases. So, this is cleanup language clarifying that is not what this Bill is touching. And furthermore, it's cleanup noting that what this Bill is targeting is finished firearms, finished ammunition, not seal or other sorts of parts 3/8-inch screws, et cetera. So, that... it's just cleanup language for the Bill. And I would urge the adoption of the Amendment."

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

41st Legislative Day

4/16/2013

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

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

Speaker Lang: "Third Reading. House Bill 1650, Representative Hammond. Please read the Bill."

Clerk Hollman: "House Bill 1650, a Bill for an Act concerning fish. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #4 has been approved for consideration and is offered by Representative Hammond."

Speaker Lang: "Representative Hammond on Amendment 4."

Hammond: "Thank you, Mr. Speaker. House Amendment 4 to House Bill 1650 actually combines House Amendment 2 and House Amendment 3 and clears up a drafting error. Essentially, what the Amendment does is it states that in.. also, in addition to having a commercial fisherman license, you must also obtain a sports fishing license and stipulates that the regulations do not apply to any person taking Asian carp for noncommercial purposes. I see that smile, Mr. Speaker."

Speaker Lang: "That smile is not directed to you, Representative. Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 11, Representative Flowers. Please read the Bill."

Clerk Hollman: "House Bill 11, a Bill for an Act concerning regulation. Second Reading of this House Bill. Committee

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

41st Legislative Day

4/16/2013

Amendment number... Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Lady wishes to take the Bill out of the record. Out of the record, Mr. Clerk. House Bill 2335, Representative Gabel. Please read the Bill."

Clerk Hollman: "House Bill 2335, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments have been approved for consideration. And no Motions are filed."

Speaker Lang: "Third Reading. House Bill 576, Representative Golar. Please read the Bill. Out of the record. Out of the record, Mr. Clerk. House Bill 2846, Representative Golar. Please read the Bill."

Clerk Hollman: "House Bill 2846, a Bill for an Act concerning employment. Second Reading of this House Bill. Amendment #1 was adopted in committee. No... Floor Amendment #2, offered by Representative Golar, is approved for consideration."

Speaker Lang: "Representative Golar."

Golar: "Thank you, Mr. Speaker. House Amendment #2, actually, is a technical Amendment, clarifies some language. Section 30 on page 5 removes a written statement upon denial of license or employment at the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment. A public agency or private employer shall provide, within 30 days of a request, a written statement setting forth the reason for denial. I ask that this Amendment be adopted."

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

41st Legislative Day

4/16/2013

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

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

Speaker Lang: "Third Reading. House Bill 2843, Representative David Harris. Please read the Bill."

Clerk Hollman: "House Bill 2843, a Bill for an Act concerning support. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative David Harris, has been approved for consideration."

Speaker Lang: "Mr. Harris."

Harris, D.: "Than... thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an agreed Amendment which clarifies how racetracks and the casinos will handle the collection of child support payments in the event that there are winnings that trigger that requirement."

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

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

Speaker Lang: "Third Reading. House Bill 923, Speaker Madigan. Please read the Bill."

Clerk Hollman: "House Bill 923, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Lang: "Is Mr. Hoffman in the chamber? Out of the record. House Bill 2856, Representative Manley. Please read the Bill."

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

41st Legislative Day

4/16/2013

Clerk Hollman: "House Bill 2856, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Manley, has been approved for consideration."

Speaker Lang: "Representative Manley."

Manley: "Thank you, Mr. Speaker. House Bill 2856 just cleans up language, was passed out of committee yesterday. The ICC and all parties that were concerned were on board with that."

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

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

Speaker Lang: "Third Reading. House Bill 2606, Mr. Mautino. Please read the Bill."

Clerk Hollman: "House Bill 2606, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Lang: "Leader Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 reflects an agreement by the Associated Beer Distributors of Illinois, the Wine and Spirits Distributors of Illinois, the Licensed Beverage Association, and Beverage Retailers Alliance of Illinois. This deals with the three-tier issue. And I'd appreciate your 'aye' votes to adopt the Amendment. I'll explain it on Third."

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

41st Legislative Day

4/16/2013

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

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

Speaker Lang: "Third Reading. House Bill 3312, Representative Ives. Out of the record. House Bill 3005, Representative Mayfield. Out of the record. House Bill 290, Representative Mayfield. Out of the record. House Bill 3111, Representative McAsey. Please read the Bill."

Clerk Hollman: "House Bill 3111, a Bill for an Act concerning legal assistance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McAsey, has been approved for consideration."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. I move for adoption of Floor Amendment #1. The Amendment is a gut and replace. It retains all of the Bill as introduced which was, at that point, self-help legal centers and legal assistance programs as well as a court-sponsored pro bono program. This, also, adds pilot programs for free legal assistance for veterans as well as Access to Justice Fund and a Statutory Court Fee Task Force. Move for the adoption."

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

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

Speaker Lang: "Third Reading. The Chair recognizes Mr. Brady."

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

41st Legislative Day

4/16/2013

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

Speaker Lang: "Please proceed, Sir."

Brady: "Ladies and Gentlemen of the House, please join me in welcoming here to Springfield today the senior class, the Illinois Wesleyan University nursing senior class and their teachers here to Springfield today."

Speaker Lang: "Welcome to Springfield. Happy to have you here. House Bill 827, Mr. Moylan. Please read the Bill."

Clerk Hollman: "House Bill 827, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. Floor Amendment #1 has been adopted previously. Floor Amendment #2, offered by Representative Moylan, has been approved for consideration."

Speaker Lang: "Mr. Moylan."

Moylan: "Thank you, Mr. Speaker. House Floor Amendment #2 changes the notification requirement of the previous Amendment to eliminate the burden of notifying family members and household members of their rights. I move for a passage."

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

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

Speaker Lang: "The Gentleman yields."

Bost: "What was the original problem that the Amendment had to be put on did you say?"

Moylan: "Mr... Mr. Representative, we took the burden out of the State's Attorney and put it on the victim. The victim is now going to call family members and have... and see if they will..."



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

41st Legislative Day

4/16/2013

Bost: "The vic... the vic is required to notify?"

Moylan: "Correct."

Bost: "Where before it was the State's Attorney that was..."

Moylan: "Yes, Sir."

Bost: "Okay. That was all I needed to know. Thank you."

Moylan: "Thank you very much."

Speaker Lang: "Representative Tracy. Lady does not wish to speak. Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 491, Representative McAsey. Out of the record. House Bill 1810, Mr. Poe. Please read the Bill."

Clerk Hollman: "House Bill 1810, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Poe, has been approved for consideration."

Speaker Lang: "Mr. Poe."

Poe: "Yeah, this has come out of committee 11-0. And it's a Legion of Merit license plate. And this is a plate that's awarded by the United States Department of Armed Forces. And I would ask for your adoption."

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

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

Speaker Lang: "Third Reading. House Bill 923, Speaker Madigan. Please read the Bill."

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

41st Legislative Day

4/16/2013

Clerk Hollman: "House Bill 92..."

Speaker Lang: "Out of the record. The Chair recognizes Representative Tracy."

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

Speaker Lang: "Please proceed."

Tracy: "I would like to introduce some very special individuals from the RSP&E Fire Protection District in my district. These great firefighters keep this area safe from fire. And I would like them to rise and be welcomed."

Speaker Lang: "Welcome to Springfield. Returning to House Bill 491, Representative McAsey. Out of the record. House Bill 479, Speaker Madigan. Please read the Bill."

Clerk Hollman: "House Bill 479, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Leader Currie."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker, Members of the House. This was approved in the Executive Committee yesterday. It just changes some requirements that apply to the Medical District Commission. And I'd appreciate your support for the Amendment. Amendment 2 will come right after, and we can discuss the full Bill on Third."

Speaker Lang: "Those in favor of the Amendment 1 will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Leader Currie."

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

41st Legislative Day

4/16/2013

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. Identical to Amendment 1 except for the effective date. I would appreciate your 'aye' votes. And we'll talk about the substance on Third."

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

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

Speaker Lang: "Third Reading. House Bill 595, Representative Nekritz. Please read the Bill."

Clerk Hollman: "House Bill 595, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. A few... a couple of years ago we adopted a condominium manager's licensing legislation. That proved to be somewhat unworkable when we... it tried to be implemented by the... by IDFP, and this is a rewrite that will implement that legislation we did a couple of years ago."

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

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

Speaker Lang: "Third Reading. House Bill 3229, Representative Nekritz. Please read the Bill."

Clerk Hollman: "House Bill 3229, 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

41st Legislative Day

4/16/2013

Committee Amendments. Floor Amendment #2, offered by Representative Nekritz, has been approved for consideration."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. This Bill will change the times in which drivers are required to slow down around school zones."

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

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

Speaker Lang: "Third Reading. The Chair recognizes Mr. Moylan."

Moylan: "Point of personal privilege, please."

Speaker Lang: "Please proceed."

Moylan: "I'd like to recognize members of the Illinois Fire Chiefs Association and our own fire chief from the City of Des Plaines, they're in the gallery today. Let's have a big hand for all of the fire chiefs. Thank you, guys."

Speaker Lang: "Welcome, chiefs. Thank you for being here with us. House Bill 1773, Mr. Sacia. Please read the Bill."

Clerk Hollman: "House Bill 1773, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #3, offered by Representative Sacia, has been approved for consideration."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, all of the Amend... all the Amendment does is it deals with a common interest community board cannot hold a

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

41st Legislative Day

4/16/2013

contractual agreement with a member of that board. Be happy to answer your questions."

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

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

Speaker Lang: "Third Reading. House Bill 3260, Representative Scherer. Please read the Bill."

Clerk Hollman: "House Bill 3260, a Bill for an Act concerning State government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1... #1, offered by Representative Scherer, has been approved for consideration."

Speaker Lang: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've worked out an Amendment with CMS. And I ask for passage of this Amendment. This Bill provides for the sale of some cars in the state vehicle fleet that were used less than 7 thousand miles, with some exceptions."

Speaker Lang: "The Lady moves for the adoption of the Amendment. The Chair recognizes Representative Reis."

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

Speaker Lang: "Lady yields."

Reis: "Representative, how many cars will this involve?"

Scherer: "We don't have an exact number, right now, because they have software that they have to go through and figure out exactly how many fall in the category. This is actually... they went to the Auditor General, and they did a

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

41st Legislative Day

4/16/2013

study back in 2011 and they're trying to take the results of this Auditor General and make it... put to use."

Reis: "Okay. Bear with us, Representative, 'cause this Bill didn't go back to committee, but what's the estimated cost savings on this?"

Scherer: "Again, they don't have an exact amount because they don't know exactly how many cars."

Reis: "Will this include the air fleet?"

Scherer: "Pardon me?"

Reis: "Will this include the air fleet, selling air planes?"

Scherer: "I could only wish that, but no, it doesn't. It's a separate Bill."

Reis: "Maybe we could add a Floor Amendment #2 to include the air fleet. I'd be glad to cosponsor that Bill with you."

Scherer: "I... the problem is I want to get this Bill passed."

Reis: "I trust that you could've passed it with Amendment 2."

Scherer: "This is purely cars."

Reis: "Okay."

Scherer: "No airplanes."

Reis: "Thank you, Representative."

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

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

Speaker Lang: "Third Reading. House Bill 226, Representative Sente. Please read the Bill."

Clerk Hollman: "House Bill 226, a Bill for an Act concerning elections. Second Reading of this House Bill. Floor

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

41st Legislative Day

4/16/2013

Amendments 1 and 2 have been approved for consideration.

Floor Amendment #1 is offered by Representative Sente."

Speaker Lang: "Representative Sente."

Sente: "Thank you, Mr. Chairman. House Bill 226 is a... allows 17-olds who are 17 in the Primary and 18 by the General to be able to vote. I'd like to debate this Bill on Second.. or on Third Reading and move for its adoption on the floor."

Speaker Lang: "Can you tell us what Amendment 1 does?"

Sente: "Amendment 1 becomes the Bill, so what I've mentioned is exactly what it does."

Speaker Lang: "Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2, offered by Representative Sente, has... is approved for consideration."

Speaker Lang: "Representative Sente."

Sente: "Hold.. hold Amendment 2, please."

Speaker Lang: "You want to withdraw Amendment 2?"

Sente: "Yes, I do."

Speaker Lang: "Amendment 2 is withdrawn. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 1344, Mr. Schmitz. Please read the Bill."

Clerk Hollman: "House Bill 1344, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amen... Floor Amendment #1, offered by Representative Schmitz, has been approved for consideration."

Speaker Lang: "Mr. Schmitz."

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

41st Legislative Day

4/16/2013

Schmitz: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is agency-driven, agreed to. It changes... simply changes the date from January 1 of 2014 to January 1, 2016 when the students can complete their testing for the architectural exam."

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

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

Speaker Lang: "Third Reading. House Bill 531, Mr. Thapedi. Out of the record. House Bill 493, Mr. Walsh. Out of the record. House Bill 3178, Mr. Rita. Out of the record. House Bill 3372, Representative Senger. Please read the Bill."

Clerk Hollman: "House Bill 3372, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Senger, has been approved for consideration."

Speaker Lang: "Representative Senger."

Senger: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #1 on 3372 is basically looking at the Illinois Municipal Retirement Fund, the State Employees' Retirement System, State University System, Teacher System, and Chicago Teacher System. What we are looking at here, is we're saying new employees who come in after the passage of this Bill, sick time and vacation time will not be included in their pension calculation for not only salary, but for service credit."



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

41st Legislative Day

4/16/2013

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

Clerk Hollman: "No further Amendments. A fiscal note, state mandates note, balanced budget note, home rule note, and judicial note has been requested but not filed at this time."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. House Bill 945, Mr. Yingling. Out of the record. House Bill 1581, Mr. Beiser. Out of the record. House Bill 494, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 494, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Chapa LaVia."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "I want to move House Floor Amendment #2 and take..."

Speaker Lang: "What do you wish to do with Amendment 1, withdraw?"

Chapa LaVia: "Table it... withdraw it."

Speaker Lang: "Amendment 1 is withdrawn. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Representative Chapa LaVia."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Hi, Speaker. Thank you. House Amendment #2 is... is now a negotiated Bill except for one entity. But what we do is... I was originally going to put a moratorium on virtual

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

41st Legislative Day

4/16/2013

reality charter schools in the State of Illinois for thr... for three years. Originally, it was going to be Chicago Public Schools. Originally, it was going to be virtual reality charter schools, and what we've decided to do, with the help of a lot of committee Members and discussion, is that we're moving this moratorium to one year. We are taking out Chicago. We are taking out virtual reality blended school... charter schools that are happening throughout the state. And we're giving the commission a year to give us recommendations on policies and procedures to put in place in order to, in the future, look at virtual reality charter schools as a possibility in the State of Illinois. And I ask for its adoption."

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

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

Speaker Lang: "Third Reading. House Bill 1604, Mr. Sullivan. Please read the Bill."

Clerk Hollman: "House Bill 1604, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sullivan, has been approved for consideration."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. House Amendment 1 to House Bill 1604 provides that in counties, other than Cook, if a chief county assessment officer discovers a property has been granted a homestead exemption to which it is not entitled, the erroneously exempt portion of the property

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

41st Legislative Day

4/16/2013

may be considered as omitted property. I would ask for its adoption."

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

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

Speaker Lang: "Third Reading. House Bill 1814, Mr. Tryon. Out of the record. Excuse me, he's in the back. Please read that Bill, Mr. Clerk."

Clerk Hollman: "House Bill 1814, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Tryon, has been approved for consideration."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker. Members of the House, Floor Amendment 2 amends this piece of legislation to say that in a... in a traffic zone that is under construction that if no workers are present, an offense doesn't... that occurs there, won't lead to a suspension of license unless a worker is present. I'd be happy to answer any questions if you have any questions."

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

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

Speaker Lang: "Third Reading. House Bill 1694, Representative Wheeler. Representative Wheeler. Please read the Bill."

Clerk Hollman: "House Bill 1694, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee

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

41st Legislative Day

4/16/2013

Amendments. Floor Amendment #2, offered by Representative Wheeler, has been approved for consideration."

Speaker Lang: "Representative Wheeler."

Wheeler: "It's a quick-take, but... Thank you, Mr. Speaker. It's a quick-take for McHenry County."

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

Clerk Hollman: "No further Amendments. And no Motions are filed."

Speaker Lang: "Third Reading. House Bill 1652, Mr. Brown. Please read the Bill."

Clerk Hollman: "House Bill 1652, a Bill for an Act concerning wildlife. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Brown, has been approved for consideration."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. It would make it a criminal offense to use drones to monitor the activity of hunters and fishermen."

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

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

Speaker Lang: "Third Reading. House Bill 207, Speaker Madigan. Please read the Bill."

Clerk Hollman: "House Bill 207, a Bill for an Act making appropriations. Second Reading of this House Bill. No

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

41st Legislative Day

4/16/2013

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

Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 1217, Mr. Rita. Please read the Bill."

Clerk Hollman: "House Bill 1217, a Bill for an Act concerning regulation. 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. Returning to the Order of Third Reading, there appears House Bill 1324, Representative Flowers. Third Reading, Representative Flowers. Please read the Bill."

Clerk Hollman: "House Bill 1324, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1324 calls for a pilot nursing program in the Chicago Public Schools. And I know of no opposition to the Bill. And I would appreciate an 'aye' vote. And I'll be more than happy to answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor say 'yes'; opposed 'no'. Excuse me. Those in favor 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. Sandack, Soto, Tracy. Representative Soto. Please take the record. On this question, there are 111 voting 'yes', 5 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed.

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

41st Legislative Day

4/16/2013

House Bill 3390, Representative Sims. Please read the Bill."

Clerk Hollman: "House Bill 3390, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 3390 is a piece of legislation that amends the community... Condominium Property Act by allowing boards of managers to install solar or wind energy devices on any common element. I know of no opposition. I'd move for its favorable adoption."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. There being no debate, those in favor say 'yes'; opposed... excuse me. The Chair recognizes Representative Cassidy."

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

Speaker Lang: "Sponsor yields."

Cassidy: "This seems like a great idea. I just have a very quick question whether the... the legislation as written... addresses questions of nuisance... local control and nuisance issues such as noise from wind turbines? I've gotten some questions from some of the high rises in my district. Are you aware of whether it would impact local noise ordinances?"

Sims: "I can barely hear the question. I'm sorry."

Cassidy: "Are you... do you know if this... if the Bill, as written, would impact local noise ordinances? I've gotten some questions from high rises in my district."

Sims: "I've... I've heard no concerns about that."

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

41st Legislative Day

4/16/2013

Cassidy: "Wonderful. Thank you."

Sims: "Okay."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, please. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar appears House Bill 945, Mr. Yingling. Please read the Bill."

Clerk Hollman: "House Bill 940..."

Speaker Lang: "Out of the record, Mr. Clerk. Mr. Clerk, Agreed Resolution."

Clerk Hollman: "Agreed Resolution. House Resolution 245, offered by Representative Osmond."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolution is adopted. Members, an important announcement. All technical Amendments to Bills need to be filed by 3 p.m. tomorrow; 3 p.m. tomorrow is the deadline for filing a technical Amendment to one of your House Bills. Mr. Clerk, committee announcements."

Clerk Hollman: "The following committees are meeting at 3:30: Consumer Protection is meeting in Room D-1, Human Services is meeting in Room 114, and the Appropriation-Elementary & Secondary Education Committee is meeting in Room C-1. The Financial Institutions Committee has been canceled. Meeting

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

41st Legislative Day

4/16/2013

a half hour later, at 4:00, is the Environment Committee in D-1 and Restorative Justice in Room 413."

Speaker Lang: "And now, allowing perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Wednesday, April 17 at the hour of 10:30 a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til tomorrow, Wednesday, April 17 at the hour of 10:30 a.m."