

STATE OF ILLINOIS  
99th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

50th Legislative Day

5/19/2015

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 19, 2015: recommends be adopted, referred to the floor is Floor Amendment #2 to Senate Bill 1921."

Speaker Lang: "The House will be in order. Members will please be in their chairs. We shall be led in prayer today by Reverend Bob Vanden Bosch who is with Concerned Christian Americans in Chatham. Reverend Vanden Bosch is the guest of Representative Poe. Members and guests are asked to refrain from starting laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Reverend."

Reverend Vanden Bosch: "Thank you, Leader. Let's bow together in prayer. Father, as we come to You now, we're just so grateful that we live in this country that You have given us. We're grateful that You have given us the government of, by and for the people. And thank You for each of the Representatives here that represent different groups of people across this great state. And Father, I just thank You for the diversity that there is in those who are Leaders here and all the different experiences that are here to be able to help come together and be able to put together legislation that should be good for our state. I pray, Lord, that as the budget gets crafted that You would give wisdom to each one that's here and use the experiences that have been in their lives to help them make this a better place for the rest of the people of Illinois. We pray especially today for Frank Mautino and Lord, I just ask that You give him strength to help his strength to

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come back quickly as well and just thank You for him. Thank You for each one that's here. We know, Lord, that You have put people here and You've put them in this place for such a time as this. And so, we ask that You'd bless this day. Touch each heart with Your presence. In Jesus' name we pray, Amen."

Speaker Lang: "Be led in the Pledge by Mr. Anthony."

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

Speaker Lang: "Roll Call for Attendance. Leader Currie."

Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Mautino and Thapedi."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please let the record show that Representative Grant Wehrli is excused."

Speaker Lang: "Mr. Clerk, please take the record. On this... there... We do have a quorum, 115 Members of the House present. And we're ready to do the peoples' business. The Chair recognizes Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen. A point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Burke, D.: "Ladies and Gentlemen, I'd like the House to welcome over 40 4-H members from across Illinois who are attending the University of Illinois extension 4-H Legislative Connection event that's being held today and tomorrow at this Capitol. These young people represent the Illinois 4-H youth leadership team and they're speaking for Illinois 4-H program

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and will be visiting Members of the House of Representatives over the next few days. These young people are from 20 different counties throughout the state, from Pope County in the south to Boone County in the north, both rural and metropolitan areas and represent nearly 200 thousand 4-H participants in all 102 counties. Working with the teens this week are Dr. George Czapar, Patricia McGlaughlin, Deb Stocker, Erica Austin of the University of Illinois extension, Jeanne Harland, Jerry Hicks, Pam Weber, and members of the extension partners organization. Ladies and Gentlemen, please welcome the 4-H members that are with us in the chamber today."

Speaker Lang: "Welcome to Springfield. Thank you for joining us. Mr. Meier."

Meier: "Point of personal privilege."

Speaker Lang: "Please proceed, Sir."

Meier: "I would like to wake... welcome our Page for the day, Jacob Tourville from... from St. Jacob and a member of the Triad School."

Speaker Lang: "Welcome. Thank you for joining us. The Chair recognizes Representative Hurley, who would like you to rise. It involves a death in her community."

Hurley: "Thank you, Mr. Speaker. Point of personal privilege. I have some sad news. I'm here to tell you that a 12-year-old girl in my community died last night from a four-year battle with cancer. Her name was Emily Beazley. Her mother, Nadia, wrote on Emily's Entourage page, this is a social media page, my beautiful Emily got to use her angel wings. She fought hard to the end. Her last gift to me was passing peacefully."

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Emily Beazley captured the heart of our community. She was called the 'Hero on Homan', not because she was sick, but because how she lived with the disease and our community embraced her. I'm so proud of my neighborhood for the outpouring of love we showed Emily and her family. So many people and organizations brought joy to Emily for the last few months of her life. Local schools, churches, businesses, and families raised the colors purple and green. Purple her favorite color and green for lymphoma awareness. There were purple and green light bulbs, purple and green ribbons, purple and green T-shirts, purple and green doughnuts from our luckle... local Dunkin Donuts. There were purple and green wreaths hanging from fire trucks and even purple and green nail polish. Hundreds of people showed up at the corner of 107th and Homan when our alderman, Alderman Matt O'Shea, dedicated Homan Avenue as Emily Beazley Way. She became an honorary Chicago Police officer. She earned an honorary doctorate from St. Xavier University and she even landed her dream job in the pediatric oncology unit at Advocate Hope Children's Hospital in Oak Lawn. She threw out the first pitch at the Chicago White Sox game. And one of our great local high schools actually held a senior prom for her and invited all her sixth-grade class. Of course, the high school was decorated in purple and green and Emily was even named prom queen. Taylor Swift, through a social media frenzy, was asked to call Emily and she did. Her mother said that her face lit up from ear to ear when she got the call. And even Governor Rauner was touched by Emily. Emily, one of her last wishes to make a trip down to Springfield, and Governor Rauner made her

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Governor for a day. So, I want to thank Emily for sharing her life with us. And ask for a moment of silence."

Speaker Lang: "Thank you, Representative. You may be seated, Members. Mr. Clerk, committee announcements. Committee Reports."

Clerk Hollman: "Committee Reports. Representative Sims, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on May 18, 2015: do pass Short Debate is Senate Bill 209. Representative Golar, Chairperson from the Committee on Elementary & Secondary Education: School Curriculum & Policies reports the following committee action taken on May 18, 2015: do pass Short Debate is Senate Bill 36, Senate Bill 224; do pass as amended Short Debate Senate Bill 1679; recommends be adopted is Floor Amendment #1 to House Bill 813, Floor Amendment #2 to Senate Bill 1340. Representative Verschoore, Chairperson from the Committee on the Environment reports the following committee action taken on May 18, 2015: recommends be adopted Floor Amendment #2 to Senate Bill 679. Representative Zalewski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on May 18, 2015: recommends be adopted is Floor Amendment #1 to Senate Bill 42. Representative Mussman, Chairperson from the Committee on Special Needs Services reports the following committee action taken on May 18, 2015: recommends be adopted a Motion to Concur with Senate Amendment #1 to House Bill 235. Representative Jackson, Chairperson from the Committee on Counties & Townships reports the following committee action taken on May 18, 2015: do pass Short Debate is Senate Bill

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379. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on May 18... May 19, 2015: do pass Short Debate is Senate Bill 653 (sic-read in error); do pass as amended Short Debate (sic-Senate Bill 653), Senate Bill 1228, Senate Bill 1846; recommends be adopted is Floor Amendment #1 to House Resolution 232 and Floor Amendment #2 to Senate Bill 54. Representative Nekritz, Chairperson from the Committee on Judiciary - Civil reports the following committee action taken on May 19, 2015: do pass Short Debate is Senate Bill 23, Senate Bill 45, Senate Bill 1102, Senate Bill 1763, Senate Bill 1877; recommends be adopted is Floor amendment #1 to Senate Bill 90, Floor Amendment #2 to Senate Bill 1334, Floor Amendment #2 Senate Bill 1833. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on May 19, 2015: do pass Short Debate is Senate Bill 1898; do pass as amended Short Debate is Senate Bill 805; recommends be adopted is Floor Amendment #10 Senate Bill 44. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on May 19, 2015: recommends be adopted is Floor Amendment #2 to Senate Bill 838, Floor Amendment #3 to Senate Bill 838. Representative Kelly Burke, Chairperson from the Committee on Higher Education reports the following committee action taken on May 19, 2015: do pass Short Debate is Senate Bill 806, Senate Bill 2...; do pass Standard Debate is Senate Bill 223; do pass as amended Short Debate is Senate Bill 1818; recommends be adopted is House Resolution 135. Representative

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Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on May 19, 2015: do pass Short Debate is Senate Bill 993; do pass as amended Short Debate is Senate Bill 47. Introduction of Resolutions. House Resolution 494, offered by Representative Wallace. House Resolution 495, offered by Representative Lilly. House Resolution 496 (sic-497), offered by Representative Ford. House Resolution 498, offered by Representative Flowers. These are referred to the Rules Committee."

Speaker Lang: "Mr. Andrade."

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

Speaker Lang: "Go right ahead, Sir."

Andrade: "I'd like to welcome a group from our neighborhood. They're called Bike and Roses, if you guys would please stand. Bike and Roses, they just came from... rode their bicycles all the way from my district in Chicago, three days. I should have been up to lose some weight, but I figure I'm going to give them a chance. Now, the reason why they're here is... they're here to bring attention to that their funding was cut over, I guess, almost a quarter of million dollars was cut from their program to hire kids. So, they're just wanted to be... they came to bring awareness and they rode their bicycles. And I just wanted to say thank you and welcome for providing that service in our community. Thank you very much."

Speaker Lang: "Thank you, Sir. And welcome. Congratulations on getting here. I don't know how you're getting back. Mr. Jones is recognized."

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

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Speaker Lang: "Proceed, Sir."

Jones: "I would like the Members to stand and honor the life of an 18-year-old who was killed tragically on Sunday. Eighteen-year-old Aaron Dunigan, from Calumet City, was a star quarterback at TF North High School. He was killed on his way back from prom. Not only did he love football, but if any of you have a chance, I would encourage you to go to YouTube and Google some of his accomplishments. He also was a high honor student at TF North High School. Tomorrow he was set to graduate. I visited his mother and his family on Sunday. Not only did they live and talk about the joys of his life, but his mother was planning and is planning to sit in his chair on graduation day so his chair won't be empty. Not only was he the victim, but also there was a 56-year-old person, Mr. Juan Rivera of Calumet City who also died tragically in this accident. So, I want to ask all Members in the Body to take a moment of silence to honor these two victims from the City of Calumet City."

Speaker Lang: "Thank you, Representative. Mr. Brady is recognized."

Brady: "Thank you very much, Mr. Speaker. Point of personal privilege."

Speaker Lang: "Proceed."

Brady: "Ladies and Gentlemen of the House, I'd like to introduce two Pages of mine from my district that I have today and I'd ask them to stand. They're down in front. Regan Fasig... or Raegan Fasig, I'm sorry, from Kingsley Junior High, seventh grade, who's here with her mother. And Andrea Irving, who is in seventh grade from Trinity Lutheran School, who's here



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with his... her father that's both in the gallery. Please give them a nice warm welcome to Springfield."

Speaker Lang: "Welcome. Members, we're going to proceed on page 13 of the Calendar. On the Order of Senate Bills-Second Reading, for those that have been approved to move, the first Bill is Senate Bill 13, Representative Kifowit. Representative Kifowit. Kifowit. Do you wish to move this Bill, Representative? Please read the Bill."

Clerk Hollman: "Senate Bill 13, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kifowit, has been approved for consideration."

Speaker Lang: "Representative Kifowit."

Kifowit: "Thank you, Mr. Speaker. Floor Amendment 1 adds privacy provisions for the children in regards to language for a redacting with regards to privacy laws. It also makes a small change to the random telephone sample. I ask for the Amendment to be adopted."

Speaker Lang: "Mr. Sandack on the Amendment."

Sandack: "Yes. Thank you. May I inquire of the Sponsor?"

Speaker Lang: "Proceed."

Sandack: "Thank you. Stephanie, my note on the file says you agreed this on Second. Is that pending the Amendment or is that hold still supposed to occur?"

Kifowit: "That's this Amendment here."

Sandack: "Thank you."

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

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

Speaker Lang: "Third Reading. Senate Bill 54, Mr. McAuliffe.  
Please read the Bill."

Clerk Hollman: "Senate Bill 54, a Bill for an Act concerning  
regulation. Second Reading of this Senate Bill. No Committee  
Amendments. Floor Amendment #2, offered by Representative  
McAuliffe, has been approved for consideration."

Speaker Lang: "Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. Amend... Floor Amendment #2 adds to the Bill. Provides  
a breast tomosynthesis exam to only be included in coverage  
if, and only if, the procedure is not considered a mandate  
under the AC... ACA requirements and the state does not have to  
defray the cost."

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. Senate Bill 94. Please read the  
Bill."

Clerk Hollman: "Senate Bill 94, a Bill for an Act concerning  
insurance. Second Reading of this Senate Bill. No Committee  
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 207, Mr. Evans. Mr.  
Evans. Out of the record. Senate Bill 417, Mr. Dunkin. Mr.  
Dunkin. Out of the record. Senate Bill 437, Mr. Zalewski. Out  
of the record. Senate Bill... Senate Bill 655, Mr. Rita. Mr.  
Rita. Out of the record. Senate Bill 661, Mr. McAuliffe. Out

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of the record. Senate Bill 844, Representative Golar. Please read the Bill."

Clerk Hollman: "Senate Bill 844, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 973, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "Senate Bill 973, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #2 was adopted in committee. Floor Amendment #3, offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. I wish to adopt Floor Amendment #3. It nearly duplicates the initial Amendment and it's an initiative of the ITLA."

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. Senate Bill 1062, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "Senate Bill 1062, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1256, Mr. Dunkin. Out of the record. Senate Bill 1268, Mr. Zalewski. Please read the Bill."

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Clerk Hollman: "Senate Bill 1268, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1381, Mr. Verschoore. Out of the record. Senate Bill 1389, Mr. Zalewski. Busy day, Sir. Please read the Bill."

Clerk Hollman: "Senate Bill 1389, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1458, Mr... Representative Bryant. Representative Bryant. Please read the Bill."

Clerk Hollman: "Senate Bill 1458, a Bill for an Act concerning finance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Representative wishes the Bill to be taken from the record. I think she has an Amendment. Is that correct, Representative? Out of the record, Mr. Clerk. Senate Bill 1564, Representative Gabel. Representative Gabel. Out of the record. Senate Bill 1608, Leader Currie. Leader Currie. Read the Bill, please."

Clerk Hollman: "Senate Bill 1608, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1803. Please read the Bill."

Clerk Hollman: "Senate Bill 1803, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No

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

Speaker Lang: "Third Reading. Senate Bill 1824, Mr. Zalewski. Out of the record. Senate Bill 1833, Representative Williams. Please read the Bill."

Clerk Hollman: "Senate Bill 1833, a Bill for an Act concerning business. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Williams, has been approved for consideration."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. This second Amendment just makes some changes to the original Data Security Notification Act to ensure that the Retail Merchants, among other parties, will be neutral."

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. Representative Feigenholtz is recognized."

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

Speaker Lang: "Please proceed."

Feigenholtz: "We have a returning guest in our chamber today. Let's all give a warm Springfield welcome to the newly minted, second-term Alderman Deborah Mell."

Speaker Lang: "Welcome back to the House chamber, Representative... alderman. Members, on returning to page 13 of the Calendar,

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there are a series of Bills that are not ready to move, but the Chair would wish to read them a second time so that you're prepared to move these Bills at a later time. If you do not want these Bills moved to Third... read a second time, for some reason, give me a wave. Senate Bill 42, Representative Lilly. Please read the Bill."

Clerk Hollman: "Senate Bill 42, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lilly, has been approved for consideration."

Speaker Lang: "Representative Lilly on the Amendment."

Lilly: "Thank you, Mr. Speaker. I would like to adopt Amendment #1 to House... to Senate Bill 42. It basically maintains the language of the underlying Bill and adds new language regarding background checks and waivers for health care workers under the Health Cal... Health Care waiver (sic-Worker) Background Check Act."

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: "Please hold this Bill on the Order of Second Reading. Senate Bill 90, Mr. Breen. Please read the Bill."

Clerk Hollman: "Senate Bill 90, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Breen, has been approved for consideration."

Speaker Lang: "Mr. Breen."

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Breen: "Thank you, Mr. Speaker. Floor Amendment 1 would take away any opposition to this Bill which would ensure a rebuttable presumption when a senior, who is under a... the Amendment would make sure a full plenary guardianship or a temporary guardian... a limited guardianship that is also accompanied by a lack of testamentary capacity, make sure that those wills are presumed invalid to protect those seniors."

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: "Please hold this Bill on the Order of Second Reading. Senate Bill 248, Leader Currie. Please read the Bill."

Clerk Hollman: "Senate Bill 248, a Bill for an Act concerning elections. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 398, Representative Feigenholtz. Please read the Bill."

Clerk Hollman: "Senate Bill 398, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 418, Mr. Turner. Please read the Bill. It's out of the record, Mr. Clerk. Senate Bill 567, Representative Golar. Please read the Bill."

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Clerk Hollman: "Senate Bill 567, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 655, Mr. Rita. Please read the Bill."

Clerk Hollman: "Senate Bill 655, a Bill for an Act concerning gaming. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Mr. Rita, do you want this on Third? Please hold this on the Order of Second Reading, Mr. Clerk. Senate Bill 7... Pardon me, Mr. Clerk. Senate Bill 760, Mr. Dunkin. Out of the record. Senate Bill 780, Mr. Riley. Please read the Bill."

Clerk Hollman: "Senate Bill 780, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. And no Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 838, Mr. Rita. Please read the Bill."

Clerk Hollman: "Senate Bill 838, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendments #2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Rita."

Speaker Lang: "Do you want to do the Amendment, Sir? Out of the record. Returning to Senate Bill 788, Mr. Harris. Please read the Bill."



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Clerk Hollman: "Senate Bill 788, a Bill for Act concerning public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 845, Representative McAsey. Please read the Bill."

Clerk Hollman: "Senate Bill 845, a Bill for an Act concerning crim... criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 836. Please read the Bill. Pardon me, Mr. Clerk. That's Senate Bill 936."

Clerk Hollman: "Senate Bill 936, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No... No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate Bill... Senate Bill 1304, Mr. Sims. Please read the Bill."

Clerk Hollman: "Senate Bill 1304, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 1312, Representative Kelly Burke. Please read the Bill."

Clerk Hollman: "Senate Bill 1312, a Bill for an Act concerning utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

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Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 1334, Mr. Turner. Please read the Bill."

Clerk Hollman: "Senate Bill 1334, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Turner, has been approved for consideration."

Speaker Lang: "Mr. Turner on the Amendment? Do you want to adopt the Amendment first, Sir?"

Turner: "We can adopt the Amendment. I had another Amendment coming and we were going to bring to the floor, but..."

Speaker Lang: "That will..."

Turner: "...I'll go ahead and adopt this Amendment. It's just... it has some language that reinstates the cap and does some other reporting things."

Speaker Lang: "Mr. Sandack on the Amendment."

Sandack: "An inquiry of the Sponsor, real quick."

Speaker Lang: "Proceed."

Sandack: "Art, just to make sure the record here is clear."

Turner: "Exactly how we discussed it in committee."

Sandack: "Okay. It... Right."

Turner: "That's right."

Sandack: "Thank you much."

Turner: "No problem."

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: "Please hold this Bill on the Order of Second Reading. Senate Bill 1340, Mr. Sims. Please read the Bill."

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Clerk Hollman: "Senate Bill 1340, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Sims, has been approved for consideration."

Speaker Lang: "Mr. Sims."

Sims: "Mr. Speaker, the... Thank you, Mr. Speaker. The Amendment simply asked who the task force... asks an extension for the Dyslexia Task Force. I know of no opposition. Ask for its adoption."

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

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

Speaker Lang: "Third Reading. Senate Bill 1354. Out of the record, Mr. Clerk. Senate Bill 1376, Mr. Evans. Out of the record. Senate Bill 1393, Mr. Beiser. Please read the Bill."

Clerk Hollman: "Senate Bill 1393, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 1455, Representative Golar. Please read the Bill."

Clerk Hollman: "Senate Bill 1455, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 4... Senate Bill... Senate Bill 1702, Mr.

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Rita. Mr. Rita. Out of the record. Senate Bill 1747, Mr. Sims.  
Please read the Bill."

Clerk Hollman: "Senate Bill 1747, a Bill for an Act concerning  
criminal law. Second Reading of this Senate Bill. No Committee  
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second  
Reading. Senate Bill 1805. Please read the Bill."

Clerk Hollman: "Senate Bill 1805, a Bill for an Act concerning  
insurance. Second Reading of this Senate Bill. Amendment 1  
was adopted in committee. No Floor Amendments. No Motions are  
filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate  
Bill 20... 1820, Representative Lilly. Please read the Bill."

Clerk Hollman: "Senate Bill 1820, a Bill for an Act concerning  
regulation. Second Reading of this Senate Bill. No Committee  
Amendments. No Floor Amendments have been approved for  
consideration. No Motions are filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate  
Bill 1827, Mr. Franks. Please read the Bill."

Clerk Hollman: "Senate Bill... Senate Bill 1827, a Bill for an Act  
concerning regulation. Second Reading of this Senate Bill. No  
Committee Amendments. No Floor Amendments. No Motions are  
filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate  
Bill 1854, Representative Mayfield. Please read the Bill."

Clerk Hollman: "Senate Bill 1854, a Bill for an Act concerning  
local government. Second Reading of this Senate Bill. No  
Committee Amendments. No Floor Amendments have been approved  
for consideration. No Motions are filed."

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Speaker Lang: "Please hold on the Order of Second Reading. Page 13 of the Calendar there appears Senate Bill 417, Mr. Dunkin. Please read the Bill."

Clerk Hollman: "Senate Bill 417, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 760, Mr. Dunkin. Please read the Bill."

Clerk Hollman: "Senate Bill 760, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate Bill 1256, Mr. Dunkin. Out of the record. Senate Bill 1641, Mr. Dunkin. Mr. Dunkin. Please read the Bill."

Clerk Hollman: "Senate Bill 1641, a Bill for an Act concerning the Secretary of State. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Members, we're going to page 7 of the Calendar, Senate Bills-Third Reading. Please be ready when your Bill is called. Senate Bill 9, Representative Kifowit. Please read the Bill."

Clerk Hollman: "Senate Bill 9, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lang: "Representative Kifowit."

Kifowit: "Thank you, Mr. Speaker. Senate Bill 9 addresses the situation of powdered caffeine. Currently, powdered caffeine is not regulated by the FDA. And it is available online as a dietary supplement. One teaspoon of powdered caffeine equates

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to 25 cups of coffee. Simply what this Bill does is raises the age of purchase from... to 18 and over."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. A few questions of the Sponsor?"

Speaker Lang: "Sponsor yields."

Sandack: "Stephanie, who gave you the Bill and who's the main proponent behind it?"

Kifowit: "This Bill came over... actually, I just worked with the Senate Sponsor Jennifer Bertino-Tarrant."

Sandack: "Who is... who's behind it? Was it a constituent or was it an industry request?"

Kifowit: "What the emphasis of this Bill is actually the deaths of two individuals that died of overdosing on the powdered caffeine. They were not aware of the potency of it. And therefore, we believe that it's an adult-only product."

Sandack: "All right. And last question. Is there any opponents that you know of to your legislation?"

Kifowit: "Not that I know of."

Sandack: "Thank you."

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? Please record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 43, Representative Lilly. Please read the Bill."

Clerk Hollman: "Senate Bill 43, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise to present SB43. This is a Bill that addresses public awareness initiative that pairs DHS and IDOT towards the ability to inform the public about human trafficking in Illinois. This Bill allows DHS and IDOT to work together to promote the trafficking hotline, which is one of the best resources available for catching predators. This Bill does not have any opponents. The signage will be placed in airports, rest stops, bus stations and truck stops. If there no question, I ask for your 'aye' vote."

Speaker Lang: "Mr. Sandack, the Sponsor yields."

Sandack: "Thank you. Representative, it's a wonderful idea. Is the legislation required? I mean, we should have intergovernmental agency or intrastate agency cooperation between different departments. Is there a requirement that a Bill and a law need to be passed to get this good policy undertaken?"

Lilly: "This issue is so alarming in our great country and in our state. We want to make sure that this collaboration and these options for people to understand what's happening in their community are dealt with and are available. So, I would say yes."

Sandack: "All right. And last question. Is there any fiscal impact to your Bill?"

Lilly: "Not at this time."

Sandack: "Would there be something in the late... would there be an impact at a later time?"

Lilly: "I do not believe so."

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Sandack: "Okay. Thank you for answering the questions."

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? Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 46, Representative Kelly Burke. Please read the Bill."

Clerk Hollman: "Senate Bill 46, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. This Bill is a follow-up to a Bill passed two years ago amending the Food Handling Regulations Enforcement Act. That Bill required a certified manager to pass an examination with a score of at least 75 percent every five years. The new language corresponded with the state exam and two of four national certification exams. We've become aware that there are two other national certification exams that have a passing score of less than 75. Their passing scores are at 70 and 68 percent. So, we just want to amend the law so that people can take those two exams and with their passing rate be qualified under the Act. I know of no opponents. And I ask for an 'aye' vote."

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? Please record yourselves. Lilly. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby



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declared passed. Senate Bill 57, Representative Kelly Burke. Don't go too far. Out of the record. Senate Bill 66, Mr. Ford. Mr. Ford. Out of the record. Senate Bill 100, Representative Will Davis. Mr. Davis. Out of the record. Senate Bill 125, Representative Feigenholtz. Please read the Bill."

Clerk Hollman: "Senate Bill 125, a Bill for an Act concerning agriculture. Third Reading of this Senate Bill."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 125 is a initiative of the Humane Society, the Animal League Defense Fund. There is no opposition to this Bill. It amends the Agriculture Act and protects companion... domestic companion animals. It's kind of a reiteration of the law in a different part of the statute. I'd appreciate an 'aye' vote."

Speaker Lang: "Mr. Sandack, the Sponsor yields."

Sandack: "Thank you. Sara, I couldn't hear the end of the... of your speech there. Is it a reiteration of existing law? And then, what's the new component?"

Feigenholtz: "The way that the humane investigator from downstate told us in committee it... she said that putting it in the abandonment Section of the statute will provide more teeth for the investigators when they go out."

Sandack: "So, there's a penalty enhancement component to the Bill?"

Feigenholtz: "No."

Sandack: "There's not?"

Feigenholtz: "I don't think so."

Sandack: "It just helps investigators find potential wrongdoers..."

Feigenholtz: "Yes."

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Sandack: "...and violators? All right. So, it to..."

Feigenholtz: "We have a lot of support from veterinarians from downstate."

Sandack: "I have no doubt. Thank you much for that clarification."

Speaker Lang: "Mr. Phelps."

Phelps: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Phelps: "Representative Feigenholtz, did you say this is just companion an... animal only?"

Feigenholtz: "Yes."

Phelps: "Okay. Thank you."

Speaker Lang: "Mr. Harris."

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

Speaker Lang: "Sponsor yields."

Harris, D.: "Representative, just to be sure. A couple of questions, if I may. No owner of a dog or cat that is a companion animal. So, how... what is a difference? Specifically, what is a companion animal?"

Feigenholtz: "Well, I think that there was some confusion about feral animals that may be on other peoples' property. These are animals that are owned, if you will, by somebody and cared for by somebody."

Harris, D.: "So, basically, a pet?"

Feigenholtz: "Correct."

Harris, D.: "Okay. And then, may expose the dog or cat in a manner that places the dog or cat in a life-threatening situation for a prolonged period of time in extreme hot or cold situations. So, as an example, my neighbor leaves his dog outside on a winter day where the temperature approaches

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freezing. Is that... is my neighbor now in danger of violating State Law?"

Feigenholtz: "Currently, it is expected that there is availability of some kind of shelter. This is... and you were in committee. You heard it being explained by the investigator that it... of course, as you know, hard to tell a dog or a cat that they should go sit by a space heater or in a shelter or in a doghouse with hay. But this basically reiterates that this should be available when it gets extremely hot or cold."

Harris, D.: "Right. I mean, I... you know, if I have a Bernese Mountain Dog that Bernese Mountain Dog, with all that fur, probably likes being outside when it's 30 degrees. He probably is not going to like being outside when it's 80 degrees. So, I'm just concerned that we may be exposing individuals to... to potential violation of law if somebody doesn't like what they're doing with their pet and the pet may not really be at... at risk of a life-threatening situation. I appreciate your taking the time to answer the questions, though. Thank you very much."

Speaker Lang: "Mr. Moffitt."

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

Speaker Lang: "Sponsor yields."

Moffitt: "Representative, what are the fines or penalties or if someone is found guilty of violating this, if it were to become law?"

Feigenholtz: "Hold on one second. I believe it's a misdemeanor, a Class A misdemeanor."

Moffitt: "And a fine of a range of an amount would it be?"

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Feigenholtz: "I believe that it is established by that particular jurisdiction."

Moffitt: "Representative, would you repeat your response?"

Feigenholtz: "I'm sorry, Sir. What was the question?"

Moffitt: "Would you repeat..."

Feigenholtz: "This doesn't..."

Moffitt: "...that response?"

Feigenholtz: "...Representative Moffitt, I... I don't believe that this changes a fine. I don't think it changes the class. What it does is it... if you look on... if you look on line 12 where the Amendment begins, the intent of the law is to put this Section in under the articulation of abandon, which begins on line 10 in its current statute. Do you see that?"

Moffitt: "I have the analysis up not the actual language, but we can look that up. An additional question. Some of this would... I mean, I agree we want to protect animals. This talks about companion animals. Having, you know, living on a farm, farm dogs are very important to farmers and frequently, farm dogs do stay outside. The key is to have them where they're dry, where they have good bedding, out of the wind. And they're... oftentimes, they're healthier if they stay out there. They adapt to that, but it just... it doesn't mean just that they can't be out in the cold and still be healthy. But if it's dry, protected, and like I..."

Feigenholtz: "Yeah. That... I... that is exactly the fact, Representative Moffitt. I'm glad you brought that up. That's exactly what our witness, a humane investigator said. That as long as those out... those types of protections are available

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to them, as you described, bedding, shelter, et cetera, even if they don't access them."

Moffitt: "But as the owner, you made that available so that..."

Feigenholtz: "Yes."

Moffitt: "...they can... obviously, an animal like that adapts to it as if they're smart enough to seek out. Sometimes they'll find a barn, a building that's even warmer perhaps because of the different wind direction. But I think I'm just concerned about how general it is and that people in good faith would not be found in violation here."

Feigenholtz: "No. I... that is certainly not the intent of this Bill. And like I said, this is in statute, but the proponents of the Bill felt that it was important to put it in the Section with the word 'abandonment'."

Moffitt: "Which would make it different than one that was a..."

Feigenholtz: "Correct."

Moffitt: "...has a specific owner and has obviously shown good-faith effort."

Feigenholtz: "Right."

Moffitt: "Thank you."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Sponsor yields."

Reis: "Representative, what is the genesis of this Bill?"

Feigenholtz: "Representative, I have a stack of letters from various veterinarians around the state who have talked a little bit about animals that they see who come into their offices with hypothermia and having to endure the harsh, harsh physical elements without any means of relief. So, these are

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companion animals. So, as the former Representative articulated, this is an effort of humane investigators, the Humane Society, to move a part of the statute or reiterate it under the term 'abandonment'. That is how she explained it in committee."

Reis: "What's the definition of a 'companion animal'?"

Feigenholtz: "What is the definition? I believe it's defined in statute."

Reis: "Well, I'm asking you in what statute say a 'companion animal' is?"

Feigenholtz: "In this particular part of the statute, if you could look at the Amendment, it is a dog or a cat."

Reis: "What about a feral cat?"

Feigenholtz: "No."

Reis: "What about a rabbit?"

Feigenholtz: "No."

Reis: "So, just dogs and cats?"

Feigenholtz: "That's what it says in the Amendment."

Reis: "Well, to the Bill. It never ceases to amaze me that sometimes we treat cats and dogs better than we do humans, but we have cats and dogs running all over the place in rural areas many, many, many, many of which are outside all the time. And sometimes it gets really hot, sometimes it gets really cold. And sometimes there's shelter available that the dog doesn't go to that they normally have always gone to. I mean, things happen and I just don't know why we're making something a Class A misdemeanor for a pet. If the owner of that pet wants to take it inside, they can. I just... we've got a lot of serious issues in this state and I don't know why we

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continue to humanize cats and dogs and then, worse yet, add a criminal aspect to it."

Speaker Lang: "Mr. Meier."

Meier: "Yes. I have a question for the Sponsor."

Speaker Lang: "Sponsor yields."

Meier: "I'd like to know, coming from the country, having my dog run on the farm with me all the time, when I go out in the woods to do logging, it's about zero degrees to twenty degrees. Am I going to be turned in for animal abuse?"

Feigenholtz: "No, Sir, if.. No, you're not. No. That is not what this Bill is about."

Meier: "Are you... are you sure?"

Feigenholtz: "I am..."

Meier: "Somebody driving by that sees that dog out there with me or at the same time when it's a hundred and five and I'm bringing home the cows and that dog's out there with me? That dog wants to be there. That dog chooses that on its own. It's not on any leash."

Feigenholtz: "Yeah. I agree with you. I understand that and just for the record and point of clarification, under those circumstances it is not the intent of this law to do that."

Meier: "Are there safe check marks in there to make sure it's not because many people believe they drive by and they see something like that and they believe that it is abuse. And then, they call our police departments who need to be out protecting our public for something as silly as a dog out there working with their farmer just because it's hot."

Feigenholtz: "No, Sir. It is not the intent of this law to do that."

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Meier: "Okay. But I'm saying are there safeguards to make sure..."

Feigenholtz: "Yes, Sir."

Meier: "...it does not do that?"

Feigenholtz: "Yes."

Speaker Lang: "Mr. Verschoore."

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

Speaker Lang: "Sponsor yields."

Verschoore: "Representative Feigenholtz, could I just... it's my understanding that the Farm Bureau is okay with this Bill. Is that correct?"

Feigenholtz: "Yes, Sir."

Verschoore: "Well, a few of us downstaters are talking a little bit about this and there's some concern that maybe it doesn't cover exactly everything we need to do. It... a few of us downstaters have been discussing this Bill and we were wondering if there's a..."

Speaker Lang: "Have you completed your comment, Sir?"

Verschoore: "I was just saying a few of us downstaters were talking. We were wondering if possibly we could pull this from the record and talk about putting another Amendment on it to tighten it up."

Speaker Lang: "The Lady removes the Bill from the record. Senate Bill 159, Representative Williams. Please read the Bill."

Clerk Hollman: "Senate Bill 159, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. You may recall that last year we revamped the Health Care Power of Attorney Act and the



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statutory short form Power of Attorney for Health Care form. This Bill is simply a cleanup and a follow-up to that Act. Provides for some modifications of delegated authority and also prohibits health care practitioners from signing as a witness to certain health care forms. It's pretty simple. But I'm happy to answer any questions."

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? Feigenholtz. Please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 344, Representative Lilly. Please read the Bill. No running, Representative."

Clerk Hollman: "Senate Bill 344, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise to present Senate Bill 344. It creates a lactation accommodation in airport. It makes sure that it's only one... it in... excuse me... it requires that the center would have a minimum of a chair, electrical outlet and is located outside of the security area. This will be... only requires for airports that have over one million people coming and going. If there's no further questions about this fantastic Bill, I ask for your 'aye' vote."

Speaker Lang: "Mr. Sandack, the Sponsor yields, Sir."

Sandack: "Yeah. I'm sure it's fantastic, Representative, but just a little more elaboration, if you'd be so kind. As I

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understand it, this would affect two airports and two airports alone?"

Lilly: "I... I can't hear you."

Sandack: "Thank you, Mr. Speaker. As I read your Bill, I assume this only affects Midway and O'Hare."

Lilly: "That is correct."

Sandack: "And as they now exist, do these facilities and accommodations do not exist?"

Lilly: "That is... that is correct."

Sandack: "And has there been communication with the two airports as to their position on this Bill?"

Lilly: "We have not heard from the airports at this time."

Sandack: "Have you reached out to them because there's only two of them and your Bill only affects two airports?"

Lilly: "Yes, but we did not hear back."

Sandack: "All right. And do you know what impact or costs would be reasonably assumed for the... these two airports to comply with the new, you know, if it's signed into law?"

Lilly: "We don't know the cost, but we know that there's no reimbursement required by the Illinois... Illinois State Mandates Act."

Sandack: "So, it would not cost the state any money?"

Lilly: "Correct."

Sandack: "Thank you very much, Representative."

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? Evans. Please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. Senate Bill 369, Mr. Fortner. Please read the Bill."

Clerk Bolin: "Senate Bill 369, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Fortner."

Fortner: "Thank you, Speaker, Members of the House. Senate Bill 369 addresses an issue that's arisen in Cook and could arise in other counties. The county of Cook is trying to reduce some of its costs by encouraging smaller isolated unincorporated parcels to annex voluntarily to municipalities. However, some of these are entrapped, surrounded by forest preserve land and would not be subject to annexation even on a voluntary basis. This would correct that and provide that for parcels under one acre they can cross a forest preserve to annex the municipality. I'd be happy to answer any questions."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, why do we need legislation to do this if the property owners agree with the idea?"

Fortner: "In Cook and in the collar counties, one cannot cross forest preserve. It acts as a barrier to annexation. Other types of barriers such as rivers, state highways can be crossed in furtherance of an annexation when there's an agreement. However, forest preserves, right now, cannot be. So, these parcels in particular.. a parcel that was the genesis of this Bill is entirely surrounded by forest preserve in south Cook. They have reached agreement with Crestwood to

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annex and simply can't get it done because they're not adjacent to any municipality. They're only adjacent to forest preserve."

Franks: "And may I ask, were the counties of DuPage, Lake, and Will explicitly exempted by this or was it the way this is drafted?"

Fortner: "No. This is... this, I think, is generally applicable."

Franks: "'Cause our analysis indicates that SB369 applies to all counties except DuPage, Lake, and Will."

Fortner: "Hmm. I... I did not see that and it does not show up in our analysis."

Franks: "Maybe we should scroll through the full text together."

Fortner: "Sure, I'd be happy to."

Franks: "I'm just trying to... I'm just trying to figure that out 'cause I saw that as well and I wanted to know if that's something that you were trying to do."

Fortner: "Yeah. I, as I said, I did not see that. I do not see that come up."

Franks: "Perhaps, we can take it out of the record and talk to our respective staff."

Fortner: "I'd be happy to do that."

Franks: "Thank you. I'd appreciate that."

Fortner: "Mr. Fortner, once you straighten this out let me know and we'll get back to the Bill."

Fortner: "Thank you."

Speaker Lang: "Senate Bill 374, Mr. Hoffman. Please read the Bill."

Clerk Bolin: "Senate Bill 374, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 374, as amended, would allow townships to enter into a contract for equipment, supplies, services, and material in excess of \$20 thousand if the township board authorizes that the contract is an emergency situation and the townships contracts with the lowest responsible bidder after advertising in the newspaper. That's current law. This would... it's an initiative of Warren Township and indicates it was the sole source and there's a vote of four-fifths... four-fifths vote and that's the only place you can get that type of equipment. It's manufactured by only one source that they can do it if it's in excess of \$20 thousand. In addition, there's an initiative with the Kaskaskia Regional Port Authority and it just outlines the powers of the Kaskaskia Regional Port Authority and indicates that they can receive federal, state, or local assistance for management of fish and wildlife, recreation, water supplies, or flood control. And just further indicates their... their powers."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Sponsor yields."

Sullivan: "Representative, there's two issues here that I want to expand upon just so we have a clarification. One of the points of this Bill is it will provide the Port with the authority to mortgage real estate as opposed to what they have now which is they can acquire, own, lease, and sell the property. Is there a specific reason why they think they should be able to mortgage this property?"

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Hoffman: "Well, what it would do is it would allow them to get financing for the Port, and they could pay it back over a 30-year period rather than two years of borrowing. And it's only... this is only and, again, for the Kaskaskia Port Authority. It's my understanding that what they do now is they run the port at Kas... at the... on the Kaskaskia River. And they need... they are in need of some capital improvement and what they would do is it would allow them to mortgage some of their assets to get those capital improvements completed."

Sullivan: "Okay. So, they have existing assets that they use to take out a loan against, in essence. And so, this borrowing authority is all entered into with the Port. Is there any state responsibility for any of this borrowing and bonding indebtedness potentially down the line?"

Hoffman: "No, there is none. It would just be the Kaskaskia Port Authority's property could be used as collateral so they could get resources."

Sullivan: "Do you know how to spell Kaskaskia without looking?"

Hoffman: "Well, I..."

Sullivan: "Without looking?"

Hoffman: "Backwards or forward?"

Sullivan: "What?"

Hoffman: "I do. It's K-A-S-K-A-S-K-I-A."

Sullivan: "Okay. Thank you very much."

Hoffman: "According to my analysis."

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? Davis. Please take the record. On this question, there are 66 voting 'yes', 48

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voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of House Bills-Third Reading, appears House Bill 306, Mr. Guzzardi. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 306, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2 has been adopted to the Bill. No further Floor Amendments. No Motions are filed."

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

Clerk Bolin: "House Bill 306, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Guzzardi."

Guzzardi: "Thank you, Mr. Speaker. Ladies and Gentlemen, I've talked to pretty much everyone in this chamber about this Bill, individually. I'd like to frame today's discussion like this. There's a phenomenon happening in my community and your communities where parents are choosing to opt their students out of standardized tests. You might agree with this phenomenon; you might disagree with this phenomenon. I think we can all agree that it's happening in a bad way right now. I'll get into that in just a minute, but the decision that we have before us is this. We can either do nothing and people will continue opting out under this deeply problematic status quo right now or we can pass clear, concise rules to remove children from the inappropriate position that they're in. That's the decision that we have before us today. There may be distractions about this Bill, but that's the core of this

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decision. Let me just remind my colleagues briefly about the current situation around opt out. Right now, in order for parents who think that state standardized tests like the PARCC test are inappropriate for their child, in order for parents to remove their child from that test, the child, himself or herself, has to show up at school and refuse to take the test from their teacher. As you might imagine, that's a very problematic position to put a child in. Right? We're asking third graders to show up and say no to their teacher. We're asking students with developmental disabilities to show up and say no to their teacher. Not to mention, we have older students who found out about this phenomenon on the Internet and they're going in and opting out without even speaking to their parents. So, this is a problematic situation. And meanwhile, because there's no clear state policy on this, districts and schools are handling it in a wide variety of ways. Teachers are bullying students and parents refusing to acknowledge their refusal. Districts in Macomb and Libertyville and Villa Park have implemented what they call, sit and stare policies, where students who refuse to take the test just sit and stare at a blank wall for 10 hours. They show up at school. They're not allowed to read. They're not allowed to do their homework. They're not allowed to go to the library. They just sit and stare at the wall. All these problems will be solved by House Bill 306. It would clarify that opt out can only be recognized if there's a parent signature on a letter. We no longer put students in the inappropriate position of having to refuse the test themselves. Again, this Bill is about taking students out of



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a position they ought not be in and putting parents in decision-making position on their behalf. I'll happily take questions from Members."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Representative Guzzardi, are you... you came in after we had decided to move to PARCC testing. Is that correct?"

Guzzardi: "Yes."

Ives: "Are you aware of how we came about by that decision to go to... to move to PARCC testing to move to Common Core? Are you familiar with how that process worked at all?"

Guzzardi: "I followed the discussion from the outside, but surely, those who were here had a more intimate knowledge of it than I did."

Ives: "Okay. Well, I'd like to add some context to this discussion because I think it's important that people understand that when we moved as a state to Common Core, when we moved to decide to initiate the PARCC testing program as part of the testing of Common Core Standards, none of that was done through the Legislature. There was never a single vote taken to move to Common Core. There was never a single vote taken on whether or not we should implement PARCC testing and it is a problem. When they started out with Common Core and then they went and moved and gave millions of dollars to testing folks to set up testing... the tests for this, initially the PARCC consortium had 25 states on par to take up the PARCC test. Now, 25 has diminished to 9 states, 9 states only. And what that means for us as Illinoisans is that the fewer

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consumers of that product the higher the cost for our state. And this is a very costly process. Now, I'm not necessarily wanting to think that your student just shouldn't be tested, but I support what Mr. Guzzardi's doing here because any time we can raise attention as to the PARCC testing and whether or not it is the appropriate way to test our students and to then align that into metrics that evaluate our teachers, any time we can have a better discussion about that and force the issue, then it's a good Bill to support. And that's why I am in support of this Bill, not that I don't think my two kids should be test, many must think that our kids need to be test. But this Bill will emphasize the need to really relook where we're going with Common Core and where we're going specifically with the PARCC test that has had a number of problems. I have teachers in my district that say it is completely unworkable. We have superintendents that have gone... had to jump through hoops to either not test or test. My son, four weeks ago, got tested on PARCC. They completely changed up the high school... or actually he didn't get tested 'cause he's a senior, but just because... so the freshmen teach... freshmen could teach or, I'm sorry, test in this area, they realigned everybody's schedule in the high school for the entire week. They just went through PARCC testing again last week. It's excessive. The metrics on whether or not it's really support the student in the end are not there. It is un... it's an unknown entity. Again, it started with 25 states; we're down to 9. It's a very costly measure to do and we need more emphasis on this. So, anything like this Bill that says that we're going to opt out and let parents decide and

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actually drive a better conversation on what tests are appropriate for Illinois then I'm all for this Bill. Please support it. Thank you."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker, Members of the House. I rise in reluctant opposition. I certainly appreciate the concern that the Sponsor has for parents and their right to make choices about what their children do in school. But I would remind you of several things. First, the only test that the state mandates is PARCC. All those other tests that the kids are being forced to take, day in and day out, those come from the local school districts not from us. For the first time, we have a test that is measuring what the children are supposed to learn in the classroom unlike most of the other tests that the children confront. There is a significant risk... I have letters from the federal Department of Education to several states including our own... there is a significant risk that if less than 95 percent of the school children take the PARCC test this... the statewide schools will lose \$1.3 billion and with those dollars the flexibility that districts now enjoy when they spend Title I and other funds. There is also a concern that's been expressed by national organizations: the National Association of Colored People, the Leadership Conference on Civil and Human Rights, the National Council of La Raza, the National Disability Rights Network and the National Urban League. And their concern in a nutshell is that only with these recent testing requirements have we discovered how poorly... how poorly we educate children in subgroups. The special ed kids, the poor kids, the minority

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kids and if we have less than a 95 percent participation rate, we are not going to be able to measure whether we're doing the right job by children of color, by children for low... from low-income families. The only right vote on this Bill, well-intentioned though the Sponsor may be, is to say let us protect federal funding and let us make sure that at the end of the day our school districts can be judged by how they do not with the brightest and best of their youngsters but by the least of the children they serve. I strongly recommend a 'no' vote."

Speaker Lang: "Representative Barbara Wheeler."

Wheeler, B.: "Thank you. Will the speaker yield?"

Speaker Lang: "Sponsor yields."

Wheeler B.: "Sponsor. Thank you. Representative, walk me through the process as it is right now to opt your student out of the PARCC test."

Guzzardi: "Right now, the way this policy operates is that if students refuse, themselves, to take the test, that score is not held against them or their district. So, all a parent can do is counsel their child to show up to school and say no. This has happened a lot this year. It happened some last year and a fair amount more this year, but as I said in my opening remarks, I view this as a very inappropriate position in which to put a child."

Wheeler B.: "Okay. So, a third grader, perhaps, with some learning disabilities or some issues, would have the responsibility to ask their teacher or to request from their teacher they want to opt out of this test. Is that what you're saying?"

Guzzardi: "That is exactly the status quo, yes."

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Wheeler B.: "And so, House Bill 306 puts it on the parent, the adult, to send in a letter to opt out of this test."

Guzzardi: "Exactly. It puts the parent in the role of the decision maker instead of the small child."

Wheeler B.: "Okay. Thank you very much. I'm in full support of this Bill."

Guzzardi: "Thank you, Representative."

Speaker Lang: "Representative Kifowit."

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

Speaker Lang: "Sponsor yields."

Kifowit: "Representative, what... what have you been hearing as a common reason why parents would request to opt out of this test?"

Guzzardi: "That they feel that for a number of reasons it's inappropriate for their child."

Kifowit: "So, what is the consequences if there's a large amount of parents opting out? And do you have an estimation of the amount of parents that are going to be requesting to opt out under your proposed legislation?"

Guzzardi: "Well, that's a great question. And I think it speaks precisely to the central issue here. Parents are asking us just to opt out now. This Bill does not encourage them to do it more in fact for the first time, and this is an important point, for the first time this Bill puts in statute restrictions on teachers and principals encouraging students to opt out. This Bill constrains opt out for the first time in statute. All it does is move the decision maker from the child to the parent."

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Kifowit: "Well, your Bill says that the district must inform parents that provides them an out... up out... opt out form which is not standard right now. So, right now, you are putting that option in front of more parents and making that seem like that would be the norm for the parents. So, it would encourage parents..."

Guzzardi: "What... what the Bill says is that... oh... pardon..."

Kifowit: "...to opt out."

Guzzardi: "What the Bill says in fact is that the district has to notify parents one time per year and no more than one time per year. So, they can't sent lots of letters, as is happening in some districts now, and I think that the way most districts will handle this is by putting it in a student handbook right next to all other opt out provisions that already exist."

Kifowit: "So, how do you think that the state could assess these children? So, these children opt out. So, instead of sit and stare, your Bill only says that they need to have instructional enrichment opportunities. It doesn't say to what accord. It could be anything at all even watching a video. How do you think that we can properly assess these children who opt out?"

Guzzardi: "Well, I would argue that they're not going to get assessed whether or not we vote on this Bill. They're going to show up and refuse to take the test just like they did this year. So, we're not getting any better or worse data by passing this Bill. We're just providing the proper decision-making process and a good educational outcome for the child."

Kifowit: "Well, we're providing the potential for more children to be opted out and if those children and presumably more of

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them now that they have a form and they're being informed of this don't get assessed, then how do you think they're going to be avail... evaluated? Do you understand that a child who might not test the right, not have good grades and report cards; however, their assessment tests them very high? So, in this regard how do you think children are going to be identified as high performing if we continue to promote opting out, continue to allow this kind of legislation to happen?"

Guzzardi: "I think if a parent feels it's appropriate for their child to take the test then, by all means, they should have their child tested. And again, this Bill doesn't promote opting out. All it does is create clear and concise rules for how opt outs should be handled. Opt outs are happening now. They'll happen again next year whether we pass this Bill of not."

Kifowit: "Mr. Speaker, to the Bill. This Bill, indirectly, promotes opting out. Opting out of a new test that we just established that admittedly we might have to tweak and revise. But it definitely does promote opting out to a degree that could be detrimental. About 25 years ago Illinois gave the IGAP test to elementary school students and then we upgraded to the ISAT. No Child Left Behind in 2002 came about and required us to actually evaluate and look at subgroups and try to close those gaps. But we're still using the ISAT for elementary school kids even though almost everyone acknowledges that doesn't produce the metrics we need. The PARCC test is new and change is sometimes not as smooth as we all hope and sometimes fire is fueled by legislation such as this to be able to adequately assess the PARCC test, make

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changes if possible. We... we cannot continue to have a test that's just fill in the bubble. And my children have taken the PARCC test and they... they found it to be stimulating and they really did not have any complaints. So, I do not support this measure and I would request a 'no' vote."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Will, a coup... just a couple questions. Can you get into the University of Illinois by taking the PARCC test?"

Guzzardi: "To my knowledge, the University of Illinois does not use the PARCC test as an admission criteria."

Kay: "How about Southern Illinois?"

Guzzardi: "I don't believe they do either."

Kay: "In fact, no state university uses the PARCC test..."

Guzzardi: "That is my understanding."

Kay: "...as a basis for admission. Is that correct?"

Guzzardi: "That is my understanding."

Kay: "Yeah. And I've heard quite a bit today about we're going to lose this and we're going to lose that. And I've heard that through the entire debate. Go back and tell me the conversation that you and I had about moneys that have been lost by other states."

Guzzardi: "That's... that's... I appreciate you bringing it up. Many other states already have opt out laws on the books. None of them, no other state has ever lost a dime of federal funding for opt out."

Kay: "Now, again, that... that seems to be factual, as I've been able to determine, that no one has lost a penny. So, is there



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any reason to believe that Illinois would lose a penny because of an opt-out?"

Guzzardi: "In my view, there is not. And in fact, I think the argument that we need 95 percent of students to take the test is not based in statute and that no one has been able to provide me any sort of statutory backing for that argument."

Kay: "Yeah. Thank you, Representative. To the Bill. PARCC and Common Core are two of the worst conceived projects in educational history and we adopted in the State of Illinois and I'm not sure why there wasn't debate on it in this House, but unfortunately, there was not. This... this is a failed test. Nobody understands it. The kids don't understand it. The teachers don't understand it. And yet, we want to use it as a measurement tool to say whether our students are performing well. I think it's a canard. I think it's a sham. I'm going to support your Bill."

Speaker Turner: "Representative Turner in the Chair. Representative Pritchard."

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

Speaker Turner: "Sponsor will yield."

Pritchard: "Representative, you said in your opening remarks that the state had two choices. We could do nothing or we could support your Bill. Is that still your position?"

Guzzardi: "When it comes to voting on this Bill, that is my position."

Pritchard: "So, are you aware of any efforts to address some of the concerns that you and the parents that you're representing here today are trying to solve?"

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Guzzardi: "I am aware of many efforts. Pertaining to opt out in particular this is..."

Pritchard: "No, I'm talking about the problem with the test that causes people to want to opt out."

Guzzardi: "Well, there are many people who are working on the challenges around standardized testing in a number of ways."

Pritchard: "So, why don't we let those ways play out?"

Guzzardi: "Because none of them specifically addresses the profound problem we have of students being treated poorly when they decide to opt out of these tests."

Pritchard: "So, don't we have bullying laws? The way you described it, it sounds like faculty and administrators are bullying the students."

Guzzardi: "Well, here's what's happening. The student shows up for the test. They say to the teacher I don't want to take this test according to the way this process is supposed to work. And then for the 10 hours of PARCC testing, 10 hours, in many districts, that child is not allowed to do anything. They have to sit in their chair and do nothing."

Pritchard: "So, do you know what those districts are?"

Guzzardi: "They can't read. They can't do homework. They can't go to the library."

Pritchard: "Do you know who those districts are?"

Guzzardi: "I know of a few of them... that I've heard results from."

Pritchard: "So, why don't we report that to the State Board of Education and really address the issue of poor administration?"

Guzzardi: "Well, I have discussed this with the State Board of Education in our discussion on this Bill."

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Pritchard: "And what was their response?"

Guzzardi: "They are still opposed to this legislation."

Pritchard: "No. I'm talking about the incident where the school didn't give the children another alternative to be learning while they're in school."

Guzzardi: "Well, I don't want to speak for the state board, but the arguments I've heard is that we don't have a State Law telling them what to do so they're free to do what they choose with these students."

Pritchard: "So, then that leaves us to the local control that we all embrace that we could go to the administration, we could go to the teachers and ask why. Have you done that?"

Guzzardi: "Yes, we have."

Pritchard: "And what did they tell you?"

Guzzardi: "They say that State Law doesn't allow opt outs. This is the only choice they have."

Pritchard: "Oh, they have plenty of other alternatives. There's all kinds of examples of schools that have allowed children to do other things to continue their learning."

Guzzardi: "Well, Rep..."

Pritchard: "I would like to... And to the Bill, Mr. Speaker. I would like to bring this Body's attention to the fact that we have passed a Bill creating an assessment task force which is studying the issue of over assessment in schools in trying to address the real problem rather than the smokescreen of, well, let's opt out of a test that we don't like. Let's let that assessment come forward. Let's let this Body act upon the recommendations. Let's let school districts know that they don't have to give all of the assessments that they now feel

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they must. And let's really address the problem of time on task, keeping our children learning rather than, if you will, hypnotizing them with all the kinds of tests that we have. That's the real issue and that's what we need to be addressing. This does not reach that objective and as already been pointed out by other speakers, puts the State of Illinois at a higher level of risk for funding, over a billion dollars, that I certainly don't want to accept that responsibility. Thank you."

Speaker Turner: "Representative Mayfield."

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

Speaker Turner: "Sponsor will yield."

Mayfield: "Representative, do other states have opt out options?"

Guzzardi: "Yes, they do. Several other states have already passed opt out Bills, six to my knowledge."

Mayfield: "Have any of those lost federal funding for passing those opt out laws?"

Guzzardi: "None of them have."

Mayfield: "Not one? Okay. Did the... I'm sorry. Are there states out there currently, other states, other than Illinois considering opting out?"

Guzzardi: "Yeah. In fact, three Legislatures that I know of are considering opt out Bills other than Illinois. There's New Jersey, Delaware, and Colorado."

Mayfield: "Okay. Thank you, Representative. To the Bill. As a former school board member, I want everybody in this Body to understand that students have been opting out of tests for years. It's never been an issue. There are students... You can go... you can opt out of your ACT. They were opting out of the

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ISAT when we were giving them. They're opting out of the PSAT, the MAT test. You've always had the option of students to opt out. What this Bill does is provide parental input. So, it's not just the students going in the classroom and saying I want to opt out of this test. It's actually allowing the parents to be involved in that process of the test or the students opting out and to have those conversations. This is a good Bill. And for those of you that don't understand how this Bill is going to work, schools are required once a year to provide an opt-out option. They're doing that in their handbooks right now. When you go to school and you register your child at the beginning of the year, you get a handbook. At the beginning of the handbook, you can opt out of sex education; you can opt out of driver's ed. They have an opt-out if you don't want to take physical education. There are plenty of other opt out options that are available to parents right now, once a year. Why is this all of a sudden a big deal when children have been opting out for years? That's what we... I don't understand. This is something that they've always been able to do. This is an excellent Bill. I mirror some of my colleagues on both sides of this aisle. And I think this is something that we need to pass. And Representative, I appreciate you bringing this and getting it... having it clarified into law so that there's no more gray area. Thank you."

Speaker Turner: "Representative Sullivan."

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

Speaker Turner: "Sponsor will yield."

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Sullivan: "Representative, we've had a pretty hearty debate, so I don't want to go through all the comments that I have... had planned to ask you. A couple things that I don't know that have come up and if they have, I apologize. Obviously, this is a measure of student progress under PARCC. Is this not also part of what we have done in Senate Bill 7 on teacher evaluations and so forth and this is one measure of that?"

Guzzardi: "It is."

Sullivan: "Okay. And so, if we don't have PARCC, how would we, in essence, put forth the will of Senate Bill 7 that was passed pretty overwhelmingly here."

Guzzardi: "This Bill wouldn't take PARCC away. It wouldn't end PARCC."

Sullivan: "But if you start getting lots of people that are going to opt out, how are we going to get the substantial amount of data that we need to do the evaluations, not only for students, but also for teachers?"

Guzzardi: "That's a fair question. Again, I would return to where I opened which is that opt out's happening. It happened last year."

Sullivan: "Sure."

Guzzardi: "It's happening this year. It will happen next year whether we pass this Bill or not. All this Bill does... it doesn't encourage opt out. In fact, that for the first time creates some meaningful constraints around opt out. All this Bill does is create a clear process and take the student out of the role of that decision maker and put the parent in that role."

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Sullivan: "So, certainly, there's a lot of people that are upset with other aspects of the entire discussion, Common Core and so forth. We don't have another test that potentially could handle all this to start afresh, if you will. There's only one test that we have to do all this?"

Guzzardi: "We currently only use the PARCC test as our state assessment, yes."

Sullivan: "Right. So, for those that just want to get rid of PARCC, that's just not going to happen."

Guzzardi: "That is not what this Bill does, certainly."

Sullivan: "And... and I realize it's... I'm talking about a larger scale here than your Bill. One point of the Bill that I think one of the previous Representatives started to hit on. There is a provision in one of your... Amendment #1 where there's no ability for the school, teachers, and so forth to communicate with the children. Although that Amendment says you have to say you have the ability to opt out, but then there's a... there's a silent period, there's a dead period. You can't have further communication. Is that correct?"

Guzzardi: "Not quite. What the Bill... the Bill... that Amendment is actually a response to some of the opponents of the Bill..."

Sullivan: "Sure."

Guzzardi: "...who had rejected that there's a potential concern with teachers encouraging their lower performing kids to opt out..."

Sullivan: "Right."

Guzzardi: "...because they didn't want those bad scores on their evaluations, as you mentioned. So, that in... what the Amendment

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says is that teachers and administrators may not encourage or discourage their students from opting out."

Sullivan: "But one aspect is, if they start to get a lot of people that will opt out and potentially, you know, obviously we don't know statewide, the threshold can start to get a little ugly. They would not be able to then go to people and say, hey, if we get under 95 percent, we're going to lose potential Title I funds or the ability to control these funds. That's really what I'm looking at. So, in essence, that is correct. They would not be able to communicate a potential problem if people are opting out."

Guzzardi: "They can communicate what they need to communicate as long as it doesn't encourage or discourage opt out."

Sullivan: "Okay. Thank you. To the Bill. Ladies and Gentlemen, I realize this is a difficult issue, maybe not even put together properly. On the wider scale of the discussion, not necessarily this Bill, we have a serious problem of the threat that has been put in a letter form from the Federal Government that says we could lose Title I funds or the ability to control our Title I funds. For those in the City of Chicago, that's hundreds of millions of dollars that, guess what, you don't have the ability to lose. I think you're going to see some states that have opted out, Colorado and the rest, that are being viewed negatively on the federal level and once that starts to happen, we can't undo this. We can't undo this if this should pass with a Veto-proof Majority. We're not going to be able to undo it and we'll start losing funds. That's the fear and we don't have the ability to go back and



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undo this for some time. The loss of funds is one huge reason why we should not be passing this Bill. Please vote 'no'."

Speaker Turner: "Representative Andrade."

Andrade: "Thank you, Speaker. Will the Representative yield?"

Speaker Turner: "Sponsor will yield."

Andrade: "The Federal Government is currently rewriting the Elementary and Secondary Education Act. Isn't that correct?"

Guzzardi: "Yes, it is."

Andrade: "Okay. Has Congress given any indication of how it stands on states passing out laws in the course of this rewrite?"

Guzzardi: "Yes, they have. And that's a very good question. So, Congress is rewriting this law presently and the Senate committee just added this language, the ESEA that they're going to be looking at soon at the federal level. It says this, nothing in this part shall be construed as preempting a state or local law regarding the decision of the parent or guardian to not have the parent or guardian's child participate in statewide academic assessments. So, the Federal Government is clearly moving in a direction that acknowledged state's rights to make these decisions."

Andrade: "Thank you. Mr. Speaker, to the Bill. I've been approached by many parents in my community and they feel that there needs to be clarity and there needs to be a clearer... or what happens to their child if their child decides to opt out. I believe, you know, there's even schools in my district that the teachers are actually probably over bombarding the students and having them to... to opt out. And I think this Bill will help both sides out to improve clarity on the situation and there... When I used to work for the city, I

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received a letter from the Federal Government for the past 20 years saying if we put a stop sign up on the street, they will stop funding. Well, they.. and that letter still has been given currently now probably 25 years and not once has one penny will be removed because we installed one stop sign on a street that is a federal route. So, I believe that this.. this Bill will help our community and will help our students have clarity and make sure that they're not treated unfairly. Thank you."

Speaker Turner: "Representative Williams."

Williams: "Thank you, Mr. Speaker. To the Bill. I, too, have heard from dozens and dozens of parents in my district about this issue and I stand in strong support. A few quick points. First of all, I will completely disagree with the prior speaker who said this Bill promotes and encourages opting out of testing. I agree with the Sponsor that it puts a procedure in place, but that's very different than encouraging the opt out. Actually, we have some schools that are fighting this issue and actually end up encouraging the opt out under the current situation. So, this Bill actually limits the opportunity to do so. If they do opt out, it ensures that the parents are provided some.. or the students are provided some alternative activity. Having the parent make the request is really, really important here. If you think of your own children or children in your lives, imagine asking them to be in the position to request that they be opted out of a test. The parents have to prepare them for what feels to the children like a confrontation with teachers and with school administrators. They feel like they're challenging the teacher and doing

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something wrong. That's really not appropriate position to put these students in. Second, the Bill also requires that school districts remain neutral in all communications. As I referenced earlier, this is going to make a big impact in how this process moves forward. It provides that whether or not to opt out of the PARCC test rests in the hands of the families and the parents. They can only have a decision as to what's best for their children. This Bill just makes common sense. The current situation, the status quo, does not make common sense. For that reason, I urge an 'aye' vote."

Speaker Turner: "Representative Demmer."

Demmer: "Thank you, Mr. Speaker. I'd like to request a verification should this Bill receive the required number of votes."

Speaker Turner: "Members, a verification has been requested. All Members shall vote their vote... vote their own button at the appropriate time. Representative Unes."

Unes: "Thank you, Mr. Speaker. To the Bill. I certainly understand why there are some in this Body that would be... that would want to or be tempted to vote 'yes'. I will get this maybe from a little bit of a different angle. For those of you that are for parents' choice and for those of you that are against mandates, like myself, I would simply ask what are you going to say to your schools when you go back home or to your parents when the question is and when they ask, why our state just lost another \$1 billion-plus for our schools? Ladies and Gentlemen, we are in crisis mode right now in the State of Illinois and a \$1.3 billion mandate is before us with this Bill. I would argue that this Bill does the exact opposite of

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what the proponents are hoping for in regards to parents... parents' choice for those reasons. And for that reason, I urge a 'no' vote."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. To the Bill. I just was reading something about the Supreme Court that was... the Supreme Court has repeatedly held that parents possess the fundamental right to direct the upbringing and the education of their children. Furthermore, the court declares that the child is not a mere creature of the state, but the child is to be nurtured by their parents. And furthermore, it goes on to say that in recognitions of both the rights and responsibility of a parent to control their children's education, the courts have stated that it is the cardinal within us that the custody, care and the nurture of a child resides first in the parents. So, I just want to establish that the Supreme Court says that the parents should have the right, that's number one. Number two, the State Board of Education for the State of Illinois has deemed that we here in Illinois, we live in two Illinois, one for the haves and one for the have-nots. And it stated that not the parents have failed the children in education, but the state has. And so, here we go again. We are more concerned about the PARCC test, which have not been tested to prove anything to better the education of our children, but we do know some are saying, which is not necessarily true, we do know that there's money behind the test. Now, let's look at where the money is going. It's truly not going to the children. It's truly not going to our schools in our school district. So, what is it all about? And so...

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also, as a result of these tests throughout the years we do know that they are discriminatory. Because in the State of Illinois, more specifically in the City of Chicago, education is not equal. So, when my children fail in my district, someone will look around and say, oh, you failed because you can't read and you can't write. They would never say that the state have failed you and that the Board of Education has failed to put in the proper books or the proper educational tools, but yet they want us to take the equal test. Well, I don't think so. I don't think that our children should be afforded the equal opportunity of taking a test that they know that they're going to fail and even Barbara Byrd-Bennett said she know... she know that they're not going to fail because she knows that they were not prepared. See, some kids are going to take the test on the computer and some going to take it by paper and pen. Now, you tell me who's going to finish the test in the same equal opportunity time and fashion. With all due respect, I would appreciate a 'no' vote on House Bill 306. I'm sorry. A 'yes' vote... I'm sorry... a 'yes' vote... a 'yes' vote. I would appreciate a 'yes' vote on House Bill 306 for the children. A 'yes' vote for the right of the parent. Please vote 'yes' on House Bill 306. I hope I made myself clear and just in case I did not, let me reiterate again. I would appreciate a 'yes' vote on House Bill 306. Thank you."

Speaker Turner: "Representative Breen."

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

Speaker Turner: "Sponsor will yield."

Breen: "Representative, I want to turn your attention to Section (c-5) sub 3, talking about the instructional and enrichment

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opportunities of the Bill. Are those terms, right here under this... this Section, it says that students are excused from taking a state assessment are off... must be off... I mean, it's saying it must be offered 'supervised instructional or enrichment opportunities'. Are those terms defined anywhere else in your Amendment or in the Act?"

Guzzardi: "I think those are terms that our schools will certainly recognize."

Breen: "But are they defined anywhere in your Amendment or in the Act?"

Guzzardi: "No."

Breen: "Okay. Part... #2, another question. You're familiar with this letter from the Unite... U.S. Department of Education from April 24 to our Secretary of Education?"

Guzzardi: "Yes, I am."

Breen: "Okay. It says in here they've got a whole range that the Secretary of Education federally, the Education Department, has a range of enforcement actions it can take against a local school district or... and against the State of Illinois. Is that... that's correct reading?"

Guzzardi: "From my recollection of the letter, yes, it is."

Breen: "And you can go anywhere from a increasing monitoring, issuing a cease and desist order, all the way up to losing federal funds, right?"

Guzzardi: "If... if there's an infraction found... although I would stipulate that opt out has not been found to be an infraction by any of the other states that have this law and this 95 percent threshold is also not a law to which Illinois

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subscribes nor do any of the states who have any... I won't speak to other states. So, go ahead, Peter."

Breen: "However, the Federal Government does have the power to do these things, correct?"

Guzzardi: "If they find us in violation of Federal Law, which again this Bill would not put us in."

Breen: "And that is a subject of dispute at this point. Now, is there any language in your Bill to prevent negative federal consequences from falling upon school districts that comply with the Federal Law due to the actions of school districts that may run afoul, say, of the 95 percent standard or what have you?"

Guzzardi: "I don't believe that our chamber has the authority to put constraint on the Federal Government."

Breen: "It would not be a constraint on the Federal Government. So, for instance, let's say the City of Chicago and its public schools decide to have a... you know, they have 20 percent opting out. Will negative federal repercussions that fall upon our state fall equally on our school districts that may not be having an opt-out problem or will they just fall on the City of Chicago?"

Guzzardi: "Well, this is precisely the issue. Nowhere in the law... nowhere in the law does it say that the State of Illinois must test 95 percent of students. That does not exist in statute."

Breen: "And there are various waivers and things that I'm familiar with or at least aware of that... that... and we now have a letter saying that we literally can't do some of the things that we're talking about here. So, my main concern was that for my

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school districts, which are for the most part complying with this, they're not having huge problems, that they not be negatively impacted in terms of the funding source in case, and maybe it's a remote case, but in case we lose federal funding some or all."

Guzzardi: "Right."

Breen: "So, to the Bill. Well, and actually, one more. Now, I've raised these concerns to you before, Representative, haven't I?"

Guzzardi: "Yes. We have had extensive discussions about this Bill."

Breen: "Sure. And I told you if you amended your Bill to account for these concerns, I would support your Bill."

Guzzardi: "I believe that the Amendment that I have applied to the Bill accounts for all of the reasonable concerns that one might have about this legislation."

Breen: "Right. And the characterization of the concerns is unreasonable. I will address after, but..."

Guzzardi: "No. I'm sorry. I didn't mean to characterize your concerns as unreasonable. I just meant to characterize the suggestion that federal funding is at risk as not based in statute. Unreasonable is certainly not the word I meant to use."

Breen: "Okay. Fair enough. To the Bill. Mr. Speaker, I absolutely support having a rational opt out process in this state because some of the stories that I hear from my parents and some of the stories of Representative Guzzardi sound more like forcing a child to a... serve his Miranda rights after an arrest than what a rational opt out system should be. The



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problem is, is that this Bill is not the Bill to get that done. If anything, this... there's an... this informing folks about how to opt out and all the details of it, I believe will only encourage people to opt out. And those who should not be opting out, have no legitimate reason, will then be possibly opting out even though they shouldn't be. To that end, this Amendment is almost worse than the Bill as originally introduced. Again, I support an opt out, but I cannot support this Bill. Thank you."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "Sponsor will yield."

Zalewski: "Will, the Amendment deals with the teacher issue of encouraging or not discouraging opt out?"

Guzzardi: "Yes."

Zalewski: "And it says that the board is going to promulgate the rule or make the rule of what the sanction will be later on."

Guzzardi: "It says that the board will create a form of the opt out to give to parents."

Zalewski: "But it also... I saw language that says it will create a... it can adopt a... it's going to adopt a rule regarding sanctions."

Guzzardi: "Oh, yes. If teachers or anyone will be in violation of that principle, yes."

Zalewski: "Have you been given any indication what that sanction will look like?"

Guzzardi: "I haven't. I imagine... the Board of Education already disallows teachers from doing this, although it's not

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codified in statute. They, from my understanding, the current sanctions go up to the point of removing a teacher's license."

Zalewski: "I... I'm going to vote for your Bill and I'm going to get to the Bill in a minute. I would suggest to you though in a trailer or a follow-up that you take control of the sanctions because I think it's incredibly difficult to give the... the authority to sanction the teacher up to the board when it comes to this. It's going to be a very tricky process. You're going to have to figure out what... what the teacher said, how the child reacted, what the objective standard should be for determining those things. I'd just feel better if that issue came back to the General Assembly then have the board promulgate that rule."

Guzzardi: "I appreciate that and I feel confident that we'll work on a positive solution to that problem."

Zalewski: "Okay. To the Bill. I... this has actually been a good debate, Mr. Speaker, because this... we're actually debating the policy and not personalities or politics or you know, the general mood down here these days. So, my position is I'm incredibly uncomfortable with removing testing from education. I think we need metrics. I think we need standards. I think we need to make sure that kids are growing educationally and we need to balance that against something. Is PARCC the right thing? I don't necessarily know, but we can't just have a vacuum of learning. That being said, when I go back in my district and talk about PARCC, it generates such a visceral reaction because of how this whole issue is handed... handled. Local school districts were given absolutely no empowerment to administer this test to kids and that's a

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failure of the system. And we... we can sit here and we can wait for yet another task force to tell us yet another recommendation and hope that down the line we get yet another Bill or we can act and we can force the issue and we can force some change. To the Sponsor, I commend him on this Bill. It's simply the system failed here. And when the system fails, it's incumbent upon us to change the system and in my opinion, the Sponsor's got a good Bill and it deserves an 'aye' vote."

Speaker Turner: "Representative Golar."

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

Speaker Turner: "Sponsor will yield."

Golar: "Representative Guzzardi, you had stated in your summary that you're just trying to give the real rights of opting out to the parents. Is that correct?"

Guzzardi: "Yes."

Golar: "And I commend you for that. There's been some things that were said today that are threats and facts. So, the threat is, is that frequent testing is good for kids. The fact is, is that schools and districts already have access to reliable assessment instruments. The fact is over testing narrows the curriculum pushing schools into incessant test prep mode. The threat is again is that too many students opting out will lead to a loss in federal funds. Under No Child Left Behind schools were required to test 95 percent of their students. The law established sanctions for schools not showing average yearly progress. Fact, nothing in the law authorizes withholding federal aid though previously schools that did not make annual average yearly progress could be directed to use funds for tutoring and transporting students to other

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schools apply to schools receiving Title I funds only. The fact, annual or average yearly progress sanctions are now irrelevant as over 40 states have been given waivers from No Child Left Behind requirements. Fact, 7 states have opt-out provisions, 10 more in the process of clarifying how a parent does this. Fact, the implications that states could use... could lose federal funding is now based on language in Federal Law. I urge the Body to really exam the comments that are given today, but PARCC is a test that we believed in and Senate Bill 7, it was voted in 2010. The implementation of this has not worked out as well for our children. And so, I urge a 'no' vote."

Speaker Turner: "Representative Dunkin."

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

Speaker Turner: "Sponsor will yield."

Dunkin: "Representative, I'd like to commend you for introducing this Bill. This Bill is an issue that a lot of us in the City of Chicago certainly have concerns with because a lot of us have used it as parents. What I'm trying to discern is, you know, out of this en... this intense debate at least there's sort of us trying to wrap our head around the Illinois State Board of Education and how it is that the administering of the test, how it was... the genesis of it, the testing concept. Tell me, have we received anything definitive regarding whether we're going to lose money or not?"

Guzzardi: "The State Board of Education asked the Federal Government if we would lose money or not and the feds didn't say yes. I think if there was a real threat of this they would have told us so."

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Dunkin: "So, if they didn't say yes, but if this is still a part of the... the tenor, I'm just trying to get some financial clarification here given that we're already underfunding many of our schools across the state."

Guzzardi: "The... the simplest way I can present a financial picture here is that there is no Federal Law that says that our state needs to test 95 percent of students. There was. Illinois has a waiver from that law; therefore, there is no law that Illinois subscribes to that says we need to test 95 percent of students."

Dunkin: "So, there's nothing definitive that... is there anything in writing that we're clear with at least on this subject?"

Guzzardi: "I believe the statute is quite definitive."

Dunkin: "Our state statute or the federal statute?"

Guzzardi: "The federal statute... nowhere in Federal Law, again, nowhere in Federal Law does it say that our state is required to test 95 percent of the students."

Dunkin: "Right. Have you heard of what some of these civil rights groups are and why... have been stating and why they oppose anti-testing effort?"

Guzzardi: "Yeah. I've heard some, yes."

Dunkin: "What have you heard?"

Guzzardi: "Your question is about why civil rights groups oppose standardized testing?"

Dunkin: "Yes."

Guzzardi: "I... I wouldn't gain to speak for those groups, but I believe their opinions are public."

Dunkin: "All right. I'm trying to get some clarification 'cause I have a press release from them from actually May 5 of this

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year regarding, you know, recently 12 nationals... and I'll read some of it to you... 12 national, civil, and human rights groups announced their opposition to this Bill, anti-testing efforts, springing up across the country that are... they're saying that because discouraging students from taking standardized test and some... Mr. Speaker, can you... It's loud in here."

Speaker Turner: "Members, can we please bring the noise level down. Thank you."

Dunkin: "So, the 12 national, civil rights, and human rights groups have announced their opposition to this... this anti-testing effort springing up across the country and they're speaking... they're saying that it's discouraging students from taking standardized tests and subverting the vio... the validity of data about educational outcomes. They're saying that data obtained through some standardized tests are particularly important to the civil rights community because they are the only available consistent and objective source of data about disparities in our educational outcomes. So, they're also highlighting that under the Federal Law that they're insisting that our children be included in these assessments. Schools should try to sweep disparities under the rug by sending our children home or to another room while other students took the test. Hiding the achievement gap meant that the schools would not only have to allocate time, effort, and resources to enclose them, our communities had to fight for their civil rights to be counted and the civil rights of the 12 groups, NAACP, the Chicago... excuse me... the Urban and National League, et cetera, but they're all against this.

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They're saying that this is, Representative, one of the only ways to assess how some of these school districts are and/or schools in assessing black students, in assessing minority students, in assessing poor students across the country. How do... would you respond to that?"

Guzzardi: "I would say that there's certainly not a consensus among civil rights groups. That this is the right way forward. There are many who are opposed to standardized testing and support the opt-out movement. And I'd be happy to cite some of that later, if you'd like. But I think more to the point, students are going to opt out whether we deal with this Bill or not. Right? Students are opting out now. They opted out last year. They opted out this year. They opt out next year. Maybe some students in your community, Representative Dunkin, I know have opted out as well. This Bill does not encourage specific communities to opt out. In fact, for the first time, it codifies in statute a prohibition from encouraging specific communities to opt out. Whereas, that might have happened and it might still happen if we don't pass this Bill that teachers encourage students of certain backgrounds not to take the test. I don't believe that's happening, but there's no prohibition in statute yet. When we pass this Bill, there will be. I believe that this Bill is an evenhanded measure simply to make sure that there are clear and concise procedures around opt out."

Dunkin: "Point taken. So, the state is in its first year of the PARCC contract or the second year?"

Guzzardi: "This is the first year of PARCC testing."

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Dunkin: "What are we financially obligated to as it relates to PARCC as a state?"

Guzzardi: "I believe our contract with Pearson is four years and \$160 million, although I might be wrong."

Dunkin: "For the combined... for the cumulative total of the contract or every year?"

Guzzardi: "For the cumulative total. That's my recollection. And I might be slightly off with the numbers."

Dunkin: "So, how do we opt out of a PARCC obligation?"

Guzzardi: "We are not opting out of the PARCC obligation. We will continue to administer the PARCC test. All we will do is make sure that, if parents feel this test is inappropriate for their child, they have clear and concise procedures to which to opt their child out."

Dunkin: "So, our district is the... the multiple district test that... that we have, how do we, as a state, understand where schools are in terms of their strengths and weaknesses and if schools are being accountable to some of these lower income students? How do we measure that?"

Guzzardi: "Again, the tool that this Body has chosen to use is the PARCC test. We will continue implementing the PARCC test and students may not take that test this year under the current opt out procedures. They may not take it next year. That data will not be there regardless of whether or not we pass this Bill. All this Bill does is create procedures for if the student and the parent, in fact, chooses to opt their child out there's a clear and concise process for which that might happen."



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Dunkin: "Thanks for that clarification. The other question is, what happens if there's a mass movement across the state and let's say 60-plus percent, which is likely or maybe a little less a little more, of the school... of the school district decides to opt out or the majority, let's say, over, you know, less than 95 percent for sure decides to not take the exam. Again, what's the way to measure effectiveness in some of these particular schools or districts of how teachers and principals in districts are faring with kids?"

Guzzardi: "Well, that's a great question, Representative Dunkin. That kind of movement might happen whether or not this Bill passes. In New York state, for instance, there's a mass movement of opt out and there's no law about it. All passing a law would do wouldn't encourage, wouldn't spark a wildfire, wouldn't encourage a mass movement, all it would do is if parents choose to opt their kid out they would have a clear and concise set of procedures to which to do so and their child would be guaranteed some decent educational time in the process."

Dunkin: "Well, I'm not advocating one way or the other. I'm trying to get some clarification. 'Cause... all right, I see us in this quagmire. We're at \$160 million into this contract. We only did it one year. The State of Illinois just put this on the students and the school district on their own. No public hearing, no assessment, no comparative analysis with other exams, so myself and others are confused. And sort of, we're in a catch-22 situation. And I respect and appreciate the fact that you're trying to really codify and approach, or at least a process, of how it is that we go in the process of

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opting out. I sincerely appreciate that. The challenge that I'm struggling with is we're on the hook for \$160 million of the public's money and we have a multiple, multiple, tests... tests that are being taken at the district level all across this state, some with a rhyme some with no reason. And yet, I... it's important for me to be able to discern as a Legislator what school districts are being effective, what schools are being effective within those respective districts. And I think part of the unintended consequences potentially could occur if the trend in most of our schools is we're going to opt out. And then, as a state, just looking at some of the things in a macro formula, how that would... how that would measure up with school funding, how it is... it would measure up in terms of academic progress and it get a... I get a real and true sense to the extent that we can do we go along with assessment. And lastly, what if anything does this have to do with college entrance exams for high school. So, I am thoroughly perplexed with this particular Bill, but I do know that it's important for the State of Illinois and us as Legislators to get a clear picture of what is going on in these school... school districts. So, what is your proposal... let's say, if the majority opts out, how do we... how do we as a state, not as a local district, measure and assess school academic curriculum?"

Guzzardi: "I think if millions of parents across the state were to decide to opt their students out of standardized testing, we would have the kind of public policy crisis on our hands that would require some additional action on our behalf. All I will say is this, and I really do appreciate your concerns,

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and I think there's merit to the argument that it's important for us to have good data about how our schools and teachers and districts are performing. What I say is this. Opt out's going to happen whether we pass this Bill or not. All we're deciding on today is do we want it to happen in a way that would respect parents' wishes and keeps students out of the role of being the decisions makers here or do we want to put out small children in the position of having to show up..."

Dunkin: "Sure."

Guzzardi: "...refuse their teachers and then stare at a wall for 10 hours."

Dunkin: "Absolutely. And this..."

Guzzardi: "That's all we're deciding. That's what we're deciding today."

Dunkin: "And I sincerely hear where you're coming from and unfortunately, our... some of our schools get a little bit over the top with our babies. And... but at the same time, we're on the hook for this... this contract and I do believe that we should have one universal testing and assessment whether the PARCC is it, I don't know. And... I'm trying to figure... I just don't want to create an unnecessary or unintended consequences with... with the... with this PARCC. I think we need to implode the whole situation and start from scratch, quite frankly, because the way this test... the way this was administered. So, I don't... I see my time is... has concluded and I'll continue to listen to further debate. Thank you."

Guzzardi: "Thank you, Representative."

Speaker Turner: "Representative Monique Davis."

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

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Speaker Turner: "Sponsor will yield."

Davis, M.: "Representative, we've had a long debate and I think your Bill simply says that a parent has the option of opting his or her child out of this particular assessment for the coming year. Is that correct?"

Guzzardi: "The right is not circumscribed to an individual year. It'll be going forward. Thank you."

Davis, M.: "But it does give the parent the option to opt out."

Guzzardi: "Precisely. For next year and beyond."

Davis, M.: "Representative, I know what PARCC stands for. It stands for the Partnership of Assessment of Readiness for College and Careers. Is there an assessment for facilities?"

Guzzardi: "I didn't hear that, Representative."

Davis, M.: "Is there an assessment for the facilities that our children attend school in?"

Guzzardi: "I believe our districts are tasked with doing that, but I'm not sure that there's a standardized test to do so."

Davis, M.: "Is there an assessment for resources?"

Guzzardi: "There is certainly..."

Davis, M.: "In other words, are resources assessed in a school before this kind of test is being urged to make sure that students have computers and computers that work."

Guzzardi: "There have been many problems reported around this state with our schools not having the kind of infrastructure that they're required to administer this test, yes."

Davis, M.: "Representative, do you believe that if a student who attends a school where the facilities are limited and many rooms will be used for testing that will affect the rest of

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the school day? In other words, if the testing rooms are near the gym, is gym canceled?"

Guzzardi: "One problem that we've heard a lot is that because these tests have to be taken on computer, they're often done in the computer lab. So, and the testing windows are quite long. So, for many weeks out of the year, the computer lab is not available for use in other classrooms. And many of our schools, Representative, yours and mine, there is very limited access to technology otherwise. That's a very valuable resource in those schools."

Davis, M.: "Representative, have all the children who will be using these computers to take the test, ha... have all of them been given an opportunity to learn to use the computer and have they developed the skills it will take to use this computer on this exam?"

Guzzardi: "That certainly is another concern I've heard from parents around the state is that there are varying degrees of what you might call 'computer literacy' among our students and students who have more access to technology in the home will have an easier time taking this test than those how don't."

Davis, M.: "My understanding, there are some new terms used in this exam like 'drop down' or 'drag'. They would be new to these students who have limited computer literacy. Do you think that will affect the results of their test?"

Guzzardi: "I can imagine it might."

Davis, M.: "You may not know the answer to this, but do you have any idea of who the owners or backers of this test are?"

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Guzzardi: "I believe that the Pearson Corporation owns this test.  
I'm not..."

Davis, M.: "Do you know who they are?"

Guzzardi: "They are a large corporation..."

Davis, M.: "Are they related to Supes?"

Guzzardi: "I will differ to the Representative on that."

Davis, M.: "You're not sure? You might want to find out about that. I know... To the Bill, Mr. Speaker. Frequently, when children are given a test, there's an opportunity for them to have some practice on the use of whatever materials may be needed. And to expect children to score well on a test when they have not been given computer literacy classes when the computers in their building hardly work when the rooms next door to the testing room there's a gym. There's a loud library. In other words, the schools have not had an opportunity to prepare these... It's more than one hour. They have not had an opportunity to prepare the facilities to make them adaptable to success for the children. And I think it's so important that as Legislators we realize that even though some of us may come from communities where there are brand new computers in the room every day, where children have computers at home, where there's literacy classes of computers in the school, where there are resources available. But then there are other schools in which the computers, if they work, the instrument has not been used as a teaching tool and the student has not used that computer on a daily basis or hardly at all. So, in other words, it's almost as if some of them... they will be set up for failure. And all you're saying is give the parent the right to say let my child not

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take that test this year. I want to give my school another year... another year to prepare the building. I want my school to have another year to prepare the facilities to give my child an equal opportunity upon taking this test because the results will be used for what, college admission. We don't know what else they will be used for, perhaps, employment opportunities. But if those conditions are not just and fair, we cannot expect to have just and fair results. And children will be discriminated against through no fault of their own. All we're asking in this legislation or the Representative is asking, is that parents who know the school facility, who know what their children have been taught, who know what's available, who can assess the resources in their building, who know if their computer's there daily and they will have a right to say please let my child opt out this year until you get a better situation going for his learning environment. Thank you. I urge an 'aye' vote."

Speaker Turner: "Representative Jackson."

Jackson: "Yes, Speaker. I'd like to yield my time to Representative Golar."

Speaker Turner: "Thank you. Representative Golar."

Golar: "Thank you, Mr. Speaker and Members of the Body. In giving my summary I did, at the end of the summary, say that I was a 'no' vote for this. I was in favor of the Bill. Thank you."

Speaker Turner: "Representative Wallace."

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

Speaker Turner: "Sponsor will yield."

Wallace: "And thank you, Representative Guzzardi. So, I'm wondering a couple of things about this particular test since

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it seems we focus so much on the test rather than the real intent of your Bill. So, we can clear up some of the things that are going on. Has this test been validated?"

Guzzardi: "To my knowledge, there have been no published validity studies about this test."

Wallace: "Okay. And so... just so we're clear, validation is to make sure that a test actually measures what it states it's going to measure."

Guzzardi: "That's my understanding, yes."

Wallace: "All right. And so the PARCC test has not been validated.

I'm going to speak to the debate here and not necessarily any more questions or to the Bill. I just want to make a couple of notes as a parent and as an educational psychologist. Many of our exams, whether it's the PARCC, the ISAT, the ACT, the SAT, any form of standardized tests comes with a great deal of bias. Bias that is based on socioeconomic, bias that's based on social capital and access to resource, bias that's based on any number of things. So, those are automatically written into a test because there is human error and human bias. I'd also like to say that we do not have standardized lesson plans in our nation, we do not have standardized delivery of such lesson plans in our nation or in our state; however, we continuously choose to standardize the way in which students are tested. I am... The way I would score on a test is different from the way that Representative Guzzardi would score on a test. We are not standardized hu... robots. We are human beings. We're individuals with various abilities. So, as probably one of the only people with a doctorate in this field, I rise in... in this Body, I rise in support of



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this particular measure. If any of you recall when I brought my own son to the House Floor a number of weeks ago, he was here on the House Floor because I took it upon myself to write a letter to opt him out of the PARCC exam in his district. My teachers' association is in support of parents having options. They, as teachers, would like to have options because, again, our lessons are not standard; however, our tests are standardized and that just doesn't make any sense. So, I also would like to point to the fact that we... there are some measures there now about test anxiety amongst young children. I, in fact, conducted one of those studies with Steven Tongst at Northern Illinois University on culture... on competency beliefs, test anxiety, and high stakes testing amongst third, fourth and fifth graders. Children as young as eight are having huge anxiety issues related to coming in and taking a standardized test. However..."

Speaker Turner: "Shhh. Thank you, Members."

Wallace: "That's just a teaching technique. You stop talking everybody else usually does. Oh, there are eight, yeah, of these computers that may freeze up on us and throw off our scores. However, there are eight... eight-year-old students who have faced immeasurable anxiety as it relates to going in and taking these standardized tests. And we are asking these eight year olds to go in and say to an adult I don't want to take the test. I stand in support of Mr. Guzzardi's measure. I hope that everyone here will think of the power differential that exists between the child and an adult and how we are placing children in the position of standing up for themselves

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when parents and teachers and other adults should be doing that for them. Thank you. I encourage an 'aye' vote."

Speaker Turner: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. Yes, for the record, Ladies and Gentlemen, I do not have a doctorate in educational psychology. Just messing with you. So, my concern, Representative, is that while you talk about the ability to opt out of things now is that it's almost like we're about to wake the sleeping giant... the sleeping bear. Poking the bear a little bit because now when parents realize that they can my concern is that the floodgates will now open and that they'll want to opt out. So, while we're focusing a lot on PARCC, this Bill applies to any state standardized test. So, we know that the Federal Government is going to now require us to have a science assessment. I learned that yesterday. So, does that mean that parents can now opt out of that assessment too?"

Guzzardi: "Well, that'll be a part of the PARCC test. It's... there's an interesting point about this and I'd say I'd like to finish, go on."

Davis, W.: "I'm... So... so, the science assessment that we are now going to be required, they can opt out of that as well."

Guzzardi: "That'll be a part of the... My understanding about science is that in high school we are required by law to... to provide a science assessment. We don't currently, so we're violating Federal Law in that way. We don't have an assessment this year. But we will start having one and opt out will cover that, yes."

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Davis, W.: "It will cover that as well. So, while we're being mandated to have an assessment, we are now possibly legislating parental ability to opt out. Okay. So, right now, and I've heard you say that this is about the parents being able to on behalf of their children opt out."

Guzzardi: "Precisely."

Davis, W.: "So, does this mean that a student, if they don't want to take the test, can on their own opt out?"

Guzzardi: "Yeah, that's a great question. And in fact, as I mentioned in my opening, we're starting to hear some of these stories from around the state. If you've got eighth graders who are good at Google, who say, oh, I can just show up to school myself and refuse the test and there's no consequences. That is happening now. It will not happen under this Bill. Under this Bill, a parent's signature will be required for opt out."

Davis, W.: "So, that being said, a student, an eighth grader, for instance, who was astute enough to say I don't want to take the exam. Their parents would go, no, I'm the only person that can opt you out of the exam. So, if that student who's angry, goes to school on that day and decides to just mark C down the test, then what's the..."

Guzzardi: "First, there's no way to prevent us from that happening."

Davis, W.: "Well, no, no. We're... we're talking about..."

Guzzardi: "I can't think of a possible law that can keep that from happening."

Davis, W.: "But you're changing that ability. And I'm not saying I necessarily agree with a student being able to make that

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decision, but if we're saying the parents now have to be the one, that student can be angry and decide to just kind of blow the test..."

Guzzardi: "Yes."

Davis, W.: "...without regard to what the test is supposed to be used for, which is to measure that student's ability based on what they've learned, correct?"

Guzzardi: "I agree that that's possible. I don't see how that's not possible under the current law. I mean, a student could show up at school and say I'm angry and I don't want to take this test and mark Cs. I... I can't think of a possible legislative solution to that problem."

Davis, W.: "But right now, the student can say they don't want to take it. Again, I'm... I'm just concerned..."

Guzzardi: "I don't think it's appropriate for the student to make that decision. Correct."

Davis, W.: "So, I guess I'm just concerned about... as someone mentioned... the kind... all of the other things that are going to happen as a result of this. I... I'm just very, very concerned about that. And..."

Guzzardi: "I understood that."

Davis, W.: "...I heard earlier someone ask you the... the federal funding question. And they asked it in a yes or no way and you kind of said maybe. You said, well, the Federal Government didn't say yes."

Guzzardi: "The only reason I said that is because the Federal Government is going to give a yes or no answer. The state asked the feds... the state asked the feds, if we opt out are we going to lose money? And the feds said, well, there's all

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kinds of things that... all kinds of sanctions that do exist,  
if you're found in violation..."

Davis, W.: "Right. So..."

Guzzardi: "...but they do not say you will lose money. They do not  
say you will be in violation. It was very..."

Davis, W.: "Very vague."

Davis, W.: "...they had the opportunity to say that if that was the  
case."

Davis, W.: "They... they were very vague."

Guzzardi: "And I believe they were vague because there's no  
statute that tells us that we could be in jeopardy of losing  
money. That is... there's nowhere in the legislation."

Davis, W.: "So, but that vagueness though gives the Federal  
Government the ability to..."

Guzzardi: "No, no. If there..."

Davis, W.: "...remove federal funding."

Guzzardi: "...there..."

Davis, W.: "And if I understand you correctly..."

Guzzardi: "Yeah."

Davis, W.: "...if they're not saying yes..."

Guzzardi: "I'm not communicating clearly and I apologize."

Davis, W.: "...if they're not saying no, then we could say we don't  
want to do it and then they can make a decision and say, well,  
you know what, let's... we're going to take the funding away  
from you."

Guzzardi: "So, that is not... there is no statute that provides for  
the Federal Government to be able to remove our funding based  
on an opt out. There... I'll leave it at that. I'll leave it at  
that."

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Davis, W.: "Well, when you say somewhere in state statute or no federal statute?"

Guzzardi: "No, no Fed.. there's no Federal Law that enables the Federal Government to remove our funding because of an opt out."

Davis, W.: "Well, but... but again, we were... if they were asked the question and they gave a vague answer, to me if you asked them a question..."

Guzzardi: "Well..."

Davis, W.: "...they... they either will or they won't."

Guzzardi: "I believe it's because..."

Davis, W.: "But if they're saying no..."

Guzzardi: "The factual answer is that, no, there's no way for them to do it, but they don't want to encourage us to do it because they have their own agenda about testing..."

Davis, W.: "Well, would that... but..."

Guzzardi: "...and they don't like opt out."

Davis, W.: "But that's very important to be definitive at such an answer. And I wouldn't suggest that maybe you need to hold until you get an answer to that question. But again, if we put ourselves in a position where the Federal Government can arbitrarily say, well, you know what, I think we're going to remove federal funding. Then I hope you can appreciate that as the Approp Chair in K-12..."

Guzzardi: "Of course, I completely understand that."

Davis, W.: "...no federal funding... it creates a bigger situation especially when we have a Body here that is not interested in raising any revenue. You know, that's something that..."

Guzzardi: "You know I am."

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Davis, W.: "...we haven't expressed that interest in, you know, as a whole. You know..."

Guzzardi: "Right."

Davis, W.: "...we create... we put ourselves maybe in a bad situation by doing such a thing. And a... and a..."

Guzzardi: "But..."

Davis, W.: "...and again, that's what I said about our unintended consequences..."

Guzzardi: "I appreciate that."

Davis, W.: "...and maybe answering some of those questions..."

Guzzardi: "Yeah."

Davis, W.: "...will maybe even strengthen your argument as to why you want to pass..."

Guzzardi: "I appreciate that. I..."

Davis, W.: "...such a piece of legislation."

Guzzardi: "...I do. Let me just say this. Really, I understand the concern. I understand the concern. No state has ever lost federal money for opt out. There are many other states that have this law on the books. They've never lost a dime. There is no provision in federal statute that suggests that the State of Illinois must have 95 percent of students. That does not exist under a law, so there is no statutory ground for the Federal Government to remove any funding whatsoever. I believe that this is simply a... to use the previous Representative's word... a canard to deter my colleagues from supporting a measure that there is otherwise broad support for."

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Davis, W.: "So... so, you made the comparison to Illinois to other states. So, then let me ask you, where does Illinois rank amongst other states?"

Guzzardi: "In what regard?"

Davis, W.: "In funding?"

Guzzardi: "From the Federal Government?"

Davis, W.: "No, state funding."

Guzzardi: "Our state does a very poor job of funding public schools. We rely much too heavily on property taxes and it creates profound disparities."

Davis, W.: "And... and there's really not any plan moving forward really to try to... well, there are plans, but there's no appetite to try to change some of that. So, the reason that I bring that up is you mentioned the comparison to other states. And I don't know where these other states rank, but to the extent in which they are maybe not concerned about losing money, I'm concerned about losing money."

Guzzardi: "I would venture that every state would be concerned about losing their federal money and Representative, I think that you and I agree profoundly on the need for new revenue and the need for a better funding for our public schools. And I look forward to us working together to make that happen."

Davis, W.: "And I believe... and I believe that we will. And again, just going back to my original statement and I'll close. I'm just concerned about unintended consequences potentially opening a floodgate when parents realize, you know, that maybe their kids don't have to take standardized tests and that schools may be ultimately inundated with requests to opt out and not just, if we're talking about the PARCC exam, I mean,



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this is... you're talking about something moving forward. So, a lot of what people have said is that they hate the PARCC exam. So, what happens if, in a couple of years, PARCC goes away, we bring on another assessment that people actually like. Maybe Members of the General Assembly like, but we still have given parents the opportunity, if they feel a certain way about standardized testing and that's possible, that their students can opt out of standardized testing. So, again, I just... I think we're just... we're just opening that can that we are just don't know what's going to happen and there're just too many unexpected things that could come as a result. So, thank you very much."

Speaker Turner: "Members, we've had a very long and thorough debate around this issue. For the remaining Members seeking recognition, we're going to have to go to a two-minute timer. So, let's keep our remarks brief as we have a lot of work to do today. Thank you. Next up, we have Representative Scherer."

Scherer: "Thank you, Mr. Speaker."

Speaker Turner: "Two minutes."

Scherer: "To the Bill. As a teacher, I just felt compelled to say a couple of words, very briefly. First of all, there's way too much anxiety in the children when it comes to taking the test. I think this Body needs to take a serious look at what we're doing to the small children and young adults in elementary and secondary schools. To be putting this amount of anxiety on them, is uncalled for, unnecessary and not a productive use of... of classroom time. Way too much time is being spent on preparing for tests. There... there aren't any other tests required by the state, but the problem is if you

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have a student trying to get into a cross-curricular, some type of a special ed class like learning disability, unless you have testing and RTI to document that, you can't get the kid into the program. So, these tests, in a way, are really being required by the state. I urge a strong 'yes' vote in this because students should not be put in the position that we, as Legislators, are putting the students in. I had a child lay down on his desk and bawl for one hour straight and his ISAT test, which was paper, was covered and soaking wet. I couldn't even convince him to put his name on his paper. Is that what we really want to do to our children? Put them in a situation where they cry for one hour straight and can't... third grade, so upset they couldn't write their own name. It's... it's not... something's got to change here. I urge an 'aye' vote."

Speaker Turner: "Representative Leitch for two minutes."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In view of my time limit, I'll just get to the point. I don't believe there was any legislative authorization for this entire program or this test. Where was the Bill that came through the General Assembly to authorize this program? In fact, where was the Bill that came through the General Assembly to authorize Common Core? Or where was the Bill that came through the General Assembly that created so much turmoil in child care called the Accelerate Program. The answer is none of them did. Common Core was passed through JCAR in October of 2010 as an afterthought to a Race to the Top application. Accelerate was adopted and implemented also by Rule. I am very sick and tired of having the State Board of

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Education and others legislating for us. And I will tell you right now, although it's still in the Rules Committee, I have a very important piece of legislation that when issues at the state board met a certain level of benchmark then they would come to the General Assembly where they belong. So, I think the Gentleman's Bill touches on a much larger issue than just the one before us. And I believe as Legislators we have to take our power back and require the state board to come to us rather than doing what's good for all of us. If it's so good for all of us, then perhaps it'll pass the House. Thank you."

Speaker Turner: "Representative Guzzardi to close."

Guzzardi: "Thank you, Mr. Speaker. As you might imagine, as the Sponsor of this Bill, I've gotten dozens of e-mails from parents around the state about this subject. There's one story that I want to tell you. It's a story you might have heard because it was in the 'Chicago Tribune'. It was a student named Sam Morgan, a sixth grader in Libertyville and Sam has some learning disabilities so he gets extra time with this test. Now, when Sam's parents decided PARCC was inappropriate for him, Sam went in and refused the test this year. Sam was made to sit and stare at a blank wall in his school building, not only for the 80-minute test period of the PARCC, but for the full 160 minutes that he was allotted, the extra time he was allotted because of his learning disabilities. For three hours, in the course of a day, Sam sat and stared at a wall. He tried to get a book out of his bag. His teacher took it out of his hand. At the end of the three hours, his teacher looked at him and said, now wasn't that fun. This happened to Sam for five days in a row, for a full week. Now, if you hear

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that story and you say, good, he got what he deserved for refusing this test, then by all means, vote against this Bill. But if you hear that story and hear a story of parents just trying to exert some control on their child's education and their student's being punished for it. If you feel that's unjust, I urge an 'aye' vote on this legislation. Parents like Sam's, parents all over the state they put their faith in us to get past the army of outside voices and to contemplate what's right for their children. Ladies and Gentlemen, prove them right. Let's prove them right today. They have asked us to look out for their child's interest. We have an opportunity to set aside the political feeder that we see in this chamber often and to really debate meaningful public policy. I urge you. Prove your constituents right. Cast a vote on behalf of your parents and children in your district. I urge an 'aye' vote. Thank you."

Speaker Turner: "Members, Representative Demmer has requested a verification on this vote. All Members are asked to be at their seat and vote their switch. The question is, 'Shall House Bill 306 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Brown, Davidsmeyer, Hernandez, Bill Mitchell. Have all voted who wish? Representative Sims, Reis. Mr. Clerk, please take the record. 64 voting 'yes', 47 voting 'no' and 1 voting 'present'. Mr. Demmer, would you like to proceed with your verification?"

Demmer: "Yes."

Speaker Turner: "Mr. Clerk, please call the roll of the affirmative votes."

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Clerk Hollman: "A poll of those voting in the affirmative.  
Representative Acevedo; Representative Ammons;  
Representative Andrade; Representative Arroyo;  
Representative Beiser; Representative Bourne; Representative  
Bradley; Representative Brady; Representative Bryant;  
Representative Burke, D.; Representative Burke, K.;  
Representative Cassidy; Representative Chapa LaVia;  
Representative Conroy; Representative D'Amico;  
Representative Davis, M.; Representative DeLuca;  
Representative Feigenholtz; Representative Fine;  
Representative Flowers; Representative Ford; Representative  
Franks; Representative Gabel; Representative Golar;  
Representative Guzzardi; Representative Harris, D.;  
Representative Harris, G.; Representative Hernandez;  
Representative Hoffman; Representative Hurley."

Speaker Turner: "Mr. Clerk, the Representative has indicated that  
he'd like to end his verification. And with 64 voting 'yes',  
47 voting 'no' and 1 voting 'present, House Bill 306, having  
received the Constitutional Majority, is hereby declared  
passed. Leader Currie for a Motion."

Currie: "Thank you, Speaker. I move to suspend the posting  
requirement so that Senate Bill 920 can be heard in House  
Counties, Senate Bill 843 in House Personnel, and Senate Bill  
1526 in Revenue & Finance."

Speaker Turner: "You've all heard the Lady's Motion. All those in  
favor say 'aye'; all opposed say 'nay'. In the opinion of the  
Chair, the 'ayes' have it. And the posting requirements are  
suspended. Representative Martwick, for what reason do you  
seek recognition?"

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

Speaker Turner: "Please proceed, Sir."

Martwick: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, in the gallery above us, here to just witness that debate on the PARCC test, is a class from Beaubien Elementary in my district. They're in the gallery. If you'd please join me in welcoming them to Springfield."

Speaker Turner: "Thank you, Representative and welcome to your Capitol. Representative Sandack, for what reason do you seek recognition?"

Sandack: "Thank you, Mr. Speaker. On a point of personal privilege."

Speaker Turner: "Proceed, Sir."

Sandack: "Mr. Speaker, Ladies and Gentlemen of the House, what just occurred was a good example of policy debate. And there were a couple of speakers that spoke on behalf and against the Bill that noted the dichotomy of good policy discussion versus political theater. And so, I'd just like to remind my colleagues here that what happened last week was a bad example of the use of the House. Political theater occurred on a couple of votes including House Bill 695 brought by the Gentleman from McHenry. That Bill didn't pass and the Amendment actually only received 37 votes in the affirmative. Translation, it wasn't a real Bill. Yesterday there was some political mailers that hit that belie the good process and belie the good spirit that I thought initially was supposed to be engendered when the Speaker of the House, who reminded Republicans on Inauguration Day, welcome to the process,

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welcome to good lawmaking, you're now on the dime. All of us on my side of the aisle accepted that proposition as a challenge to engage in good policymaking. Unfortunately, what's occurred is good political theater. From day one, my colleagues have been ready, willing, and able to work with that side of the aisle and with the Governor. As a reminder, he was elected by the State of Illinois, the citizens of Illinois, to tackle the numerous problems that have occurred essentially after 12 years of one rule, one Party rule. We've been negotiating in good faith, attending working groups meetings, budget hearings, in an effort to reform and restructure this state. That's needed. Ladies and Gentlemen of the House, I'm going to ask your good will and good faith participation. End the political shenanigans, end the political games, and let's use the last two weeks in a bipartisan, collegial fashion to get the people's work accomplished. Stop the nonsense and let's engage in a process similar to what just occurred with the last Bill. Let's engage in good policymaking, whether it wins or loses, let's stay focused on the people's business. Thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative. The Chair is in receipt of a Motion by Representative Monique Davis to reconsider the vote by which Senate Bill 809 passed. Representative moves to table that Motion. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Motion is tabled. The Chair is also in receipt of the Rep... a Motion by Representative Franks to reconsider the vote by which Senate Bill 1688 passed. Representative Fanks... Representative Franks moves that... to

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table that Motion. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Motion is tabled. Representative Monique Davis, for what reason do you seek recognition?"

Davis, M.: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Turner: "Please proceed."

Davis, M.: "Each year the Abraham Lincoln Presidential Library Foundation selects a recipient of a prestigious Lincoln Leadership Prize. In 2015, we are honored to present the award... or they have presented the award to the Little Rock Nine. The bravery of these nine amazing young African-American women and men created a defining moment in the Civil Rights Movement and helped to ensure that all individuals would be granted access to a quality education. In the fall of 1957, elements of the United States Army, under the direction of our President, Dwight D. Eisenhower, these soldiers were called to protect the Little Rock Nine so that they could go to school and not have adults throw rocks at them, you know, put water on them and attempt them from attending school in Little Rock, Arkansas. Dogs were put on them. So, the United States Army, the... some of the same men who fought in World War II, had to come and protect the Little Rock Nine so they could carefully and without harm coming to them attend the Little Rock Central High School. Today, we had lunch. We met with eight of them, one is deceased. And in the future, Mr. Speaker, we will be offering a Resolution in their honor. They will be at different events in Springfield throughout today and tomorrow. This evening they will be at



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the top, what is it... the Hilton, Nick and Nino's. They're wonderful people to meet. To know how successful they've become, psychologist, psychiatrists, they have their own business and we thank them for putting their lives on the line for opening up the equal access to education. Thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative. Representative Brown, for what reason do you seek recognition?"

Brown: "Thank you, Mr. Speaker. Please excuse Representative Ives for the remainder of today."

Speaker Turner: "Thank you, Representative. Representative Phelps, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed."

Phelps: "Thank you. Ladies and Gentlemen of the House, if you remember a few weeks ago, we honored the Flying Salukis of Southern Illinois University on their 10th national title. Well, guess what, just last week they won their 11th national title beating Ohio State, North Dakota, the whole national deal. Let's give a round of applause for the Flying Salukis of SIU."

Speaker Turner: "Thank you, Representative. Representative Wallace, for what reason do you seek recognition?"

Wallace: "I have... ask for a point of personal privilege."

Speaker Turner: "Please proceed."

Wallace: "Earlier today, as we read in the Resolutions, there was a Resolution, House Resolution 494 that I introduced yesterday. Some of you may know that Illinois is the 20th most dangerous state in our nation and I represent the city

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that is the second most dangerous city in our state, Rockford, Illinois. When we look at the per capita numbers for every 100 thousand people, 1,375 people per year have been victimized by some form of crime be it aggravated assault, armed robbery, sexual assault, or murder. I am asking for this Body to please join with me as I try to create a task force to delve into the issues of Rockford, Illinois and come up with solutions that may have policy and legislative implications that I will bring back to this Body. I already have several cosponsors, pretty much made up of the Legislative Black Caucus, the Hispanic Caucus, and several other Members, but I'm asking you all to join me as we look to solve the issues of crime in our state. And again, I appreciate your consideration in doing that. Thank you."

Speaker Turner: "Thank you, Representative. Representative Jesiel, for what reason do you seek recognition?"

Jesiel: "Point of personal privilege."

Speaker Turner: "Please proceed."

Jesiel: "Yeah. I just wanted to address the... the vote let that we took last week, as well, on the property tax Bill. I want to tell you why it's so important that this Body considers real reform and not the phony business that we tried last week. I live in a district that borders Wisconsin and I can go five minutes north and I can find all kinds of businesses being built up there. Homeowners there pay about 30 to 40 percent less on the same value house and why is that, because they have a broad business tax base that supports them and it spreads it out among a lot of people in the State of Wisconsin. Why are they going to Wisconsin? Because of bad

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policies in Illinois that are driving them there. And I have a village in my district that struggles to attract business. They have put out packages and they will not come. This... this community, Zion, has the highest property tax bill in the... in the entire county and they cannot do anything to attract businesses here because the policies in Illinois are driving them away. I just want to reiterate how important it is to develop policies that address these issues and not just have these phony votes that are going to target Republicans back home because it's disingenuous. It does not help taxpayers. And it's time that we do something about it. So, I just want to bring that to your attention and I thank you for your time."

Speaker Turner: "Leader Lang in the Chair."

Speaker Lang: "Thank you for handling that one Bill, Leader Turner. I was gone an hour. Mr. Franks."

Franks: "Thank you. A point of personal privilege, if I may."

Speaker Lang: "Proceed, Sir."

Franks: "We heard a couple of the speakers on the other side denigrate the efforts of this Body by indicating that somehow we were being false when we were voting on property tax relief. There's nothing false about property tax relief. We talking... you talk about job creation and the necessity to create jobs. And we had people jumping through acrobatic hoops... I haven't seen such acrobatics since the Shanghai Circus came to town... where people trying to justify their 'present' vote on... on something that's so important to all the citizens of the State of Illinois. Self-proclaimed businessmen voting 'present' because of... they didn't like the

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procedure and this... and this isn't any different than anything else we do here. All you had to do was vote 'yes'. All you had to do was vote 'yes' and we would have sent over to the Senate. We would have put it on Third Reading. We would have sent it over to the Senate the ability to freeze property taxes, but instead, the only games that were played were played on by the other side who decided not to engage. We had one person who had six other people yield their time. She spoke for 14 minutes against the Bill and then she didn't even vote. You talk about games... you talk about games and we're sent down here by 110 thousand people to represent our districts, to do the peoples' work. And what do you do? You walk away; you don't even vote. And you had an ability here to vote on something and you're blaming me and saying it's theater. You're to blame that that failed. That might be the only time we have the ability to vote on property tax relief and you blew it. You blew it because of you wanted to play politics instead of putting people first. You got what you deserved."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "Mr. Speaker, point of personal privilege."

Speaker Lang: "Go right ahead, Sir."

Davidsmeyer: "To talk and pretend like there weren't games played last week is completely ridiculous. There were political mailers sent out that were postmarked Saturday morning after a Friday afternoon vote. They were sent out Saturday morning. That means that those were printed before they had even called the vote on the board. You can't tell me you weren't playing political games. Let's get back to what we need to do and

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talk about the budget of the State of Illinois. We've got a lot of problems here. I'll... I'll come across; I'll join you guys and let's come to a compromise, but quit playing games. That's all we're asking."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Proceed, Sir."

Kay: "I heard a previous speaker use the word 'self-proclaimed businessman'. And I just wanted to clarify with him that I am a businessman. So, that... that might clarify that record with him. I don't know what he runs, but I actually run something that's profitable, sort of, and manage and have people work for me. And I'm in the State of Illinois where nobody does anything to help. But I just want to make sure, Representative, that you understand that it's not self-proclaimed. Thank you, Mr. Speaker."

Speaker Lang: "Thank you, Sir. Page 6 of the Calendar, House Bills-Third Reading, House Bill 217, Representative Cassidy. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 217, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker, Members of the House. This Bill is an initiative of a coalition of professional organizations representing all of the major mental health professions including the National Association of Social Workers, the Illinois Psychological Association, the Illinois Psychiatric Society, the American Academy of Pediatrics, and many, many others. What we are doing today we're simply codifying the

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Codes of Ethics and best practices of these organizations and prohibit efforts widely recognized as inappropriate and harmful. This Bill will ban the practice of conversion therapy on minors and takes into account the positions of these organizations and the studies that show that efforts to change someone's sexual orientation can cause great harm, increased familial... break down familial relationships, increase chances of depression, and self-harm. What this Bill does not do it prevents families from seeking counseling and discussing sexuality. It does not prevent a faith leader from discussing their religious views around sexuality and in fact, some of you have heard the story of the priest that I met with, with my mom. When I came out to my mom, having grown up in a very deeply religious, very conservative Catholic family, she asked me if I would meet with a priest with her. Thank you, Mr. Speaker. I was the youngest of seven kids. We had all found ways to... to challenge our parents as we all do. The first thing my mother said when I came out to her was, you had to come up with something different. The next thing she did was ask me if I would speak to a priest with her because she wanted to understand what this meant for us as a family. I was nervous because we had gone to a very conservative church. I'd been raised with these priests and I knew them to be fairly tough and I was nervous. We met together. The priest said that he wanted to meet with my mom first and then me and then us together. When I walked into the office I was surprised to see a priest I wasn't familiar with and he said so your mom's pretty freaked out. And the truth is, Catholicism doesn't have a whole lot of good things to say

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about being gay, but what Catholicism does do is talk about the importance of loving each other and being a strong family and caring about each other and treating each other with respect. And that's exactly what I told your mom and she was relieved to know that you're going to be okay and that you're both going to be okay and you can still be the best of friends as we were. And that priest, I firmly believe, was put in our way by God to save our relationship. He left our parish shortly thereafter. I've never seen him again, but my mom and I remained very close. She saw her grandchildren born. She taught my eldest how to make pumpkin pies at Thanksgiving. The message of how the Catholic Church felt about... or what their teachings are around my sexual orientation was very clear. What was even more clear was that my mom and I needed each other and we got to keep that relationship. The opponents of this Bill had a witness in committee at just a couple of weeks ago, their own witness, after hearing the stories of the two survivors who spoke about their... the breakdown of their relationships with their fathers, being told they couldn't speak to their fathers any more, being humiliated and belittled in therapy, their witness, the opponent's witness came to the table and said I want to apologize to the two young men today who shared their stories because they are the victims of quackery. His word was 'quackery'. What he failed to realize when he staid that was that one of those young men had been treated by the man that this guy went on to describe as his mentor. He described his own mentor as a quack. He described his own methods as 'quackery' because this is not based in science. Many of the patients in the...

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in... that receive this kind of treatment, find themselves further alienated from their families, instructed to do things like beat an effigy of his mother with a tennis racquet while screaming as if killing her. This is not therapy; this is abuse. Please vote 'yes'. I look forward to your questions."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please excuse Representative Unes for the remainder of the day."

Speaker Lang: "There being no one wishing to speak, 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. Clerk, please take the record. On this question, there are 68 voting 'yes', 43 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 369, Mr. Fortner. Please read the Bill."

Clerk Hollman: "Senate Bill 369, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Fortner, this Bill was debated, previously. Can you start where we left off and answer Mr. Franks' question and then we can move forward."

Fortner: "Thank you, Speaker. I'd be happy to. And my thanks for Representative Franks for bringing to my attention that there is a parcel of land that is a Federal Wildlife Refuge in McHenry County that could be subject to provisions of the Bill. McHenry County did not at any point weigh in during the discussions that we had on the Bill whether in committee or at any other time. If it turns out that McHenry County would



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like to be excluded from this because of that, I'd be more than happy to sponsor and work with Representative Franks on a trailer Bill to make that happen, but I think I'm going to proceed ahead because of the issue that we're trying to correct in Cook."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr... thank you, Mr. Speaker. And to the Bill. And I very much appreciate the Sponsor taking the Bill out of the record. We had a chance to get together. Exactly what he said is true. I stand in support of the Gentleman's Bill. And I'm waiting to hear from McHenry County to see whether they wish to be exempted and if so, we'll just do a trailer Bill so as not to hold this up. So, I very much appreciate the Gentleman and how he handled this. And I encourage an 'aye' vote."

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? Please take the record. On this question, there are 111 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Walsh is recognized."

Walsh: "Thank you, Mr. Speaker. Could you have... my intention to... on House Bill 217 was to vote 'yes'. Would you please make that happen?"

Speaker Lang: "The record will reflect your intention, Sir. Mr. Jones is recognized."

Jones: "Thank you, Mr. Speaker. On the previous Bill, I meant to vote 'yes'. I was distracted by my colleague. Don't want to

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be the only Member on the Bill voting 'no'. Thank you, Mr. Speaker."

Speaker Lang: "Thank you, Sir. And we'll have a talk with your colleague. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 490, offered by Representative Bradley. House Resolution 491, offered by Representative Nekritz. House Resolution 492, offered by Representative Nekritz. House Resolution 493, offered by Representative Butler. House Resolution 496, offered by Representative Stewart."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements. Members, please listen to the Clerk."

Clerk Hollman: "The following committees will be meeting immediately. Executive is meeting in Room 118. Elementary & Secondary Education: School Curriculum & Policies is meeting in Room 114. Financial Institutions is meeting in Room 413. Judiciary-Criminal is meeting in Room 122. Meeting at 4:30 are the following committees. Labor & Commerce is meeting in Room 413 at 4:30. Elementary & Secondary Education: Charter School Policy is meeting in C-1 at 4:30. The 4:00 committees are meeting at 4:30."

Speaker Lang: "And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Wednesday, May 20 at the hour of 1 p.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til Wednesday, May 20 at 1 p.m."

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Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 4218, offered by Representative Ford, a Bill for an Act concerning child support. House Bill 4219, offered by Representative Ford, a Bill for an Act concerning elections. First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."