

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

52nd Legislative Day

5/21/2015

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 21, 2015: recommends be adopted, referred to the floor is Floor Amendment #3 to House Bill 1, Floor Amendment #4 to Senate Bill 107, Floor Amendment #1 to Senate Bill 418, Floor Amendment #3 to Senate Bill 1854."

Speaker Turner: "(sic-The House will be in order.) Members are asked to be at their seats. We shall be led in prayer today by Senior Pastor Mike Bryant, who is with the Grace Community Bible Church in Grayslake, Illinois. Pastor Bryant is the repres... is the guest of Representative Yingling. Members and guests are asked to refrain from starting their laptops, turn off all phon... cell phones, and rise for the invocation and Pledge of Allegiance."

Pastor Bryant: "Thank you. It's a privilege to be with you, and thank you, Representative Yingling, for inviting me today. Would you join with me in prayer? Gracious God in Heaven, our Creator and Redeemer, we come before You on behalf of these men and women gathered here today. Each one of them has been sovereignly selected by Your hand to serve in these positions of power and influence for such a time as this. We pray today that You would fill them with a sense of calling and conviction to work together for the good of the people of this great state. May they find in You the wisdom to discern what is truly best, and the courage to legislate toward that end. May they find in You the strength of character necessary to lead, and the humility of heart to follow Your ways. May they find in You the compassion to identify with the least of

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these, and the passion to pursue liberty and justice for all. Today, Father, I ask You to bless and protect the State of Illinois and this House of Representatives. I ask You to bless and protect our communities and the local governments that serve them. Bless and protect our police officers, firefighters, educators, and municipality workers, both great and small. Bless and protect our citizens, our families, our marriages, and our homes. Oh Lord, may You be gracious to us and bless us. May You make Your face shine upon us, Oh God. Through the kind intention of Your will, and for the glory of Your great name we pray, Amen."

Speaker Turner: "We should be led in the Pledge of Allegiance by Representative C.D. Davidsmeyer."

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

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

Brown: "Thank you, Mr. Speaker. Let the record show that Representative Hur... Wehrli is excused today. Thank you."

Speaker Turner: "Leader Currie."

Currie: "Thank you, Speaker. Please let the record reflect no excused absences among House Democrats today."

Speaker Turner: "With 117 Members present, a quorum is established. Mr. Clerk, please read HR482."

Clerk Hollman: "RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Fred H. Bright, Jr. on his retirement as Mayor

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of East Alton after 18 years and we wish him the best in all his future endeavors."

Speaker Turner: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker and Members of the House. It's truly an honor to be able to recognize someone who has given so much of themselves over a period of 43 years to their community and to their area. But more importantly, I think it's just as much of an honor to honor someone that I consider a dear friend and that's Fred Bright. He served, like I said, in public service in one capacity or another for 43 years, the last 18 good years being as mayor. He's an Army veteran, and like I said earlier, he's just a very, very good friend, a humble man who does not like to take credit. But I think it's well-deserved that Fred Bright be given a good round of applause and recognition. He's standing over at my left side up in the gallery. Thank you very much, Fred, for all that you've done."

Speaker Turner: "Thank you, Representative. The Resolution was adopted on a previous day. Mr. Clerk, House Resolution 207. Representative Bryant. Please read a portion of the Resolution, Mr. Clerk."

Clerk Bolin: "House Resolution 207, offered by Representative Bryant and Phelps.

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the City of Murphysboro as the BBQ Capital of Illinois."

Speaker Turner: "Representative Bryant."

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Bryant: "Thank you... thank you, Mr. Chairman. I'm sure that as I offer this today, I'm going to get a... ribbed a lot about pork, but I did want to say I do have my mayor, the mayor of Murphysboro, Will Stephens, here today. I'm not sure where Will is sitting, but Will has worked... actually, initiated this and has worked very hard to get the rich history of Murphysboro recognized. I have in my hand 27... 22... 2271 signatures from 41 states asking for recognition of Murphysboro as the barbeque capital of Illinois. I also hope that each Member received a picture today with one of the individuals who's mentioned in this Resolution, with the hundreds and hundreds of trophies behind him when ESPN did... did an article on him. In this... in the Resolution, it talks about the fact that Illinois or... excuse me... that Murphysboro has a very rich history of diversity with barbeque, including the fact that there are two pit master Hall of Famers from Murphysboro who still live there and have barbeque places in the dis... in the town, and that they are the only two barbeque pit masters in the State of Illinois. So with that, I'm happy to take any questions that anyone might have, but would appreciate support on this Resolution."

Speaker Turner: "Lady moves that the House adopt House Resolution 207. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Thank you, Representative. Members, we have a Death Resolution. House Resolution 401, Mr. Clerk."

Clerk Bolin: "House Resolution 401, offered by Representative Bryant."

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WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of Edward Jordan, who passed away on March 1, 2015; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we, along with his family and friends, mourn the passing of Edward Jordan."

Speaker Turner: "Representative Bryant."

Bryant: "Thank you, Mr. Speaker. In the gallery, we have the family of Ed Jordan. And this Resolution is being offered as a request of Mr. Jordan's grandson, Andre. And just some of the really great things about Ed Jordan included the fact that for 50 years, he served the Lord in song. And I... I wear a bracelet often that... it has a verse in it that says, 'The Lord is my strength and my song,' and you know when... so a lot of times when you hit a lot of low points in life, a song will bring you back to a high place again. And Ed Jordan did a fantastic job with the group called the Spiritual Travelers, which he was one of the founding members of, long-time member of A.M.E. Church in Murphysboro, and then moved later to A.M.E. in Carbondale. And so, I am honored today to be able to recognize the... the work that Ed Jordan did for his community, the great representative he was of his family, and for all of the beautiful music that he put together with the Spiritual Travelers. So thank you."

Speaker Turner: "The Body shall take a moment of silence. Thank you, Members. The Resolution was adopted on a previous day. Members, continue standing. We have House Resolution 454. Mr. Clerk."

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Clerk Bolin: "House Resolution 454, offered by Representative McDermed.

WHEREAS, Residents of Frankfort Township and the Village of Mokena lost an active and beloved community leader with the recent passing of Bruce Edmund Ebert; therefore, be it
RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family, friends, and neighbors, the passing of Bruce Edmund Ebert."

Speaker Turner: "Representative McDermed."

McDermed: "Thank you, Mr. Speaker. Just as I was taking office here in the General Assembly, someone who has been a part of my public life in Mokena and Frankfort Township all the years that I've lived there passed away, Bruce Ebert. He was part of the transition, as member of the school board of Mokena, from a little rural town to a full-fledged suburb. There were a lot of challenges there. He was also part of the transition of Frankfort Township from a largely rural township to the suburban township that we are today. Those are tough times, and he was a really important leader for all of us. You could see him in all our parades and activities on his Oliver tractor, which he really loved. Some of the most important things I learned from Bruce are his community focus, how he always treated everyone with respect and listened to everything that they had to say, and his involvement in the community from his earliest days until his very last day. He was a wonderful mentor to me, and I miss him every day. His family is here with us today, in the right, and thank you all

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for honoring this important public servant to Mokena and Frankfort Township."

Speaker Turner: "The Body shall take a moment of silence. Thank you, Members. The Lady moves that the House adopt House Resolution 454. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Representative Unes, for what reason do you seek recognition?"

Unes: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Unes: "Mr. Speaker, I'd like to give a warm welcome to special guest Nicole Wilson, who recently has just graduated from... from high school and is here watching her State Government at work today, and is my Page for the day. And also, in the gallery, her father Greg is also with us. I'd like to welcome both of them to Springfield.

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

Harris, D.: "Thank... thank you, Mr. Speaker. Point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Harris, D.: "Mr. Speaker, I am not wearing this red nose to look like a clown, although most people in the State of Illinois may think that many of us are clowns. But I am wearing this red nose, and I notice that colleagues on the other side of the aisle also have some red noses, and I... I'm wearing this because I want to honor an Illinois corporation. You may recall that about 18 months ago Walgreens merged with a

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European drug store chain. There was a lot of talk that they might do what's known as an inversion. In other words, they move their corporate headquarters over to Europe to take advantage of lower corporate tax rates. However, they decided not to do that. They decided to stay in Illinois. At the same time, though, they brought over a tradition which has been very popular in Europe for the past 20 years, and it's called 'Red Nose Day'. And 'Red Nose Day' is an initiative that helps fight childhood poverty throughout the world. The red noses were sold at Walgreens for a dollar. Fifty cents of that goes to the charity, and those are charities like the Boys and Girls Clubs of America, the Children's Health Fund, The National Urban League, Oxfam America. And it's the first year that Walgreens has done this. They sold five million red noses, five million red noses. And they're also holding, in conjunction with NBC, a telethon to raise money. This joint effort in... in Britain raised almost \$90 million to fight child poverty throughout the world. So I'm standing to congratulate Walgreens on two things: one, for being an Illinois corporation and not doing an inversion, and two, for bringing us this tradition of a red nose. As silly as I look, it's a great tra... a great tradition; I hope it sticks. And congratulations to Walgreens."

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

Mayfield: "Personal privilege."

Speaker Turner: "Please proceed."

Mayfield: "I'd like to welcome a group of individuals from my district, the beautiful Waukegan, the women and men from HACES

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and our parent-mentor program. They are down here advocating for parent mentors. I'd like everybody to welcome them to Springfield."

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

Stewart: "Point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Stewart: "Thank you, Mr. Speaker. Would the Members of the House today please join me in welcoming and recognizing my Page for the day, seventh grader-to-be, Mackenzie Marti is... tends on entering the Air Force Academy and being a fighter pilot. She's joined here today with her parents, Mark and Kelly Marti, in the gallery."

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

Ives: "I rise to a point of personal privilege."

Speaker Turner: "Please proceed, Representative."

Ives: "Today in the gallery with me is Mary Grace Morgese, if she could stand. She is a sophomore at DePauw University. She's here shadowing me, finding out about all the different policy positions that affect public policy in the State of Illinois and abroad. And I welcome her to the House. Thank you very much."

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

Mitchell, C.: "Point of personal privilege."

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Speaker Turner: "Please proceed."

Mitchell, C.: "I hope the Members of the Body will join me in supporting Raymond Poe for President based solely on his stance on fried chicken. But jokes aside, do want to thank Raymond as usual for the great chicken. Thank you so much, Representative."

Speaker Turner: "Thank you, Representative. And thank you, Representative Poe. Representative Zalewski, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed."

Zalewski: "It's appropriate that everyone's wearing red noses, because the Cubs Caucus was last night. I want to remind everyone that the Sox Caucus is next Thursday, May 28, at 6 p.m. at D.H. Brown's. We're going to cheer on the South Side baseball team as they make their grand comeback toward the top of the AL Central. And on Monday, August 10, the Sox outing will be at U.S. Cellular against the Anaheim Angels. Let's hope we're all in Chicago to watch that game. Thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative. Go Sox. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 20, 2015: do pass Short Debate is Senate Bill 368; recommends be adopted is Floor Amendment #1 to Senate Bill 936. Representative Costello, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on May 20, 2015: recommends be adopted is Floor Amendment #2 to

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Senate Bill 1458. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on May 20, 2015: recommends be adopted is Floor Amendment #1 to Senate Bill 1820. Representative Daniel Burke, Chairperson from the Committee on the Executive reports the following committee action taken on May 20, 2015: recommends be adopted is Floor Amendment #2 to Senate Bill 655. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action... committee action taken on May 20, 2015: recommends be adopted is Floor Amendment #11 to Senate Bill 44. Representative Jackson, Chairperson from the Committee on Counties & Townships reports the following committee action taken on May 21, 2015: do pass as amended Short Debate is Senate Bill 1630. Representative Daniel Burke, Chairperson from the Committee on the Executive reports the following committee action taken on May 21, 2015: recommends be adopted is Floor Amendment #3 to House Bill 814, Floor Amendment #2 to Senate Bill 1256. Introduction of Resolution. House Resolution 509, offered by Representative Turner, is referred to the Rul... Rules Committee."

Speaker Turner: "Members, we're going to begin on page 13 of the Calendar with Bills... Senate Bills on Second Reading. Please be prepared to move your Bill to Third Reading, if you wish. Senate Bill 7, Representative Christian Mitchell. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 7, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Turner: "Third Reading. Senate Bill 23, Leader Currie. Out of the record. Senate Bill 32, Representative Willis. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 32, 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 Turner: "Third Reading. Senate Bill 47, Representative Dunkin. Representative Dunkin, Senate Bill 47. Out of the record. Senate Bill 44, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 44, a Bill for an Act concerning wildlife. This Bill was read a second time on a previous day. Amendment #8 was adopted in committee. Floor Amendments 10 and 11 have been approved for consideration. Floor Amendment #10 is offered by Representative Phelps."

Speaker Turner: "Representative Phelps."

Phelps: "The Fl... Floor Amendment #10 was an initiative, I believe, with the city... Chicago wanted to be on there. We also put on there the surveyors and also, someone that represents somebody from under two million dol... two million population. I ask for its adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #10 to Senate Bill 44. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #11 is offered by Representative Phelps and has been approved for consideration."

Speaker Turner: "Representative Phelps."

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Phelps: "This was a Floor Amendment that the... to add on the railroads. So I ask for its adoption."

Speaker Turner: "Representative Sandack, for a question."

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

Speaker Turner: "The Sponsor will yield."

Sandack: "This is a big endeavor you're trying to have accomplished, Brandon, and I commend you for it. Are there other Amendments anticipated before this item hits the floor?"

Phelps: "Representative, I... you know, this grew, and grew, and grew, and I'm not trying to set the record for amount of Amendments, trust me. But no one..."

Sandack: "What is..."

Phelps: "...else has come forward yet."

Sandack: "...what... what is the record, by the way?"

Phelps: "I'm not sure. I'm not sure."

Sandack: "I'm good. I just wondered if we're getting dangerously close. But obviously, thank you for your continued effort. At some point in time, how this coalesces and how the Bill's explained will be kind of important, because it's a... it's a big deal. Again, thank you for your efforts."

Phelps: "Thank you, Representative."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #11 to Senate Bill 44. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Representative Ammons, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Representative."

Ammons: "Thank you. I just want to acknowledge the Graduate Employees' Organization and specifically, the member from University of Illinois, Grant Antoline, up here behind me in the chambers. They're here working on education and education funding, so I appreciate their attendance today. Thank you."

Speaker Turner: "Thank you, Representative, and welcome to your Capitol. Senate Bill 90, Representative Breen. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 90, a Bill for an Act concerning civil law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Breen, was adopted previously. No further Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 202, Representative Zalewski. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 202, 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 Turner: "Third Reading. Representative Zalewski, for what reason do you seek recognition?"

Zalewski: "Mr... Mr. Speaker, inquiry of the Clerk. Is there an Amendment on Senate Bill 202 pending in Rules?"

Clerk Hollman: "No Amendments have been filed at this time."

Zalewski: "Can we hold that Bill on the Order of Second Reading, Mr. Speaker?"

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Speaker Turner: "Mr. Clerk, please move Senate Bill 202 back to the Order of Second Reading. Thank you. Senate Bill 220, Representative Davidsmeyer. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 220, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment 1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 626. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 626, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 655, Representative Rita. Out of the record. Senate Bill 661, Representative McAuliffe. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 661, a Bill for an Act concerning public health. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. But a fiscal note has been requested, but not filed at this time."

Speaker Turner: "Mr. Clerk, please keep this Bill on the Order of Second Reading. Senate Bill 691, Representative Dunkin. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 691, 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 Turner: "Third Reading. Senate Bill 780, Representative Riley. Mr. Clerk, please read the Bill."

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Clerk Hollman: "Senate Bill 780, a Bill for an Act concerning revenue. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Turner: "Mr. Clerk, Third Reading. Senate Bill 805, Representative Mayfield. Out of the record. Senate Bill 838, Representative Rita. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 838, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. Amendment #1 was adopted previously. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Rita."

Speaker Turner: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Floor Amendment #2 is the extension of the Sunset Act for the roofing industry and the athletic trainers for another 10 years. We just combined these two Acts to... in the Amendment to put in the underlying Bill, when we do it."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 838. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #3 is offered by Representative Rita and has been approved for consideration."

Speaker Turner: "Representative Rita."

Rita: "Thank you, Mr. Speaker. Floor Amendment #3 is a page and line Amendment. It just adds some language for the State Auctioneers Association."

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Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 838. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Senate Bill 843. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 843, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. Amendment 1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 920, Representative Bennett. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 920, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1076, Representative Morrison. Representative Morrison. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1076, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1271, Representative Walsh. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1271, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Turner: "Third Reading. Senate Bill 1354, Representative Gabel. Out of the record. Senate Bill 1381, Representative Verschoore. Out of the record. Senate Bill 1458, Representative Bryant. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1458, a Bill for an Act concerning finance. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Bryant, has been approved for consideration."

Speaker Turner: "Representative Bryant."

Bryant: "Okay. So, we have a Floor Amendment with this? Thank... Thank you, Mr. Speaker. What this... the Amendment does is basically allow for the money that's going to be put into... in... in a new account to allow it to draw interest."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #2 to Senate Bill 1458. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Senate Bill 1440. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1440, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendments 1, 2, and 3 were adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1526, Representative Walsh. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1526, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Turner: "Third Reading. Senate Bill 1684, Representative Conroy. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1684, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Conroy, has been approved for consideration."

Speaker Turner: "Representative Conroy."

Conroy: "Thank you, Speaker. This Amendment, Floor Amendment 2 to the Bill, adds an advisory council to it for a study on neonatal Abs... Abstinence Syndrome, which is a condition that occurs in newborns due to exposure to addictive illegal or prescription drugs while the mom is pregnant."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #2 to Senate Bill 1684. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Senate Bill 1564, Representative Gabel. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1564, a Bill for an Act concerning civil law. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1726, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1726, a Bill for an Act concerning utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Turner: "Third Reading. Senate Bill 1745, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1745, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1763, Representative Feigenholtz. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1763, a Bill for an Act concerning children. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1781, Representative Rita. Representative Rita. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1781, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1782, Representative Rita. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1782, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1824, Representative Zalewski. Out of the record. Senate Bill 1747, Representative Sims. Out of the record. On page 12 of the Calendar, on Senate Bills under Third Reading, we have Senate Bill 1793, Representative Kifowit. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1793, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Kifowit."

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Kifowit: "Thank you, Mr. Speaker. Members of the General Assembly, I would... I would certainly appreciate you to give your attention to this Bill. This is a very important Bill. It is... this Bill requires the Illinois State Board of Education to develop a model youth suicide awareness and prevention policy beginning with the 2015-2016 school year. All school boards must adopt a suicide awareness and prevention policy that may be based on ISBE's model policy. This is a sponsor initiative, and it is to honor a constituent, Ann Marie Blaha, who took her own life at age 11, and it is to be referred to as Ann Marie's Law. 1793 requires ISBE to develop a model youth suicide awareness and prevention policy in consultation with the youth suicide prevention organizations and the board organizations. And so, also posts the following information related to suicide awareness and prevention on its website. The model policy for suicide awareness and prevention shall include the following: a statement of youth suicide awareness and prevention, protocols for administering youth suicide awareness and prevention, methods of prevention including procedures for early identification and referral of students, methods of intervention including procedures and address of emotional mental health safety plans, methods of responding to students and staff suicide reporting procedures, and recommended resources on youth suicide. I... I ask..."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1793 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Mr. Clerk, please take the record. On a count of 117 voting

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'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1793, having received the Constitutional Majority, is hereby declared passed. On page 18 of the Calendar, under Senate Bills on Second Reading, we have Senate Bill 1806, Representative Mautino. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1806, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 1805. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1805, a Bill for an Act concerning insurance. This Bill was read a second time on a previous day. Amendment 1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, House Joint Resolution Constitutional Amendment 26."

Clerk Hollman: "House Joint Resolution Constitutional Amendment 26."

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 11 to Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 11. TAX FOR EDUCATION

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Notwithstanding subsection (a) of Section 3 of this Article, and in addition to any other tax, a tax shall be imposed on individuals in an amount equal to 3% of income greater than \$1,000,000 for the taxable year. All revenue collected pursuant to this Section shall be distributed to school districts solely on a per pupil basis. The General Assembly by law shall provide for the implementation and enforcement of this Section.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to taxable years beginning on or after January 1, 2017. This was Third Reading in full of House Joint Resolution Constitutional Amendment #26."

Speaker Turner: "Representative Brown."

Brown: "Thank you, Mr. Speaker. The Republicans request an immediate caucus in Room 118 for one hour."

Speaker Turner: "The House will recess 'til the call of the Chair. Members, we will resume on page 9 of the Calendar with Senate Bills on Third Reading. The first Bill is Senate Bill 1308, Representative Gordon-Booth. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1308, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Turner: "Represent... Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. This... Senate Bill 1308 is an initiative of the Cook County Public Guardian. What it would do is, it will allow the petitioner who believes that

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a person is liable to the estate of a ward, pursuant to a civil action, it would state that they must bring separate court action in order to recover the estate's assets. This passed committee with no opposition. I'm open for your questions. I ask for your 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1308 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Demmer, Ford, McAuliffe, McDermed, Wallace. Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1308, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1335, Representative Welch. Mr. Clerk, please read the Bill.

Clerk Hollman: "Senate Bill 1335, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Turner: "Representative Welch."

Welch: "Thank you, Mr. Speaker. 1335 is an initiative of the Cook County State's Attorney's Office. It is similar to House Bill 2583, which we've already passed through this chamber this Session. We just made a minor tweak to it, with House Committee Amendment #1, which addressed which the... which addressed some small opposition that we received. It passed committee unanimously. I ask for an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1335 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please

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take the record. On a count of 115 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1335, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1340, Representative Sims. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1340, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Sims."

Sims: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 1340 extends the time... the reporting requirement for the school security and standards task force. And then Hou... House Floor Amendment #2 adds the reading instruction advisory group ex... extension... advisory group extension. I know of no opposition. It came out of committee with... unanimously. And I ask for a favorable Roll Call."

Speaker Turner: "Representative Feigenholt... Feigenholtz, would you like to speak on the Bill? So, the question is, 'Shall Senate Bill 1340 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives. Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1340, having received the Constitutional Majority, is hereby declared passed. Representative Feigenholtz, for what reason do you seek recognition?"

Feigenholtz: "Thank you, Mr. Speaker. I'd like to be recorded as voting 'aye' on Senate Bill 1335. My switch was not working."

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Speaker Turner: "The Journal will reflect your request, Representative. Thank you. Senate Bill 1344, Representative Beiser. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1344, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker and Members of the House. This is an initiative of the Illinois Asso... Illinois Association of Lake Communities. And what it does, for these common interest communities, right now, they have to have two-thirds of their members sign a petition to start the process to incorporate. This takes that down to 51 percent of the peoples in the... people in the common interest community."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1344 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', and 1 voting 'present', Senate Bill 1344, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1377, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1377, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have an initiative today from DNR. The intent of the Bill is to expand DNR's authority to penalize those who submit

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false information on their oil and gas applications. I urge an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1377 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar. Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1377, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1378, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1378, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, this is another initiative of DNR. This just allows them the process to clean up abandoned wells. And I ask an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1378 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon-Booth. Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1378, having received the Constitutional Majority, is hereby declared passed. Representative David Harris, for what reason do you seek recognition?"

Harris, D.: "Thank you, Speaker. A point of personal privilege, if I may?"

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Speaker Turner: "Please proceed, Sir."

Harris, D.: "If I... if I can introduce my two Pages for the day, Marianne Schraeder, who is from a middle school in my district, and her cousin, Pat Meredith, who is a... a freshman at Michigan State University. He's down here to see how laws are made. Now there's a scary thought. Let's welcome them to Springfield."

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

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

Speaker Turner: "Please proceed, Sir."

Ford: "Mr. Speaker, we have someone that represents our community, down there in your community, in Representative Lilly's community, and it's Westside Health Authority. Right here, give them all a big round of applause for all the work that they do to make the west side the best side."

Speaker Turner: "Thank you, Representative. And welcome to your Capitol. Senate Bill 1383, Representative Kelly Burke. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1383, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. Senate Bill 1383 creates the 'Achieving a Better Life Experience' account program. The acronym is 'ABLE'. ABLE was a concept that was put forth in federal legislation, passed the U.S. Congress in December of 2014 with broad bipartisan support. It has bipartisan support

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in the House as well. Leader Bellock, Representative Pritchard, Representative Fine, and I are the Sponsors. And what the ABLE program does is allows people with disabilities to set up savings accounts that are federally tax exempt. And they can use the proceeds of those accounts to pay for things that they need to achieve a better life experience, items that are not covered by insurance or through ei... either private insurance or public program. It allows them to have these savings accounts and not have their status jeopardized for Medicaid and... and other government programs. It will be housed in the... and administered by the Treasurer's Office, very similar to a college savings program. And so, we'd like to get this legislation authorizing the program, and then, we'll work, once the Federal Government promulgates all the rules for the program, the Treasurer's Office will work to put it together. It has a broad list of supporters. Many advocates were active in getting the legislation passed on the federal level and are supported at the state level. And I ask for an 'aye' vote."

Speaker Turner: "Leader Bellock."

Bellock: "To the Bill, Mr. Speaker. I want to thank Representative Burke for sponsoring this Bill and to tell everybody that this is a major, major Bill for all people with disabilities in Illinois. This is a federal legislation that now is to be implemented by each state in a careful way. But this will help people with disabilities throughout the entire United States and we're one of the first, I think, one of the first states to put this forward. And if you'll look at the proponents on your Bill, you'll see every major group that

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supports this. Just to show you, this was the main initiative at the Autism Walk at Soldier Field this last Sunday, and they raised \$1 million in support of research and to support people with disabilities. Thank you."

Speaker Turner: "Representative Burke to close."

Burke, K.: "This is a fantastic legislation. It can benefit people in every single one of our districts. It... it's something that advocates for folks with disabilities have been asking for for years. I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1383 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hernandez. Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1383, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1388, Representative Fortner. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1388, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Fortner."

Fortner: "Thank you, Speaker, Members of the House. Senate Bill 1388 standardizes and codifies common practice with effect to IDOT, simply providing for temporary stop signs so... to be used when power goes out."

Speaker Turner: "Representative Davidsmeyer."

Davidsmeyer: "I rise in support of this Bill. This is actually comes from something that happened in my district. And I

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appreciate Representative Fortner for picking this up and running with it. Thank you much."

Speaker Turner: "Representative Fortner to close."

Fortner: "I'd urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1388 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Andrade. Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1388, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1389, Representative Zalewski. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1389, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 1388 allows for the use of therapy dogs when the victim of a... a child victim of a sex or violent crime appears in court. We had Mitchell the dog in committee to... to show... to show us how to do this... to show us what a... a therapy dog is. It's an important Bill. I believe Illinois would be the first state in the country to allow therapy dogs to appear in court to help victims testify. I'd ask for an 'aye' vote."

Speaker Turner: "Representative Barbara Wheeler."

Wheeler B.: "Hi. I forgot what I'd say."

Speaker Turner: "No?"

Wheeler B.: "I am in full support of this Bill. This Bill has gained so much momentum with... starting with the Lake County

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State's Attorney, and with advocate programs. I urge a strong 'aye' vote as well as becoming involved in this program in your own community. Thank you."

Speaker Turner: "Representative Cabello."

Cabello: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Bill. I've unfortunately investigated these types of crimes for five long years, and anything that we can do to make sure that the children are taken care of, from beginning to end, would be the... excellent. They go through some pretty tough situations. And I respectfully ask for an 'aye' vote."

Speaker Turner: "Representative Zalewski to close."

Zalewski: "Hi, Barbara. I'd ask for... I'd ask for an 'aye'... 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1389 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1389, having received the Constitutional Majority, is hereby declared passed. Representative Wheeler, for what reason do you seek recognition?"

Wheeler B.: "Point of personal privilege."

Speaker Turner: "Please proceed, Representative."

Wheeler B.: "I have now, within the last week, have lost my train of thought both in caucus and on the floor, and I apologize. And I'd like to know if there's an Alzheimer's Task Force that perhaps I should start, or if there is one, please remind me. Thank you."

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Speaker Turner: "We'll get you some help, Representative. Senate Bill 1408, Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1408, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Turner: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Lar... Ladies and Gentlemen of the House. Senate Bill 1408 does not deal with anything in Cook County, so Cook County is exempt. It says that outside of Cook County, if you are a recycling facility and... you can only be charged a fee of \$2 thousand or if you are in a beneficial-use facility, a fee of \$1500. This does not affect other agreements between local governments and these facilities. I ask for a favorable Roll Call."

Speaker Turner: "Representative Sandack."

Sandack: "Thank you, Mr. Speaker. An inquiry of the Sponsor, please."

Speaker Turner: "He will accept your inquiry."

Sandack: "Thank you. Jay, will this preempt Home Rule?"

Hoffman: "Yes, it would. But it doesn't... but it excludes Cook County."

Sandack: "Okay. And then, an inquiry of the Chair then, Mr. Speaker. Will this require 71 or... more than 60 votes? Will this require a supermajority?"

Speaker Turner: "Well, let me get an answer for you, Representative."

Sandack: "Thank you."

Speaker Turner: "Representative Moeller."

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

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Speaker Turner: "The Sponsor will yield."

Moeller: "Thank you. Does this... does this Bill negate a host agreement, or a contract that a municipality might have with a third party recycling company?"

Hoffman: "It... it's my intent that it will not negate any agreements... host agreements that they would have."

Moeller: "Okay. So, tipping fees that have been negotiated between a municipality and a third party would not be subject to this legislation?"

Hoffman: "That's correct."

Moeller: "Okay. Thank you very much."

Speaker Turner: "Representative Sandack, to answer your question, this... this piece of legislation will take 60 votes to pass. Representative Hoffman to close."

Hoffman: "This will... would limit the... the fees that can be charged for these types of recycling facilities or beneficial-use facilities. I think it's a business-friendly Bill. And I ask for a 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1408 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 Golar, Pritchard, Sente, Wallace, Jones. Have all voted who wish? Mr. Clerk, please take the record. On a count of 90 voting 'yes', 24 voting 'no', and 0 voting 'present', Senate Bill 1408, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1410, Representative Gabel. Mr. Clerk, please read the Bill."

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Clerk Hollman: "Senate Bill 1410, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker and Members of the House. This Bill creates a Certificate of Religious Exemption and asks that parents filing for this exemption have their health care provider sign this form, signifying that they had a conversation with the parent about the health benefits and risks of immunization. This is a negotiated Bill. It was agreed upon in the Senate. Laura Cellini, who's been a big advocate, has agreed to this Bill. The Bill will not, in any way, change any definition of religious exemption, nor will it change where this form is submitted. It continues to be submitted to the school. I would appreciate an 'aye' vote."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. Representative, is this the right Bill today?"

Gabel: "It is."

Flowers: "Thank you, thank you. So what is the law today, Representative, that you have changed that would necessitate this legislation? Because there's already the law dealing with the religious exemption in regards to immunization."

Gabel: "Yes. All this Bill does is that currently parents just write a note, and submit it to the schools that they have a religious exemption. What this law does is it has... creates a new form that they then have to bring to the doctor, and the doctor signs off that they educated them about the benefits and risks of immunization."

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Flowers: "So, your Bill is now saying that the person that gave birth and responsible for taking care of the child, their word is not good enough. Their signature is not good enough. Now the parent have to get permission from a doctor to authenticate that they were educated..."

Gabel: "No."

Flowers: "...on this issue. Now, why would you think that they're not educated in the first place? That's number one question."

Gabel: "Okay. There's a lot of... there's a lot of misinformation that goes around about immunizations. The immun... the religious exemptions have increased in this state, and they are the fifth... we're the state with the fifth most number of religious exemptions. There's one..."

Flowers: "That's the law, Representative."

Gabel: "I understand that."

Flowers: "They're entitled to that."

Gabel: "I understand that."

Flowers: "And so, if..."

Gabel: "They've gone from..."

Flowers: "...if there's an increase, that is the parent's right. So, why are you..."

Gabel: "That is their right, and it will continue to be that right."

Flowers: "And so, but as a result, you want someone else to authenticate and give the parent permission to say it's okay. But let me ask you this. What happens, Representative, if that doctor decide that he does not want to give that parent that authorization. Then what?"

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Gabel: "Okay. So, the doctor is not giving authorization. He is making no... he or she is making no decision about the religious exemption. All they are doing is signing the form saying that they have educated the patient to their... the benefits and risks. If that doctor does... refuses to sign the form, then the parent can sign a note under that, and say, I went for... I... this... I went to the doctor, but the doctor refused to sign the form."

Flowers: "And then..."

Gabel: "And then the school has the right as to whether they accept that or not."

Flowers: "The school has... right now, all the parent have to do is write a letter without going to the doctor. That..."

Gabel: "Well, the doctor... if the... there... there's no additional doctor visits. This form is going to be required at kindergarten, sixth grade, and high school. It's the same time when... when children have to get physicals anyway..."

Flowers: "Representative, I..."

Gabel: "...so there's no additional visit to the doctor."

Flowers: "Representative, I think you're missing the point. The point that I want to make... to the Bill, Ladies and Gentlemen. The point that I would like to make about this legislation, I know the importance of immunization, and we already have an exemption today. But right now, this Bill... if this Bill were to become law, as a parent we would lose our authority over our children and the decision that we would like to make. And this Bill is saying that a doctor would have to authenticate... I would have to get permission from the doctor. And once again, I just want to read to you what a Supreme Court

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decision has said about the rights of a parent and their child. The Supreme Court has repeatedly held that parents possess the fundamental rights to direct the upbringing and the education of their children. Furthermore, the courts declare that the children are not mere creatures of the state. Those who nurture him and direct his or her destiny have the right, coupled with the duty, to recognize and prepare him for additional obligations. The Supreme Court further goes on to say and criticizes the State Legislators for trying to interfere with the powers of the parents to control the education of their own children and the health care. In Meyer, the Supreme Court held that the rights of parents to raise their children free from unreasonable state interference is one of the unwritten liberties protected by the due process clause of the 14th Amendment. And the only thing that I'm saying that that 14th Amendment means something to me, and it should mean something to each and every last one of us. And if I have to start getting permission today, what else down the line will I have to get permission for? I would urge everyone, and I'm clearly stating it, I will urge everyone to vote 'no' on Senate Bill 1410. This is a bad Bill. This is interfering with parents' rights in this state. Thank you."

Speaker Turner: "Can we please bring the noise level down in the gallery? There's debate going on. Thank you very much. Representative Bellock, for what... Representative Bellock is recognized."

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

Speaker Turner: "The Sponsor will yield."

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Bellock: "Thank you. So, Representative Gabel, if the health care... we had a lot of discussion on this in committee, but I just wanted to go over one question. If the health care provider refuses to sign the religious objection form, for any reason, this... this does not invalidate the form and the requirements of this law. Is that right?"

Gabel: "That's my understanding. I... I would suggest that the parent would sign underneath and say that they brought the child, that they were educated, and... and then the school makes the final decision."

Bellock: "Okay. 'Cause that was my not... my next question is could the parent write on the form that the health care provider refused to sign the form?"

Gabel: "Yes."

Bellock: "Okay. Thank you very much."

Gabel: "Sure."

Speaker Turner: "Representative Andersson."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "Thank you. Representative, I have one question regarding the mechanics of the... of the exemption. The... the actual language of the statutory Amendment at one point says, the local school authority is responsible for determining if the content of the certificate of exemption constitutes a valid religious objection. The content constitutes a valid religious objection. I want to be clear. We're not asking local government to decide if my religious beliefs are sufficient. This is just more of a check-the-box, that in fact, they have stated some religious objection, correct?"

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Gabel: "Correct. This language actually was... is... is currently in the statute. So it was just at... it was just part of the... of the Bill. They do not... they cannot decide on if that person's religious objection is valid or not, just that they have filled it out the form."

Andersson: "Thank you very much."

Speaker Turner: "Chair recognizes Representative Monique Davis."

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

Speaker Turner: "The Sponsor will yield."

Davis, M.: "Who is EverThrive?"

Gabel: "EverThrive is a coalition of organizations... statewide organizations that... that work to improve the health of women and children in Illinois."

Davis, M.: "Now, the legislation that you passed yesterday, in reference to all child care workers having to be immunized, the Department of Children and Family Services were opposed to that deal. Is that correct?"

Gabel: "They were neutral."

Davis, M.: "No, they were opposed. I talked to them this morning."

Gabel: "Well..."

Davis, M.: "They were opposed..."

Gabel: "...they were..."

Davis, M.: "...and they told me why. Because it would cost \$300 per person, and they weren't sure who would be responsible for that, but that's passed."

Gabel: "That is passed."

Davis, M.: "Now, on this Bill, when students in kindergarten... in the sixth grade are required to have physical exams?"

Gabel: "Correct."

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Davis, M.: "Okay. So if they go to school, and they have the doctor statement, everything is fine. Is that correct?"

Gabel: "Pardon?"

Davis, M.: "Is this for the children or the parents?"

Gabel: "This is for the children."

Davis, M.: "Okay. So if they go to school, and they have a doctor's statement that they had the immunization, everything is fine."

Gabel: "Correct."

Davis, M.: "But if a parent said I really don't want my child vaccinated at this point. What right does that parent still have?"

Gabel: "In Illinois, there are two ways that you cannot have your child immunized. One is if they have a medical exemption, and the second is if they have a religious exemption. That is the current law in Illinois."

Davis, M.: "So your Bill does exactly what to that current law?"

Gabel: "My Bill... what it says is that if somebody chooses to have a religious exemption, then they need to fill out a Certificate of Religious Exemption."

Davis, M.: "Okay. Who's going to keep these certificates? Who's keeping all these certificates?"

Gabel: "What?"

Davis, M.: "Who's keeping them? Who's keeping them?"

Gabel: "Department of Public Health."

Davis, M.: "So then, the parent fills out a... a certificate..."

Gabel: "They submit it to the school..."

Davis, M.: "...and then they... they submit it to the school..."

Gabel: "...actually the school hold it... the schools hold them."

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Davis, M.: "...they send it to the school..."

Gabel: "Yes."

Davis, M.: "...and then the school submits it to... where's the school send it?"

Gabel: "The Department of Public Health."

Davis, M.: "And the Department of Public Health now keeps these records?"

Gabel: "That's my understanding."

Davis, M.: "And what about the so-called edu... education of the parent, some place where it says that the physician will sign a paper that he did ed..."

Gabel: "That's the Certificate of Religious Exemption, and that... that states the parents' religious exemption. And then, it also states that the doctor educated the parent about the benefits and risks of immunization. And they sign that form."

Davis, M.: "To the Bill, Mr. Speaker. In the State of Illinois, we have not had an outbreak of any unvaccinated or vaccinated childhood diseases. We had five cases in Palatine, Illinois. Five cases of measles in one child care center, so we changed the whole State Law. We're acting as if some major outbreak of measles or childhood diseases have taken over in the State of Illinois, and it's just not true. And what happens is, we pay for this as taxpayers. Now the department has to have someone maintain all these records of this immunization... of these signatures coming in and make sure that they're there. It's just extra paperwork. And I don't know who gets the contract to do this, but it's not fair to the rest of us. It's just not fair to the rest of us. The Governor wants to reduce the spending in the State of Illinois. And when we

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look at some of these Bills that are frivolous, frivolous and overweight... I'm a mother. I belong to whatever religion. I don't want this child vac... vaccinated, so I take this to the school. But now the Department of Public Health, or Human Services, or DCFS, they all have to be involved and keep a record of this. It is overkill. It's overkill. I urge a 'no' vote."

Speaker Turner: "Representative Morrison."

Morrison: "Thank you, Mr. Speaker. To the Bill. You know, Representative Davis's comments, I think were spot on. I think Representative Flowers' comments were spot on. This... this is an overreach. This is an overreach. And you know, Palatine, Illinois, was mentioned. That day care center is less than a mile from my home. That day care center is less than a mile from my home. All of those measles cases were for children under the age of one. They weren't supposed to get a vaccination anyway. They were not supposed to get a vaccination anyway. We have a religious exemption for immunizations. I think it has been working. As a child, there were some shots that I did not get, some that I did not get. That was my parents who were... who were overseeing my health care. As... now as a parent, we have immunized our kids. But that's a decision that should be left in the hands of parents. So I don't think this Bill is necessary. And I would urge a 'no' vote."

Speaker Turner: "Chair recognizes Representative Willis."

Willis: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Turner: "The Sponsor will yield."

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Willis: "With this, are... am I correct in saying that we're not asking for an additional doctor's of... visit, just at their regular visits that they're getting for their..."

Gabel: "Correct."

Willis: "...school physicals?"

Gabel: "Correct."

Willis: "And we're just expanding that form to have a place where the doctor can state that they discussed immunizations with the parent?"

Gabel: "Correct. There... there's no additional paperwork. There are no additional burdens to the state with this Bill. This is..."

Willis: "And... and the doctor will not be stating one way or the other whether they advise the parent to change their plans on immunization. The parent still has total authority to make their informed decision. Am I correct?"

Gabel: "You are correct. The doctor's only stating that they have provided the parent with information about the benefits and risks."

Willis: "Thank you. So, to the Bill, Members of this... I have four children. They have all been immuni... immunized. That was my decision. But I think it's also very vital that we do realize that where this outbreak took place, these children were not given that opportunity because they were too young. But they were infected by somebody that was not immunized. And that's something that we need to make sure, that we are aware that people understand the risk that they can bring to others that don't have that option to get immunized, due to their age, maybe due to a medical reason, if they're going to be in a

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situation. So I think that this Bill doesn't really necessarily add undue burden of more paperwork to our system. We're doing something that is already being done. You're going for your school physical. And we're just asking the doctor to take a minute to inform the parent the pros and cons on immunization. It may very well be that the doctor may say due to the child's medical background, it might not be to their advantage to get immunized. But they're simply stating on that form, I've talked to this parent, that they are making their good informed decision. I don't think this takes away parental control. I just think that it actually adds to it. It allows these parents to be better informed. And I would strongly urge an 'aye' vote on this Bill. Thank you."

Speaker Turner: "Representative Ford."

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

Speaker Turner: "The Sponsor will yield."

Ford: "Representative, I just have two questions. Under current law, a parent has a right to opt out of getting these shots. Is that correct?"

Gabel: "Only if they have a religious exemption for their child, or if they have a medical... if there's a medical issue."

Ford: "And under current law, if the parent wants to opt out of the test, they will be granted without question. Is that correct?"

Gabel: "Pardon? They still have to submit a letter to the school st... stating what their religious exemption is."

Ford: "Will it have to be approved, or is it automatic?"

Gabel: "Pardon?"

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Ford: "Will the school have to approve the exemption, or is it automatic?"

Gabel: "Yes. The... yes. The school is... yes, the school has a responsibility to... to review the exemption."

Ford: "And... and under what guides will the school have a right to object to and deny the exemption from these shots?"

Gabel: "They will just... they will just look to see that it meets the law. The law says that an objection must set forth the specific religious belief that conflicts with the exam or immunization."

Ford: "And if this Bill should pass, how would that change?"

Gabel: "It would not change it at all. It just has a new form that the parents would fill out, instead of a piece of paper. And it has the doctor sign the form when they go to the doctor for their regular physical exams, stating that they gave the parent information about the benefits and the risks."

Ford: "So right now, a letter to the school is not enough just to be... for a child to be exempt from the procedures. That's what you're saying."

Gabel: "It... it will not simply be a... it will be a letter, but that the letter will be on a particular form, and it will have a doctor's signature on it."

Ford: "And so, now, if this Bill passed, the doctor has the authority to make the decision."

Gabel: "No. The doctor does not have the authority to make any decision. The parents have the right for a religious exemption. They will submit that form to the school. Same as it is today."

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Ford: "I'm still a little confused. So why do we... what would be the purpose of doing this?"

Gabel: "Purpose is that there is a lot of misinformation out there about the benefits and risks of immunizations and that... that many of the advocates felt that it was important and... including... including EverThrive, every health department in the state, the Illinois Chapter of the American Academy of Pediatrics, the Illinois Academy of Family Physicians, the Society for Advanced Practice Nurses, Ounce of Prevention Fund, and as I said, Illinois Association of Public Health Administrators, feel that it's important for parents to have the information that they need to make the right decision."

Ford: "Okay. So the purpose is, we believe that parents are not informed enough to make the decision."

Gabel: "Some parents may not be. This is just to ensure that the parents get the information they need to make an informed choice."

Ford: "Okay. Thank you."

Gabel: "But they're... they continue to have the same rights as they have always had, is that they have a religious belief, they... their child does not have to be immunized."

Ford: "Thank you."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "The Sponsor will yield."

Zalewski: "Will, what's the... Robyn, what's the nature of the religious opt out, at this point? What... what does a person have to say to achieve it?"

Gabel: "I think I just read it. Let me look."

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Zalewski: "I'm sorry."

Gabel: "Where is it? This one. Yes. It says, according to Illinois law, an objection must set forth the specific religious belief that conflicts with the exam or immunization. The religious objection may be personal and need not be directed by the tenets of an established religious organization. So, apparently, it's happened."

Zalewski: "But... but in your... in your opinion, speci... specificity is not what's occurring right now, right? There... that no spec... a person could legitimately walk into their doctor's office and say, my conscience simply doesn't allow me to immunim... immunize my kids. Ergo, I wish to use this exemption to..."

Gabel: "They submit it..."

Zalewski: "It's a word."

Gabel: "...they submit that... they would put that on the form, and the form is submitted to the school. The doctor would make no decision about if that's a religious exemption or not. It is not up to the doctor to make that decision. The decision is up to the school. I have not known of any school to say, I... I don't accept your religious objection. It can't... as I said, it does not have to be with any religious organization. It can be your personal religion of one, that in your... in your religious views, that this is not something that you want to have for your child."

Zalewski: "And why is the Department of Public Health... Illinois Department of Public Health neutral on this Bill?"

Gabel: "Oh. Because as you know, the departments are all new and they're all trying to figure out which way to go and what forms do they need and not need. It's that... it wasn't a... they..."

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they do believe that... they strongly believe that immunizations are important. But I think that there was just still some... they're just not exactly sure what they're doing yet."

Zalewski: "Can they take direction from the 65 or so local department of public healths that are proponents of the Bill?"

Gabel: "You would think they would."

Zalewski: "Okay. And when there's an outbreak, isn't it fair to say that the... the Department of Public Health expends taxpayer money on education, on press, on alerts, to try to... make people aware of what they should and shouldn't do in the case of an outbreak like we had this past... this past year?"

Gabel: "Yes. All those expenses, as well as investigators to try to track down and figure out the source of the... of the immun... of the infection."

Zalewski: "To... to the Bill. I guess I can understand the... the concerns raised pr... previously. But let me just say what was... echo what's been said before. I have a 1-year-old daughter who can't get the measles vaccine. And we had to avoid taking her into public spaces this... this year because we weren't sure if there was going to be someone with the measles contamination in the same space. There's something called herd immunity. And what that means is we have to rely upon everybody getting the vaccine, so that those who cannot get the vaccine are protected. That's the way it's supposed to work. Forget about the fact of individuals opting in or opting out. Herd immunity is a big part of medical education and preventing disease out... outbreaks. And that's why every single local department of public health is in favor of this

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Bill. It's a good Bill. We need to tighten up these criteria. I str... I really wish the Illinois Department of Public Health were as proponents of this Bill because it's excellent legislation. And it deserves an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Moffitt."

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

Speaker Turner: "The Sponsor will yield."

Moffitt: "Representative, I... I didn't hear this asked. If... if it was, then my apologies. But on the form that parents would have to get, if it's to... for religious objection, are we making it more difficult for them to... to get that, or where would they get it? How complicated is... would this make that? Where is it available?"

Gabel: "The Department of Public Health would make it available to the school districts for them to provide to the parents."

Moffitt: "So you think it would be, simply, the parent would get the form from the school..."

Gabel: "Yes, for their local school."

Moffitt: "...not really complicating that much if they... they say to the school, we do not want..."

Gabel: "Correct."

Moffitt: "I would think Public Health might even have them online, but as long as the school had it, that would make it pretty much simp... pretty simple, pretty much available."

Gabel: "Yes."

Moffitt: "Thank you."

Gabel: "It would be available at the school."

Moffitt: "Thank you."

Speaker Turner: "Chair recognizes Representative Will Davis."

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

Speaker Turner: "The Sponsor will yield."

Davis, W.: "Representative, can you clear something up for me? It seems like..."

Gabel: "I will try."

Davis, W.: "...I heard an earlier debate that it is possible that if a parent has made a decision that they don't want their child to receive a immunization, that the parent can, based on their own feelings, ask for this religious exemption. Is that correct?"

Gabel: "A parent... you can... you can ask for either a religious exemption or a medical exemption, if there are medical reasons for the child not to have the..."

Davis, W.: "Okay. Well, again..."

Gabel: "...the immunization."

Davis, W.: "...but if a parent has just their own feeling about whether or not they want their..."

Gabel: "There is not a philosophical exemption in the State of Illinois."

Davis, W.: "There is not a philosophical..."

Gabel: "There is not a philosophical exemption."

Davis, W.: "So, if I... if I'm a parent, and I go to the school, and I just say, I don't want my child to get a... a vaccination. And they say, well, is there a religious reason or... And I go, no, I just don't want it. And they say, well, we can't offer it to you because we only allow for religious exemptions. And then the parent goes, well, I believe that I don't want my child to get a vaccination. What would the school do? Are they going to deny the parent?"

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Gabel: "No. No. The child would... the school would then have to accept it, if the parent says I have a religious exempt... I... according to my religion, I don't want my child to be immunized, then they would not..."

Davis, W.: "Even... even if that's really not why they want to have it? I'm... I'm just trying to be clearer."

Gabel: "Yeah, if they say that's the reason, then that's the reason."

Davis, W.: "Okay. So..."

Gabel: "Nobody's going to question their... their faith."

Davis, W.: "No one's questioning their faiths, but they will question their personal beliefs."

Gabel: "They will not question if... if the... if the parent says that it's a religious exempt... asking for a religious exemption, then they will have that religious exemption."

Davis, W.: "So, if it's not a... if the parent just says, I don't want my child to have it. The school will say, no, your child has to have it."

Gabel: "That's the law in Illinois and in most other states."

Davis, W.: "Okay. So the... the legislation only signals for..."

Gabel: "We don't change... we don't change that aspect of the law at all."

Davis, W.: "You don't... well, I understand you don't. I'm just trying... it sounds like earlier, it sound... it seems like that could be a valid reason why. And I'm just trying to make sure it's not..."

Gabel: "That's not."

Davis, W.: "...because the Bill is about a religious exemption."

Gabel: "Correct."

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Davis, W.: "Well, what if there's really no real religious reason why a parent doesn't want their child to have an... a immunization?"

Gabel: "Well, then, the... the law, as currently states, they could... they would... they would not be available for an exemption."

Davis, W.: "Thank you."

Speaker Turner: "Representative Crespo."

Crespo: "Thank you, Speaker. I give my time to Representative Flowers."

Speaker Turner: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I want to make it perfectly clear that I do not object to current law, in regards to immunization. What I object to, in this particular Bill, is I have... the doctor already is authenticating whether or not I have the exemption or not. This Bill is asking that I get a certificate from the doctor. It's not enough that my medical records have to go to the Department of Public Health, as well as the schools. It's now my medical record and I have to ask this doctor for this certificate. And I have to... he's assuming that I've never taken my doc... my child to the doctor before. And I have to listen to what it is that he has to tell me. And he can make a decision on whether or not he wants to sign off on this. The Department of Public Health is against this Bill as well. So it's not that I am against immunization. I do know that there is the exemptions. There's two exemptions that's already out there. The only thing that I'm saying is this legislation is not needed. And once again, I would urge a 'no' vote."

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Speaker Turner: "Representative Gabel to close."

Gabel: "Thank you... thank you very much. And thank you all for this vibrant discussion. As you know, measles are... is the greatest vaccine-preventable killer of children in the world today. Vaccinations have prevented innumerable deaths in this country and in this state. This Bill is a... is a good public health Bill. The Department of Public Health is neutral on this Bill. They are not against it. Doctors will not be able to make decisions on whether there isn't a religious exemption or not. They are only stating that they have provided parents with the necessary information that they need to make this decision. I believe that this Bill protects children, and it also protects the rights of the parents. I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 1410 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 85 voting 'yes', 28 voting 'no', 4 voting 'present', Senate Bill 1410, having received the Constitutional Majority, is hereby declared passed. Representative Kifowit, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Sir."

Kifowit: "Today, I want to welcome and introduce, along with State Representative Fran Hurley, and Senator Hastings, two...Excuse me. Can I get a little bit of quiet?"

Speaker Turner: "Thank you, Members. Please bring the noise down."

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Kifowit: "Thank you, Speaker. Welcome and introduce two brave parents who traveled down from the south suburban of Chicago, Mr. Mike Blaha and Mrs. Sue Blaha of Orland Park. They are to my right. If they'd like to stand and be recognized. Mike and Sue are exceptional parents of three children, Ron, Melissa, and Ann Marie. Mike is a deputy police chief of the Village of Orland Hills, and Sue is a nurse at the local hospital. Unfortunately, tragedy happened to their family when their daughter, Ann Marie, committed suicide at the age of 11. Rather than doing nothing, they started a not-for-profit organization, a scholarship foundation, and took the initiative to ensure that parents and educators across Illinois are aware of the signs of suicide and that preventative measures are in place. They traveled to Springfield and worked hard for all families across Illinois. Ann Marie's Law, which I appreciate, Members, we just passed out of the chamber, and shortly will be on the way to the Governor's desk, will do just this: it will ensure that schools across Illinois will have policies that bring awareness to youth suicide and prevent further tragedies. Representative Hurley, myself, Senator Hastings, along with the Blahas, believe that if we can save one life, and hopefully more, we will have fulfilled our mission in this world. They are great parents, continuing to serve and protect our community. And I would like for everyone to stand and honor this great family. Thank them for being part of the Democratic process, and give them a warm, Springfield welcome."

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Speaker Turner: "Thank you, Representative. Mr. Clerk, HJRCA26.
Speaker Madigan."

Madigan: "Mr. Speaker, and Ladies and Gentlemen of the House,
this Constitutional Amendment would provide that for
Illinoisans that file an Illinois income tax return, which
indicates an adjusted gross income of over a million dollars,
that the amount of income over a million dollars would be
subjected to a three percent surcharge for distribution to
local school districts on a per pupil basis. We estimate that
using the 2012 numbers this would have resulted in a
distribution of \$489 per pupil in the first year of the
effectiveness of the tax. The Resolution would provide that
the surcharge would be effective for tax year 2017. And we
estimate that it would... it would net to the state about \$1
billion a year for this distribution to the local school
districts. Mr. Speaker, I'm available for questions."

Speaker Turner: "Chair recognizes Representative Sandack."

Sandack: "Thank you, Mr. Speaker. Will the Speaker of the House
yield for a few questions?"

Speaker Turner: "He indicates that he will."

Sandack: "Thank you. Mr. Speaker, obviously, this important
potential Constitutional Amendment isn't occurring in a
vacuum, but rather is a product of some historical votes and
policies that have brought us to this point. And what I'd
like to do is ask you some questions about some prior
activities that may have compounded the fiscal issues facing
Illinois and perhaps put this requested vote into its proper
context. So if you will, my research indicates that in the
85th General Assembly SB236 was a pension sweetener for

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downstate police, fire, and IMRF, basically a pension enhancement p... per package that you voted in the affirmative on. Do you have any reason to believe that that's not the accurate record that occurred in the 85th General Assembly?"

Madigan: "I'll take your word for it."

Sandack: "So, too, in the same 85th General Assembly, Sir, House Bill 2715 was a pen... a pension enhancement for Cook County and Chicago pension systems. Same question, Mr. Speaker. Do you have any information to indicate that the record I've seen is not correct?"

Madigan: "I'll... I'll take your word for it, again."

Sandack: "Thank you. And I'll cut to the chase so we don't have to go through this. The most important, in some estimations, votes that occurred, occurred in the 95th General Assembly, SB95, which was somewhat of an infamous Roll Call that put the three percent compounding COLA on to the various pension systems. Do you recall that vote, Sir?"

Madigan: "I'm sure you're ready to help my recall."

Sandack: "Well, we'll get to that maybe later. But you... do you recall obviously that pretty important piece of legislation?"

Madigan: "Somewhat, yes."

Sandack: "Okay. Well, and maybe a little more in the recent past was the so-called '95 pension ramp. Do you remember that vote, Mr. Speaker?"

Madigan: "Again, somewhat."

Sandack: "Okay. And without going through the other pension holidays and pension sweeteners, it would be fair and accurate to... to say that this august House, along with the Senate and the various Governors, have signed on to legislation that has

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compounded the pension problems in a variety of directions, from the contributions being not made to borrowings occurring and to benefits being enhanced."

Madigan: "Mr. Sandack, I have no reason to disagree with your rendition of history. I'm simply offering an opportunity for the voters of Illinois to vote on a Constitutional Amendment that would provide revenue for local school districts. The local school districts could decide how they wish to spend that money. They could spend it on a contract negotiation. They could dedicate it to pension payments. They could dedicate it to capital improvements. That's the essence of this Amendment."

Sandack: "Well, and I... and I certainly wouldn't quibble with that explanation, but of course the essence of your explanation begs a little bit of the question that we need revenue, and... and some of the history that I've been putting in context and maybe others will speak to it as well, indicates that we have frankly spent more than we can pay for, that we've extended benefits and did things to the pension systems that have put us in a pretty precarious financial state. And so, I guess with all due respect, we have caused this problem. And now the problem we have caused we're asking for more revenue to address these issues. And do you have any response to that question, Sir?"

Madigan: "I think your line of reasoning relates to the condition of what we characterize as the five state pension systems, four of which were subject to Senate Bill 1, which was recently up before the Illinois Supreme Court. Again, if... if you wish to speak to the history of the financial condition

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of this pension systems, that's your prerogative. My purpose today is to talk about a Constitutional Amendment to give more money to school districts."

Sandack: "Thank you, Mr. Speaker. Mr. Speaker, to the proposed Constitutional Amendment. I thank the Speaker for his answers to the questions and obviously, anyone interested in seeing the history of some Bills, some spending, some reckless spending, some callous pension increases, some increases to debt, some bond issuances, need no... need only look at the 83rd General Assembly to about the 96th General Assembly. And now, essentially, the problem makers wish to be the problem solvers by asking taxpayers to come out of their pockets yet again, without doing the real work necessary to solve our state's financial problems. I would suggest that this is not a millionaire's tax but rather a migration impetus, because the people this Speaker and this legislation seeks to tax, these people have the ability to leave, and they can and they will. And there's a body of evidence that suggests this is not a net gain, but actually a net loss. So I would ask those that are contemplating voting for this solution, it's not a solution, but rather another problem being added to the state's back, and the back payers of the taxpayers because if this is enacted, do you know who's going to pay this tax? The people that remain. And they won't be the millionaires because we'll be pushing them out of the state. We ought to be encouraging job creators. We ought to be encouraging people to aspire, and we ought to be asking them to stay in Illinois, build their future here, create jobs, and create wealth for everyone. We need to add taxpayers to the roll, not push them

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out the door. I encourage a 'no' vote. Thank you, Mr. Speaker."

Speaker Turner: "Leader Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Turner: "Sponsor will yield."

Durkin: "Speaker, just a few preliminary questions and I'll just speak to the Bill. In the language, it references 'notwithstanding subsection (a) of Section 3 of this Article'. Could you educate this... this Body of what 'Section (a) of Section 3' is?"

Madigan: "Mr. Durkin, are you looking at the language that establishes the Illinois income tax as a flat-rate tax?"

Durkin: "I'm just reading... I... the first line of the... of the Amendment, 'notwithstanding subsection (a) of Section 3 of this Article'. Would that be the... I just... just need some education of what exactly that Section is."

Madigan: "Yeah, I'm not in the position to answer your question because I'm told that that language is not in the language of the Constitutional Amendment. I don't have it in front of me."

Durkin: "Well, I'm... I'm looking at it right now. And... and at this is HJR26 and the others maybe can... they could talk about another Section in this language. After it says 'notwithstanding subsection (a) of Article III of this Article and in addition to any other tax', I'd like to know, through your counsel, what are we talking about when we talk about 'and in addition to any other tax'?"

Madigan: "Mr. Durkin, the Illinois Constitution provides that the Illinois income tax will be a flat tax. And what's being

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proposed in this Constitutional Amendment would be in addition to the already established income tax."

Durkin: "Thank you. I wasn't here for the first line of questioning, but if this was to pass both chambers, would this require the signature of the Governor?"

Madigan: "The answer is no."

Durkin: "I'm sorry, what, no?"

Madigan: "The answer is no."

Durkin: "Okay. If this does pass both chambers, what election cycle would we see this?"

Madigan: "It would appear on the ballot in November of 2016."

Durkin: "Would it be in the Primary or General Election?"

Madigan: "General Election."

Durkin: "How many questions... how many Constitutional questions can be placed on the 2016 ballot?"

Madigan: "The... the General Assembly can provide for the Amendments of up to three Articles of the Constitution."

Durkin: "So, if this does pass, it'll allow the Legislature to pass two other Constitutional Amendments to be placed on the ballot, which would not be advisory. They'd be binding, correct?"

Madigan: "Yes."

Durkin: "Okay. We have a pretty strong feeling over here about one of our Constitutional Amendments which we have talked about for a number of years, and it's HJR #1, term limits. Would you entertain a public vote on HJR #1 to be the second question for the 2016 Constitutional Amendment question?"

Madigan: "Yeah, Mr. Durkin, I support term limits as administered by the voters of the state."

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Durkin: "How about HJR Constitutional Amendment 1?"

Madigan: "Again, I would suggest that the voters are very capable of administering term limits."

Durkin: "Okay. Since 1997, there were 10 different Constitutional Amendments that were introduced, each one of them died a slow death in the Rules Committee, 10. 19.. 98th General Assembly, 8 Constitutional Amendments that were introduced regarding term limits all died in the Rules Committee. And the 99th General Assembly, as we are, right now there are five Bills that deal with term limits. I think that shows to me, and that's bipartisan, that it's not just a Republican or Democrat issue. But I do believe that we should have a public hearing. We should be given a fair debate on HJR1, regarding term limits. To the Bill. And we'll hear a lot about what this is going to do for revenue, but I think, folks, we just need to look and see what has happened in other states. It hasn't been productive. Particularly look at the states of New Jersey, and look at New York, and Maryland for that matter. And each one of those states, people voted with their feet, they left. It's been chronicled. It's been clearly the case. And I think it's unfortunate if we go down this road when we are in such a desperate situation on job growth and making Illinois a productive state to move in this direction. It's the small businesses, it's the farmers, the ones who will be affected the most, and they will leave. And when they leave, it's not just their income, but it's going to be the employees who wil... who will be out of a job. We'll add them to our roll of unemployment in Illinois, and that's unfortunate. Now, I'd like to talk about... this is, I think, one of the folks that

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I... before I get to that, I just want to talk about what the very... I think a very independent newspaper said about a year ago, the *Northwest Herald*, when they talked about this issue of the millionaire's tax. They stated, it's a job killer. More than 80 percent of the 13,675 injury... individual Illinois returns filed with income over a million in tax year 2011 are small businesses. The timing of this proposal clearly was meant to be a political attack against Rauner. By creating class warfare, the Democrats hope to distract from their failed Leadership. *Northwest Herald*. But I also want to read a line that was made by a very courageous Democrat, the Gentleman from McHenry. And I'm reading his... in a Reboot Illinois, he stated, the answer to Illinois's problems is not higher taxes on anyone. I am very worried about an exodus of our state's highest iniser... its highest earners. Tax migration by individuals and small businesses that file as individuals is a very big concern, and one that has extremely long-term implications. I generally don't agree with Representative Franks, but I do agree with him on that. I think, woke you up over there, too, didn't I? So anyway, folks, I'm not sure what's going to happen within the next hour, and whether or not the Senate, if it passes, if the Senate's going to take it up. Folks, I think that this is the wrong direction for the State of Illinois. I will reiterate time and time again that we cannot tax our way back to prosperity. It did not work four and a half years ago with the temporary tax increase, and it's not going to work with this. I recommend a 'no' vote."

Speaker Turner: "Chair recognizes Representative McSweeney."

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McSweeney: "Mr. Speaker, I am sick and tired of having the national press bad-mouth and criticize the State of Illinois. We are a great state. We have abundant natural resources. We have the best people in the country, and Chicago is by far the greatest city in the world. So let's stand up for the State of Illinois, and let's stand up for job creation. Everyone in this chamber knows that we need to create more jobs. We have the highest unemployment rate in the Midwest. And ask yourself, will this do anything to create one job in this state? And the answer is obviously, no. This will kill jobs. Remember, 82 percent of the income tax filers with over \$1 million a year have small business income. That's limited liability companies, partnerships, the job creators. We all know that the big companies are getting the special deals. And I'm sick and tired of it. We need to stand up for small businesses. We need to stand up for jobs. We need to stand up for the people. So please, stand up for the greatest state in the country and vote 'no'. We need jobs. This is a terrible idea. We do not need to raise taxes. We need jobs. Vote 'no'."

Speaker Turner: "The Chair recognizes Representative Reis."

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

Speaker Turner: "Sponsor will yield."

Reis: "Mr. Speaker, in your opening remarks you said on... that this three percent tax will be imposed on adjusted gross income. Now, the language in the Constitutional Amendment just says personal income. Could you please explain to everybody what exactly, since the wording of the Constitutional Amendment is what people are going to vote on, what is 'personal income'?"

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Madigan: "Personal income should be taken as not corporate income."

Reis: "Is it gross or is it net?"

Madigan: "It's as I said. It's... it's the adjusted gross income."

Reis: "So, what's adjusted gross?"

Madigan: "And... and the specific answer to your question would be on the Illinois income tax form. If you go to step six, question 13... step six, question 13. That's the answer to your question."

Reis: "Okay. I don't have that in front of me. So for legislative intent, 'cause it says in this there that the... the General Assembly will have the responsibility of implementing this, should it get the number of votes from the... the voters, what is adjusted to gross income? Now, this is very important to farmers. We may gross a million dollars, but end up with considerably less than that, 5 or 10 percent. When you talk about SCorporations that may have a whole bunch of money coming through at various times, but they're paying it out in... in goods and services. This is very important as to who this is going to encompass, should it pass."

Madigan: "Mr. Reis, was that a question?"

Reis: "Yes. I mean, what is pers... what is... what is pers... adjusted personal income? I mean, is it going to be on the total income of a farm? Or is it just going to be on the net profits at the end of the year?"

Madigan: "Mr. Reis, I can read you a statement that relates to the AGI."

Reis: "Okay."

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Madigan: "And it reads that the AGI is equal to the total income subject to income tax, such as salary, self-employment, alimony income, interest from bank accounts minus specific deductions or adjustments that reduce your total income such as self-employment taxes, alimony... alimony payments, IRA contributions, educational expenses, but before certain exemptions and standard deduction or itemized deductions such as state income taxes and mental and dental expenses."

Reis: "Okay. I... I think you probably understand that there may be people, other than the people sitting here today, that might determine what exactly personal income is going in the future. So I think it's good that everybody knows what their intentions are on this. One of my problems with this, Mr. Speaker, and are you familiar with Missouri's income tax? They have a graduated income tax. It's about seven or eight different levels, and for those in the... in the... other people in the Body, they have that. They've had it since the early 1900s. Do you know what the highest threshold is for income in the State of Missouri to pay the highest rate? Nine thousand dollars. It started out at a thousand and each thousand it went up to nine was a different tax rate. It's been the same since the early 1900s. And that is in... that is in their state statute. It's not in their Constitution. But what we're doing with this proposal is we're enshrining in the State Constitution an income threshold of a million dollars. Seems like a lot to me, probably seems like a lot to the other people in here. But you know what, 40 or 50 years ago it may not be. So we were going have to amend the Illinois Constitution if we ever want to change that threshold. To me

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a better solution to this would be to write a Bill, change state statute. You would have to change the Constitution in order to get rid of the flat tax, but that isn't what this does. So think about that going out several decades. And we're here for a short period of time. Even if we've been here as long as you, Mr. Speaker, it's a short period of time. But we're enshrining this in the Constitution at a... as an income level. One last thing, and I... I know some people that support this concept shrug their shoulders when we talk about people moving. There was a breakfast in my district in 2012, just a year after the income tax was increased from 3 to 5 percent. There were 14 businesses there at that breakfast, all of which were from Effingham. All of them were local homegrown businesses. They weren't big franchises. They weren't big corporations. Only 2 of the 14 hadn't moved out of the state yet, 2. They moved to Texas, Florida, and Tennessee. They love the community. They love their workers. They love their work ethic. They said, we're not going to pay for this mess. That was just going from 3 to 5. This is going from 3.75 to 6.75, and Lord knows what else may happen here. People with money move. They have the resources and the wherewithal to do it. Those... that example proved it. Other states have proved it. I don't think that this is going to generate near the money that people think it's going to. And I think it will be a... and in the long run a job killer for the State of Illinois. And I urge a 'no' vote."

Speaker Turner: "Chair recognizes Representative Ford."

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

Speaker Turner: "Sponsor will yield."

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Ford: "Mr. Speaker, I have a few questions. What is a House Joint Resolution Constitutional Amendment, and why do we do them?"

Madigan: "This particular Resolution is authorized under the Constitution. It's a method by which the Legislature can initiate the process of amending the Illinois Constitution. Legislature only initiates. The Legislature authorizes the question being submitted to the voters in a General Election. If the voters vote in favor of what's before them, then that'll become part of the Constitution. If the voters reject it, it does not become part of the Constitution."

Ford: "So if this House Joint Resolution Constitutional Amendment passes both chambers, will millionaires begin paying taxes immediately?"

Madigan: "No. The answer is no, because if the Resolution would have passed both chambers, that would only be the first step, before the question would be put to the voters. If the voters in November of 2016 approve this Resolution, then the... the effective date of it would be in January of 2017 for tax year 2017."

Ford: "Thank you, Mr. Speaker."

Speaker Turner: "Representative Fortner."

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

Speaker Turner: "The Sponsor will yield."

Fortner: "Speaker Madigan, this is affecting Article IX, which is the revenue Article of the Constitution. And to follow up on one of the previous speakers who talked about a dollar amount, as I read it, there is currently no specific dollar amounts that occur anywhere in Article IX of the Constitution. Is that correct?"

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Madigan: "The answer is yes."

Fortner: "And there are certainly other types of provisions, percentages, ratios that provide there. I know you were an active participant when our current Constitution was drafted. Is there any reason that you would... can think of that would be why we might not have put any dollar amounts into the revenue Article of our Constitution?"

Madigan: "You're very kind to characterize my activity as active. It's very kind of you. Again... and I don't know the answer to your question."

Fortner: "Well, let me... let me suggest, could it be that because we're subject to inflation, the value of the dollar changes over time, that the drafters might not wanted to have put a specific dollar value, knowing that the Constitution is a difficult instrument to change, as you just pointed out in your earlier answers?"

Madigan: "It... that may have been a collective motivation of the delegates to the convention. I think it's significant that that particular convention voted against the graduated income tax. That's the convention that provided for a flat rate tax. And this would simply give the voters an opportunity to move somewhat away from that decision of 1970."

Fortner: "Is there anything in your proposed Constitutional Amendment that would index that \$1 million amount to inflation?"

Madigan: "The answer is no."

Fortner: "To the Amendment. The Federal Government actually provides a tool online where one can check to see what the dollar value of any given amount would be, either in the past

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or in the future. And so, I looked to see if I looked at \$1 million today in the year 2015, what would that have been equivalent to in dollars back in 1970, the time the Constitution was drafted and approved? And the answer is \$164 thousand. So had the drafters wanted to have the effect of today in 2015 of writing in \$1 million, the number that one would have written into the document back in 1970 would have been \$164 thousand. Now, as I understand it, from the Department of Revenue, that roughly one half of one percent of the households in Illinois would be subject to this Amendment as proposed. But if I were looking at a number like \$164 thousand, that number starts approaching something like 10 percent of the households in Illinois. It becomes a much more significant number. The... the problem is that inflation will change that value of the dollar. And without any kind of protection against inflation, what we'll see is something that me... we may well intend to affect just that very small percentage earning over a million. If it were another 45 years before this Body put forward an Amendment affecting that particular Section of the revenue Article of the Illinois Constitution, one might well see that people who today were making \$164 thousand, if we had the same kind of inflation over the next 45 years as over the last 45 years, they would be subject to this surcharge that's proposed in the Amendment. And I think that's very important because the year before our Constitution was written, in 1969, the United States got ready to pass a thing called the Alternative Minimum Tax, the AMT for short. And it was designed to make sure that certain very high-wage earners did not get away from paying their fair

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share of federal income tax. And what they did is they wrote that number in and then they did not put in anything to adjust it for inflation. And over the ensuing next decades, the buying power of the numbers in the brackets that were set forth in the AMT of course shifted, because we had inflation. To the point whereby... so in the early 1990s, roughly 20 years ago, there was an ongoing effort to put patches to somehow deal with the fact the AMT was now casting a net much broader than the drafters of that Act may have intended. And that went on and on and on with patch after patch, long debates in Congress, and finally in 2012 signed into law and the beginning of 2013, they finally fixed it and indexed it to the CPI, essentially to the Consumer Price Index, which accounts for inflation, so that it would only affect those people who it was intended to affect at the time it became effective. But this Amendment lacks that protection. Furthermore, unlike the Congressional problem of the AMT, that was just a statute in the U.S. Code. An Act of Congress signed by the President could change it. This would require the much longer and more difficult process of putting forward a Constitutional Amendment, approved by supermajorities of both the House and Senate, and then approved by the voters, either by 50 percent of those voter... sorry... 50 percent of all voters or 60 percent of those who cast ballots on the question, a much more difficult standard. So if the AMT was a problem, which we know it was, all we have to do is look at the lengthy debates, we would be faced with exactly the same sorts of problems here in Illinois, trying to figure out how to get around, how to patch this Act, because it doesn't even

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have the kind of protections that we recognize because inflation exists. And it changes over time. It may be really low now, and there would be maybe other times when it approaches double-digits or more. That's happened certainly in my lifetime. I have no reason to expect it won't happen in the next few decades again. So for those reasons, I think that this would have an impact far beyond what we might see when we see the number \$1 million. Wow, that's a big number. I'm never going to earn that. But in fact, your children, your grandchildren are very likely to earn that number, and be subject to that tax because of the effects of inflation. I would urge a 'no' vote."

Speaker Turner: "Representative David Harris."

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

Speaker Turner: "The Sponsor indicates that he will yield."

Harris, D.: "Thank you. Sir, before I ask some questions, I would like to say that your comment about the fact that should this Amendment ever take place and the Amendment... or the Constitution be amended, that you're using adjusted gross income as now determined, adjusted gross income. That is a very important point for legislative intent. And I'm glad you put that into the record, because should this ever pass, they will look back and only going to say we want to use adjusted gross income. Okay, if I can, some questions. Why now? Why... why are we putting this forward now?"

Madigan: "My view this time is as good as any other time."

Harris, D.: "If... if this should... well, this, should it pass, it will go to the voters at the ballot on... in November of 2016, correct?"

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Madigan: "The answer is yes."

Harris, D.: "Which means that, presumably, since the responsibility is of the Legislature to then enact the law that would... would... and the provisions that would... would enact this, or to make this take effect, we're looking at, potentially, the revenues from this coming in in FY18. Correct?"

Madigan: "Yes. The answer's yes."

Harris, D.: "Don't we have a more immediate budget problem?"

Madigan: "I think we do."

Harris, D.: "So wouldn't it be more reasonable than putting a Constitutional Amendment that wouldn't bring in any additional revenue until, potentially, FY18, maybe putting something forward like a revenue increase for FY16 that doesn't require 71 votes, but might only require 60 votes?"

Madigan: "Some people in the Body might think along those lines. Do you plan to file a Bill?"

Harris, D.: "You never know, do you? You never know. This is great theater. Do you... are you aware that the... the Majority Leader of the Senate has said... of the Illinois Senate has said that no Constitutional Amendments will be considered until next year?"

Madigan: "I'm aware of that statement."

Harris, D.: "So if this House were to pass it, I'm going to take the Majority Leader of the Senate at his word, and nothing happens on this until next year. This is great political theater, but it doesn't help us immediately. Why... why choose a million dollars? That's a big number, but why not 750 thousand, or 900 thousand, or 800 thousand?"

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Madigan: "I don't have an answer to that question. Your point is well-taken. The number could've been changed."

Harris, D.: "Well, thank you. And just briefly, to the Amendment, Ladies and Gentlemen. You know, it's easy. It's easy to pick on somebody who has an income on an annual basis of a million dollars. It's a big number. I'm envious of those people. I wish I had been that smart enough and creative enough and aggressive enough to earn a million dollars in a year, but I'm not. And I'm not going to stand here to defend millionaires. I'm not going to stand here and defend Irene Rosenfeld, the CEO of Mondelez, who gets compensation of \$28 million, or James McNe... McNerney of CEO... a CEO of Boeing... Boeing that gets \$27 million, or even Robert Parkinson, the CEO of Baxter, who tips the compensation scale at a mere \$17 million. Now, I grant you, those are total compensation, but all of their annual salaries exceed a million dollars. And raising the tax on folks like that, it's not going to hurt them because they'll simply go to their boards of directors and get an increase in their salaries anyway. I'm not going to defend them. You know why? Because they're not job creators. Granted, they run big corporations that employ thousands... tens of thousands of people around the world, but do they create jobs right here in Illinois? The people who take the chances, the people who take the risks, the entrepreneurs, the people who put their blood, sweat, and tears into their effort and hope to hit it big, those are the people that we're going to hit. You know, about two months ago, I had the opportunity to visit a place called 1871, and some of you have probably been there. It's located in the

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Merchandise Mart. And when you go into Mer... when you go into 1871, you know what you see? You see a whole bunch of young, creative, talented people sitting around computers, hoping that their efforts result in the next Google, in the next Groupon, in the next GrubHub. If they're successful, they're going to hit it big. And you know what we're saying to them? If you're successful, we're going to nail you. We're going to tax you even more for the hard work and the dedication that you put into being successful. So I'm not going to stand here and defend those corporate CEOs who take home multimillion dollar paychecks. But I am going to stand here and defend those folks at 1871 and the small-business people around the state, who have labored so hard to build small businesses and run family farms and contribute so much to the Illinois economy. I want folks to know that our tax system treats everyone equally, and I'm not going to vote for this Amendment that will tax them on their success. That's what it is. It is a tax on success. I'm voting 'no'. I urge you to vote 'no'. Thank you."

Speaker Turner: "Representative Morrison."

Morrison: "Thank you, Mr. Speaker. To the Amendment. One of the greatest experiences I had in running for this office five years ago was going door to door throughout my district. I walked a little over a... a little over 400 miles, going door to door. And I met some of the most amazing people you'll ever met. I had some of the... the most amazing stories and... and conversations with people from all walks of life. My district is up in the northwest suburbs of Chicago. There are quite a few small-business owners who live there. My brother

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and I own a small business, and started with 2 employees. And through incredible sweat equity and time and risk, dropped down to 1 and then to no employees. I remember the day I had to let an employee go, our last one but then quickly ran it back up again. We up... ended up building to 10 employees. I remember passing... the year we finally passed a million dollars in gross avener... gross annual revenue and just what an amazing accomplishment that was for my family, for my employees. There are scores of people like that in my district and across the state. And I remember as, going back to going door to door, I remember talking to one entrepreneur, an... an innovator, someone who had incredible ideas on medical devices and had a couple of patents to his name. And he talked about a device that he was about to come out with that would measure blood gu... glucose meas... levels without a... a pin prick, and he was so proud of that. And I said, great. Well, where are you going to... where you going to grow this business? And he said, in Texas. There's no way I'm going to build this business in Illinois. And he left. He told me that there was going to be 20 manufacturing jobs. Those are middle-income jobs. Those are the kind of jobs that populate many of the parts of my district and in your districts too. Fast forward a couple of years, we passed the tax increase. Again, what we're telling job creators is we're going to punish you for being successful. I had a friend who owned a... a business in Schaumburg, just south of my district, but he lived in my district. He said he calculated the numbers. Reloading... relocating his drill bit business from Schaumburg, where he had 10 employees, to South Carolina would put \$47 thousand

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back into his bottom line. The choice for him was easy. Another friend, who's in the pharmaceutical business, said, there's no way that I'm going to stay in Illinois and pay the higher taxes. This... by the way, these are incredibly generous people. These are people who give to the non-for-profits, to the charities, to the churches, to help the homeless, to help those who are struggling to get by. They are incredibly generous, but they are not going to send their money down to Springfield first, where pennies on the dollars they send go back to help people. These are people who give directly because that's where you give the most amount of benefit. They help their employees. They help those who are less fortunate in their districts. So I've... I've given you a couple of examples of people who chose to leave because they had the means to leave. But let me talk about a couple that I know that were forced to leave. For them, it was not a choice. Young couple, new baby, both of them, both husband and wife, lost their jobs within about six months of each other. And after desperately searching for work, could not find work, lost their home due to foreclosure. They both found jobs in Florida. And so, that's where they're building their family. So meanwhile, while the grandparents are back here in Illinois, we have a separated, a divided family. Again, not by choice, by force. This Amendment, if it passes, will have severe, detrimental consequences to all of the people of this state, regardless of their income bracket, regardless of their status in life. I would urge a 'no' vote."

Speaker Turner: "Chair recognizes Representative Martwick."

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Martwick: "Thank you, Mr. Speaker. Will the Speaker of the House yield for a couple of questions?"

Speaker Turner: "Speaker will yield."

Martwick: "Speaker Madigan, I've been listening to the debate and I thought maybe I could ask a few qu... questions that might help put some of this in context. Our colleague across the aisle mentioned about how Missouri has a tax rate of 6 percent which kicks in on every dollar of income after \$9 thousand. So from \$9 thousand to a million, the people in Missouri are paying 6 percent currently. Is that correct? Pretty good math, right? In Illinois, what are people between \$9 thousand and a million currently paying on their income? 3... 3.75."

Madigan: "3.75."

Martwick: "Okay. And we would be asking people, on every dollar earned after a million, to then pay an additional 3 percent. So on the million and one dollar to whatever they should be so successful to make, past a million dollars, they would then pay 6.75 percent. Is that correct?"

Madigan: "That's correct."

Martwick: "But still, on the first million that they earn, they would still be only paying 3.75 percent. Is that right?"

Madigan: "Yes."

Martwick: "And in Missouri, as our colleague told us, they would be paying 6 percent on that, and they would continue to pay 6 percent on every dollar over a million. You know, we often hear about how high our taxes are her... here is Illinois. And... and I looked, probably at the same study that my colleague looked at, and... and I was very fascinated by it, because when I looked at Illinois as a flat-tax state, at 3.75, it's... it's

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kind of hard to compare to the states with... with progressive rates. But if you were to try and compare apples to apples, Illinois currently sits at about the 40th highest tax rate in the country, or 10th lowest, at 3.75 percent. Do you understand that to be correct, Mr. Speaker?"

Madigan: "The answer is yes."

Martwick: "So if we look at this, and... and I firmly agree with my colleagues who would support some sort of progressivity to our tax rate, because of the fairness that it creates and the fact that it would capture the growth of our economy in the highest income levels, which our taxes fail to do, our flat tax. But as I look through this, I... I find the rates that are currently out there fascinating. We constantly hear about how this will take people who are job creators and force them to move out of our state to other states. And I wonder, besides the example of Texas, where they might go. So I looked in the tax rates and, Mr. Speaker, would you be surprised to know that in Arkansas, which I think most people would consider a pretty conservative state, that their highest tax bracket begins at \$35 thousand a year and their rate is 6.9 percent. So that means people in Illinois would be paying 6.75 percent on every dollar they earned over a million dollars, 3.75 percent on every dollar they earned under a million dollars. And yet, in Arkansas, on every dollar they earn over \$35 thousand, they would pay 6.9 percent, meaning they would be... have a higher tax burden in the State of Arkansas. Oregon, 9.9 percent on every dollar over 125 thousand. South Carolina, 7 percent on every dollar over 14,500. 14,500, they pay 7 percent more than that. Iowa, our neighbor, every dollar over

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70 thousand, so 70 thousand to a million, 8.98 percent. So I wonder, Mr. Speaker, where all these people are going to move? Mr. Speaker, you... you might be interested to find that including the District of Columbia, and... and I will, for the record, if anybody wants to correct me, I included certain states like Georgia, where they're making... they're paying 6 percent on every income... every dollar of income over \$7 thousand. And I assume, that for the sake of argument, most people, you could take people earning up to \$2 million a year, that even with this surcharge, they'd be paying less taxes in the State of Illinois. So including those, if you want to point out the failure, I took everything over 6 percent where they have a relatively low beginning for that... the highest level of income where the 6 percent kicks in, that there would be roughly 22 states where people making a million dollars or more would be paying a higher income tax than they would be paying here in Illinois. Now, we've heard about how wonderful our state is, despite the fact that some of us feel the need to constantly beat on the State of Illinois. We do know, 'cause I've talked to many manufacturers, that Illinois has premier state in terms of access to transportation, access to water, access to energy. We have one of the best networks of... of roads. We have one of the best networks of rail. We certainly have unbelievable access to air transportation for cargo. So there are many reasons to come here. We als... we also, as I've talked to many manufacturers, they told me that we have one of the premier workforces, trained and accessible and ready to work. That's why they like to be here. And yet, we make this argument out to seem as though that we will tax

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these people out of the state, when the reality of it is nothing could be further from the truth. And I will tell you, Mr. Speaker, I resent the implication that because I want to find a way to raise revenue to pay for essential services in our state, that I am seeking to punish those who have had successes in our state. Nothing could be further from the truth. I don't earn a million dollars a year, I will tell you that, but I do okay. And I will gladly pay a higher sum to provide a quality education for the children in this state. I will gladly pay a higher amount of taxes to ensure that babies that require ventilators to survive have an opportunity to do so. The cuts that have been proposed are atrocious, and yet, even if we accept every single one of those cuts, this budget is still \$3 billion in the hole. We have to find revenue. And as someone who earns a good living, a decent living, I'm happy to step up and pay a fair share so that we can provide essential services. It is not being punished, Ladies and Gentlemen. It's being asked to contribute because we can. Vote 'yes'."

Speaker Turner: "Representative Jesiel."

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

Speaker Turner: "The Sponsor will yield."

Jesiel: "Thank you. I have just a couple of questions. We've talked a little bit about income already. I wanted to specifically focus on S corporations because, as we know, most of the small businesses are organized as S Corps, and it's how our U.S. corporations are largely organized in the country. I... I'm just wondering, if an S corporation has

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profits that pass through the individual, are those going to be taxed under this plan?"

Madigan: "Would you permit me to read a statement that would answer that in its entirety?"

Jesiel: "Okay."

Madigan: "Individuals owning sole proprietorships or partnerships in Illinois pay the individual income tax on income earned from their business. That relates to sole proprietorships and partnerships. Individuals owning limited liability companies or S corporations pay the individual income tax on their share of the business income, unless the business elects to pay the corporate income tax rate. Thus, those types of businesses, LLCs and S corporations, can choose to pay the corporate income tax rate if it is more advantageous to their owners."

Jesiel: "Thank you for that. How about if a corporation, if it chooses to retain their earnings and reinvest in the company, are the... the shareholders and the individuals going to be taxed on what they choose to retain and reinvest in the company?"

Madigan: "If it relates to the corporate income tax, that's not covered by this Amendment."

Jesiel: "No, I... I'm just talking about, specifically, the distributions that are made, and from an S Corp to an individual, that they'd choose to retain in the corporation and not take as a distribution."

Madigan: "Yeah. I don't know the answer to that question."

Jesiel: "Okay. Well, the reason I'm asking is because it... it sounds as if they would still be taxed on that. And the problem that I have with this is this is investment that

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companies make in their business. They... they invest in capital, they invest in jobs, they invest in growth. And if we're going to be taxing corporations or individuals on their distributions that they're not even keeping, I have a really big problem with that. I just want to say, to the Bill. I... I want to tell you a really brief story about an employer in... in my district who had started a company about 35 years ago with his father. They employ about 135 individuals. They're organized as a S corporation. It's a very technological corporation. They're constantly investing in capital. And this business owner had invested... or ad... had testified before Congress a couple of years ago on this very topic. Some of the things that he said before Congress were this. He said, 'Ours is a capital-intensive business, and historically, we have reinvested back into our business all of our after-tax profits.' And he said that based on our... this is based on their need to retain as much of their profits for in... reinvestment as possible and for the benefit of the shareholders. And he says, 'We retain the rest of our income almost entirely to fund modernization, growth, and new investments.' And this can only benefit, in a state that is suffering from jobs and from out-migration, to be able to have... to allow a business owner to be able to invest in their corporation and retain that income and... and continue to grow it and grow jobs here. And my concern is that by doing this, this is going to take money out of their pocket, it's going to re... remove a potential for future investment and future job growth, and I think this is a very bad idea. For that region... reason, I urge a 'no'. Thank you."

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Speaker Turner: "Chair recognizes Representative Christian Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. Sorry, to the Bill. Just a couple quick points and actually, one of the previous Representatives, Mr. Martwick, said much of what I was going to say. So I'll say to folks, if you want to vote against progressivity in taxing, there's... that's a personal philosophy and something that you can do, but there are two reasons that have been stated in this debate that should not be reasons to vote against this Bill. One is the idea of this concept of out-migration, that the great liberal bastion of thought, the *Wall Street Journal*, did a study in 2011 on what happened in New Jersey. And what happened in New Jersey was there were actually more millionaires the next year after they... or in the next decade after they passed a millionaire surcharge, not less. Somebody noted that small businesses could potentially be hit by this. Well, there are quirks in our tax laws that allow people like hedge fund managers or really wealthy attorneys to be considered small businesses, and those are primarily the folks who are making over a million dollars a year and filing as individuals. I just want to note, finally, one of the previous speakers, who I hope will also be sponsoring the kind of tax revenue that he talked about as a rebuttal to the Speaker's Bill, noted that he wished he had been smart enough or creative enough to make a million dollars. And here's the challenge with that. I... I represent a very diverse district and in my district, we've been doing a tour of our schools. And in a couple of my schools, I found that children were using history books in

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which Bill Clinton was still president. Now, for some people, that may be a joyous throwback, but for these children, it is a disservice. And what is important here is that these children could be millionaires. They could be working at 1871. They could invent the next Google, if they had the same access to technology and to great teachers and to investment that some of the folks who are sitting in 1871, which is in my district, have had access to. So what this Bill is ultimately about is, are we willing to make the investments to make sure that any child, regardless of where they're born, because this money would go to education, has the same access to opportunity and the same chance to be successful as the millionaires we'd be asking to take the privilege to pay a little bit more into our system? That's all this is about. This should be a bipartisan effort. This is a Bill that should pass overwhelmingly. I encourage an 'aye' vote. Thank you."

Speaker Turner: "Chair recognizes Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. Mr. Speaker, can I ask you some questions? If the Sponsor will yield."

Speaker Turner: "Sponsor will yield."

Dunkin: "Are we expecting any other or any additional revenue-enhancement legislation outside of this?"

Madigan: "Representative, I don't know of anybody that's planning anything along those lines today. What I've said publicly about the current deficit of the State of Illinois is that you cannot cut your way out of the deficit, that we need a balanced approach, cuts with additional revenue. And I stand ready to negotiate with the appropriate people to accomplish that goal."

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Dunkin: "And I stand ready to work with you and those... those people to help accomplish that goal. You know, some of our districts are not identical... a lot of our districts are not identical. It's not sort of your traditional Democratic district and I would... There are some individuals who make a million dollars in their business construct, but they're not necessarily millionaires. And I know we have this particular threshold, but it's a combined set of incomes, especially on the... the S corporation, as you highlighted, or the LLC. I guess my question, or my perplexity is, is this the answer, or is this a piecemeal answer? And where we're going to have this bipartisan discussion on a real comprehensive solution to funding education, to taking care of some of our debt, be it pension and our overall bills of vendors? I'm trying to really get to a comprehensive approach to how it is that we can sustain and grow new businesses here in this state so everyone gets an opportunity to work. I'm just not sure if this is the right answer, or should this be combined with a comprehensive reform effort, along with a comprehensive revenue-enhancement concept. And... and I think the Speaker... one of the guys across the aisle stated that, you know, this... this is good political options. It is, but it's not the answer. And it's really sort of a, you know, let's look at those guys because they're over a particular dollar amount, at least in the terms of what they generated in their respective company, but it's not the answer. And so, I'm sitting here scratching my head, a bit perplexed, again, on how it is that we get to really dealing with some of these hard questions of how we tax people, how we fund schools.

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We're still funding schools based off of the property tax. So if you live in a place like Harvey, if you live on the certain parts of the South Side, certain parts of Rockford, certain parts of East St. Louis, certain parts of Decatur, on the southeast side of Springfield, property taxes is just not the answer in most of our regions. And this here, again, this piecemeal approach is quite perplexing because it's really not going to be a comprehensive answer to how it is that we fund education in this state. It's a real convenient approach. So again, I'm... I'm ready and willing to get to the big questions on how it is that we really fund schools across this state, how it is that we take care of our vulnerable citizens, and how it is that we put the ci... citizens that I want in my respective district to work or keep them working. I'm about incentives and job growth. And most of us who ran for office feel the same way. So again, you know, I'm listening to debate. I'm trying to figure this out. But I really wish that we can take the lead on a real and true and genuine approach to revenue, new revenue, and a... and comprehensive re... reform on how it is that we're going to take this state to the level that we all can be proud of. Thank you."

Speaker Turner: "Chair recognizes Representative Pritchard."

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

Speaker Turner: "Sponsor will yield."

Pritchard: "Mr. Speaker, as... as I read this Bill, it... it talks about using these dollars to be distributed across the state on a perstudent basis. Is that correct?"

Madigan: "The answer is yes."

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Pritchard: "So will this have any effect on the Chicago block grants that, over the last three years, have allocated dollars, roughly a quarter of a million dollars more than were used for the intended purposes that the state gave money to the Chicago Public School system?"

Madigan: "My understanding would be that the answer would be no."

Pritchard: "Is there any assurance in this Bill that these dollars going into the educational fund will be additive, rather than simply a dollar amount that we can, in the Legislature, fund less for education now because there's these tax dollars going into the fund?"

Madigan: "Well, that would be a decision for future Legislatures as... as they do the budget making."

Pritchard: "Ob... obviously, it's... it's for the future Legislature, but I think our citizens, and I certainly hear this every time I walk door to door, keep saying, whatever happened to the lottery money that was supposed to go and solve all of our education problems? And I'm just afraid by the way that this is probably going to be explained to voters that they're going to say, here we go again. We're going to fund education out of a tax that is not going to be additive but simply gives us an excuse to underfund it from the General Revenue Fund. So is there going to be any assurance that this is additive money?"

Madigan: "Oh, well, again..."

Pritchard: "Certainly by legislative intent. I know we have the Bill before us which doesn't have that assurance."

Madigan: "I... I can offer my intent right now that this would be in addition to what's being done today."

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Pritchard: "Well, that's good to hear 'cause I know we have a lot of skeptical citizens out there. Mr. Speaker, were you also aware that the Civic Committee of the Commercial Club was down testifying before one of the education budget working groups this week and talked about the financial situation we're in and really painted a very dire financial picture, stating that, in their view, we're going to have to look at a lot more revenue than just this 700 million to \$1.4 billion this tax might bring in. So kind of as a follow-up to the previous Representative's comments, is there going to be any other look at property tax relief or our overall general Tax Code in this state?"

Madigan: "I would be prepared to review the Tax Code with a view towards revision and improvement."

Pritchard: "In what? This Session of the Legislature?"

Madigan: "The answer is yes."

Pritchard: "We welcome those discussions because property tax relief is, I think, is at the high of most of our... our agendas, and we've certainly heard about that from a lot of our voters. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Batinick."

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

Speaker Turner: "Sponsor will yield."

Batinick: "I just wanted to jump in the debate a little bit and... and agree with some of the things that were said on the other side of the aisle. I agree with many of you. This is a premier state. This is a great state. I believe we talked about rail, we talked about river, we talked about access to water which is a huge problem in other parts of the country, and we have

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75 percent of the world's fresh surface water in our backyard in the... in the Great Lakes. We have... we have rail. We have... we have a tremendous amount of resources. We have great universities, and we have a great workforce. I agree with all those things. Then the question leads, why have we lost nearly a million people over the last 15 years? There's got to be something. Now, a lot of people do like to cherry-pick the tax rate. That's... and if you cherry-pick things, I agree with some of that, but you have to look at the whole picture. We have... we're looking at WalletHub up here on the Internet, and when you look at the overall tax rate of... of local and state taxes, that include property taxes, that include sales taxes, that include gas taxes, and many of the other things, where we're... we're amongst the highest in the nation, we rank last. You can't just cherry-pick the income tax. So we have to take in everything. The other thing that we aren't taking into account here is some of the other things that apparently we're not willing to touch either. When you look at businesses, it's not just taxes aren't the only reason they leave. We had mentioned that access to rail and water's important, so is that... so is a reasonable court system, reasonable regulations? Those things affect businesses too, and I would contend that some of the negatives that I'm not cherry-picking looking at the big picture are some of the reasons why people are leaving the state. Now, I just... I wish I would... would be in that... the... the tax bracket that would create a situation where I would have to pay this tax if... if passed. I'm not. But I grew up in a small town on the border, and I am tired of seeing people flee my state and businesses leave... leave my

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state. It's not just the taxes. It's a lot of other things too. My 25-year high school reunion from T.F. South High School moved to Indiana. That's how bad it is for people. But there are two people I went to high school with who were very successful, and I sent them texts today to see what... what they would do if this millionaires tax passed. One of them bought a company a few years back with 50 employees. Now, he's up to 175. He said, we were already looking at Nevada and Florida before this was brought up. We only need to keep 25 people in Illinois. The other one said, I just went to a grand opening of a supplier in Wisconsin, 120 jobs. Hello, Wisconsin. Now, my specific question is this. And I'm new. I'm going to use that the last time. But it often seems like we talk about Tax Code, we just look at how many... how much taxes were paid and we multiply it by the new tax rate. So one of my best friend's company, who is intending on moving now with 150 jobs left out of... gone out of 175, and those jobs are 50 to 70 thousand dollar-a-year jobs. I would call those middle-income jobs. Did the analysis of how much money we're going to bring into the state, did it account for the amount of jobs that are going to leave the state due to the new income tax increase? Is that acc... is that accounted for in the analysis, in the financial analysis of revenue?"

Madigan: "I'm sorry. I lost the... the question."

Batinick: "That's fair. I went on a little bit of a rant. I'll be specific. Things don't happen in a vacuum. There are business people for many reasons, and this may be one of many, that are planning on leaving. There will be some. I... I think it's absurd to think that there's no chance that some businesses

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and jobs won't leave. So did your analysis... is it static or is it dynamic? Did it take into account the number of business and jobs that may leave the state if this becomes a tax?"

Madigan: "I'm as concerned as you are concerning the general condition of the state, and I'm prepared to work with anybody to improve the fiscal condition of the State of Illinois and to make Illinois more attractive for people to move here, for people to start businesses. I don't have a study in front of me that would be responsive to your question, but am I concerned about job loss, businesses leaving, people leaving, yes. The answer is yes. At the same time, I would argue that, here in Illinois, we're simply... with this Resolution, we're simply asking those that have done well in life to help our educational system."

Batinick: "I... I agree with that. There's a lot of people that have done well in life. The reality is we can't chain them here. And we can... we can demonize them if we want to. It's not going to keep them in the state. It's not going to stop them from... from looking at their taxes or their spreadsheet, and stop them from moving. Now, I will tell you that if we were in a state where businesses felt like they had a friend in the General Assembly that actually cared about them, they probably would be a little more likely to stay. I think it's a little bit of a two-way street. Thank you very much. I'll leave it at that."

Speaker Turner: "Members, we have over 10 additional people seeking recognition on this issue. I would just like to remind you all to please try to keep your comments as brief as

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possible. I'm trying to avoid going to the timer.
Representative Will Davis is recognized."

Davis, W.: "Thank you very much, Mr. Speaker. Instead of asking questions, I'll just speak to the Bill... or to the Resolution Constitutional Amendment. It's interesting when I hear, like the previous speaker talk about, is there an analysis of how many jobs or people that are going to leave the state because if a... something like this passes? Well, the irony, Sir, is that I've been asking all the new agency directors how many people and how many jobs are we going to lose because of the way we're cutting programs and services. I understand that this is a high-level conversation for many of you 'cause you're talking about millionaires, people who a lot of... make a lot of money who are, you know, st... have stature and what have you. But what about the little folks who are going to lose, because when we cut services, we're actually eliminating jobs at the non-profit level. Those are the people that help sustain small businesses here in the State of Illinois because they're willing to take their hard-earned dollars and go to the local stores, go to the local businesses and spend there. But what about those folks? So as much as we're trying to have this high-level conversation, I think the millionaires in the State of Illinois make up a few percent of the people here. What about everybody else who is being affected by what we are cutting? I don't hear any of you talking about that. What about those folks? Now, as far as education is concerned, I'm fortunate enough to be the Appropriations Chair, so I'm happy to see that there's an effort to try to put more money into education. Any other

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effort that we put forward is met with opposition, is met with, well, we can't do that. You run the numbers. You look at the last column. If I lose, I'm off, regardless of how the overall system is being negatively impacted by the fact that we are not putting enough money in it. So for those of you, like my colleague said, when you want to have a real conversation, let's have that conversation about what we need to be putting into our system. Everybody will admit we can't cut our way out of our current budget situation right now. We have to add some revenue somewhere. Now, maybe you don't like this, that's fine. But the question is, what do you like? Tell me. Show me what do you like in terms of revenue so we can have that dialogue. You're scared of millionaires leaving the state? I would argue, because I'm fortunate enough to know a few of them who have said, you know what, I want to contribute more because I want to help our educational system. I want to provide more resources here in the State of Illinois. And I'm not leaving. But I think what the Gentleman said is important. What he said is important. People are leaving the state not because of things like this. They're leaving the state bec... for a whole host of reasons. I know people who will leave the state because it's just too damn cold here. What about that? Can we legislate the weather? Absolutely not. So there are people leaving the state for a host of reasons. This, in and of itself, does not drive people out of the State of Illinois. But I would argue that some of the decisions and some of the things that are being contemplated now, under this administration, those are the things that'll drive people out of this state. Believe it or

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not, those will drive people out of this state. When people can't get access to resources and services, they might go to another state, where they can provide services for their autistic children, where they can provide resources if they are on Medicaid. Those are the things that are driving people out of the state, not something like this or that. Ladies and Gentlemen, fine. I'm going to vote for this because I'm never afraid of adding revenue to our conversation here in the State of Illinois, corporate loopholes, taxes, whatever the case may be. And the irony is that when we passed the income tax increase guess who had to pay that? I did 'cause I'm a taxpayer in the State of Illinois as well. Now, maybe some of you are scared of this millionaires tax... no, I won't go there. I won't go there. Ladies and Gentlemen, let's support this. Education is important. I think any of you will agree that we need more money for our children here in the State of Illinois. Numbers will show that school districts are being disproportionately impacted because there's not enough money. If you look in terms of their local communities and their local wealth, it's not there. Had a discussion today in our Education Oversight Committee. A couple of superintendents said, well, you know what, I don't like Senate Bill 1. But guess what? If there was a hold-harmless provision, I could be okay with Senate Bill 1. The only way we get there is with more money. Please vote 'yes'."

Speaker Turner: "The Chair recognizes Representative Tryon."

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

Speaker Turner: "Speaker will yield."

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Tryon: "You know, Representative Davis, there are people who leave this state because they want to go to warmer weather. But let's talk about some of the people that are leaving our state that are making a drastic change on their quality of life in Illinois. I think one of the most disturbing things that I read last year was the COGFA report from August. In August of last year, COGFA reported that manufacturing employment on a year-over-year basis in the U.S. declined 67 consecutive months between February 2005 and October 2010. Since then, it increased each month in the nation. In June of last year, it was 1.1 percent higher than a year earlier. In contrast, Illinois continues to lose manufacturing jobs, which fell 11,500 in the past year, or 2 percent. Last year alone, Illinois lost 11,500 manufacturing jobs. That's a drastic change for us in our state. Let's talk about one of those businesses in Crystal Lake, Illinois. Food Warming Equipment, 171 jobs, left this state and went to Tennessee. We don't have those jobs anymore, a Subchapter S corporation. Yet... right... I... I will tell you, a lot of our businesses, most of our manufacturing businesses, aren't like Caterpillar and Ford. They're small businesses. They're small businesses where they make investments. Let's say I make an investment of a half a million dollars in equipment in my business. I... I don't get to deduct that half a million dollars. It comes through in my Subchapter S filing as income because I can only depreciate it at the depreciation rates that are allowed by the Federal Government. So I have to... I have to have that cost come through as well. So this is a little more difficult than you think. But my... one of my questions to the... to the

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Speaker, Speaker, if I... if I were a business owner in Illinois, and I... and I worked my whole life, and I made, let's say I made a hundred thousand dollars a year, and I get to sell my business for \$3 million. And that's my retirement. Under your formula, would I have to pay 3 percent?"

Madigan: "Mr. Tryon, I'm not certain about my answer, and... and I will simply say to you that on the immediate question and the answer, that that would be something that would be determined through subsequent legislation."

Tryon: "And I have a concern with that because, while I would be willing to consider this, I mean, we had this referendum on a... on a ballot passed in all our districts. This question needs to be right on. It needs to be... we need to have the answers to that. I don't know that I trust some future General Assembly, and... and I'm sure you would agree with me, there's not a lot of trust in Springfield these days as we walk around our streets in our district. And I would like to make sure that there's not going to be some formula that comes up that dedicates more money to another school district than my school district, when our intent here is to make sure that every student get \$419, or whatever this generates, and it goes out per student. But I would like to work on the question. I don't think the question of personal income is actually... maybe we should talk about it being net incomes over a million dollars. That would be a big difference. I mean, in a state that's losing the types of manufacturing jobs we're doing, and we're hearing from our businesses that they're dying in a sea of higher cost and taxation and they can find relief in other states. Somebody like me that lives on a border county, well,

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if I were going to sell my business, and... and let's say I was going to sell my business for \$4 million, it would... I could move across the state line which might be another 10 miles, and save \$120 thousand. I could do that, could I not?"

Madigan: "Mr. Tryon, I'll just take your word for it."

Tryon: "Okay. Well, I could under... under what's being proposed here. And then, when we look at... at what the study was quoted earlier about the *Wall Street Journal*, look, the study that was done in New Jersey by the New Jersey Treasury Department, they found that after they inst... instituted this for several years after that, that they lost about \$2 billion, \$2.4 billion in tax revenue. I think that could happen here. So while I'm willing to have the conversation, I would rather see this be a million dollar incomes where there was a net... personal income that was net rather than gross. I mean, I think what you're going to do to farmers and some of the... and some of the businesses that have investment in equipment, I... I think... I think it's wrong. And I think we could come to a better agreement than what we have here. So, I'm going to be voting 'no'."

Speaker Turner: "Representative Keith Wheeler."

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

Speaker Turner: "Sponsor will yield."

Wheeler, K.: "Well, first, let me thank Representative Jesiel for asking some very important questions regarding how S corporations, like many small businesses throughout the state have, actually passed through their business income. Whether that business income has actually been realized or it's on paper, that shows up on a tax return and that could be subject

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to the tax we're talking about today. People in my district sent me here to represent them, to help facilitate job creation in our state because they want to see a lot of the neighbors put back to work that still are struggling to make ends meet. And just as importantly, those small businesses in my district and throughout this state are looking for help from this Body to defend them and prevent actions like today's from further deteriorating the business conditions, the business climate in our state. And Mr. Speaker, don't we hope that each new small business in Illinois starts... that starts here is... is successful and creates jobs for our neighbors here in the state?"

Madigan: "I think we all agree on that."

Wheeler, K.: "I agree as well. Wouldn't you agree that... that our state's fastest growing small businesses might ultimately, as they grow and they become more successful, be affected by the income tax you're suggesting?"

Madigan: "Well, they could be affected by the Tax Code in general, and subsequent changes in the Tax Code."

Wheeler, K.: "Well, I agree, but this is a change in that Tax Code, effectively. And to many of them it's going to appear, in my opinion, to be a negative change in the Tax Code. Much has been said in discussion so far about extracting a little bit more from those who are already successful in our state, because they've been successful. And they may want to contribute more to... to our education system and to our government as a whole. But I'm looking at that potential small business owner, Mr. Speaker, who is looking at Illinois as a place that they might start their business. And they have

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visions and aspirations of being hugely successful and putting a lot of great people to work here in this state. But they're going to look at other states as well because that's only appropriate for someone who's going to make that kind of an investment. For that... for that entrepreneur, aren't we telling them right up front that as soon as you get to the point where you're going to start realizing some of that return on your hard work and your investment, that we're going to take a little bit more than maybe another state would, or than the state currently does right now?"

Madigan: "I would refer back to the comments by Representative Martwick, where he explained that some of our neighboring states already do that. It's already in place and..."

Wheeler, K.: "I under... But those states might not have the same cost of doing business as Illinois... as we already have. I know that, in my small business experience as a part of a family business and my own business, we face some pretty substantial workers' compensation costs, we face high property taxes. And frankly, this is an expensive place to do business if you ever find yourself in the litigation system. So what we're doing in effect is we're telling those small businesses, yep, we're doing one more thing in Illinois to make this place a more expensive place to do business and for you to gain your investment back and realize an actual profit at the end of your total investment. Thank you, Mr. Speaker. To the Bill. We're fortunate in my district to have an entrepreneur who started his business in his garage, like one of those classic success stories. His business took off, he started hiring people, hiring his neighbors, expanding his

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operations. And he had invested a lot of his profits back into his business, continued hiring, and then invested substantially in his community. These are the kinds of success stories that create jobs for real families in our state. And they're actually what I think Illine... Illinois needs a whole lot more of. But with the high cost of doing business in Illinois, it is safe to say that further investment in our state has been in... put in jeopardy. Adding this massive... this measure to increase taxes on his profits, through his personal income tax return, will likely confirm that further investment will completely cease. In fact, it is likely that that very smart, small business person is going to take a look at his overall expenses and compare what it would cost to move his operations to another state and move all those workers that are currently hired by his operations with him. We're talking about hundreds of families being affected by this measure being on top of all the other many measures that we already have in our state that make it expensive. In my district and throughout this state, it's effectively going to be a tax that will ultimately hit your middle-class neighbors when their job has a more likely situation of being moved out... to another state. So let's be clear. While this is being presented as a millionaire's tax on the very wealthy, who might be driving a Maserati or the Rolls Royce, this Constitutional Amendment will ultimately hurt your middle-class neighbor who probably drives a minivan with their kids to soccer practice, left wondering why their job left the State of Illinois. And that's up to us. I urge a 'no' vote. Thank you."

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Speaker Turner: "Chair recognizes Representative Drury."

Drury: "Thank you, Mr. Speaker. You know, I thought long and hard about whether I was going to say anything today, and... and I want to thank the Speaker for calling this for a vote, because for the last year, I know what a couple of people on my side of the aisle and my colleagues have... have said about some of my positions. I was somewhat of a punching bag last year for, you know, telling people what I used to do before I came here. And... I'm trying... I, you know, I'm... I understand that, but I'm... you know, I'm not going to joke around today. I think that what... what people don't understand about me, and... and partly this... this may be because you know, I've... I'm also not the most social person in the General Assembly, I keep to myself in a lot of respects. But people, you know, what... what I've heard about my district and what I've heard about me in... in the three years I've been here is, he represents a much of billion... millionaires, billionaires. He's... he's out of touch with what's really going on. And... and I would just ask, I'm... I'm about to take a very tough vote. I know it, and... and I've thought about it long and hard, and in a lot of ways I've been very quiet this year knowing this vote at some point was going to come up. And... and I would just ask my colleagues, on... on both sides, to walk in my shoes, see... see my perspective. Because it was at dinner last night, actually, I was telling some... some people that my kids go to a failing school. My kids' school is... is two-thirds on the federal hot lunch program, two-thirds English as a second language. Both my kids are fluent in Spanish, they've been taking Spanish since they were in Kindergarten because... because the kids in

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their... in their school are speaking Spanish, and... and the optimum way to... to bridge that gap isn't to immerse people in English but it's actually to have Spanish kids speaking Spanish and learning English, and having English kids learning Spanish. And so we... we voluntarily went to that school, with my parents saying, don't go to that school. You should... you should go somewhere else where you don't have those challenges. But... but we didn't do that. At my kids' school, there... there's a lot of funding that... that goes into the school. And it still... it's failed to make adeq... adequate yearly progress. I think, five years in a row now the Federal Government has come in to take over our school. My wife and I go to conferences, I'll never forget this. When my... when my son was in first grade, he'd come home complaining that some kids got an extra bag of pretzels at lunch or during snack time, and he didn't understand why, why the... why the teacher didn't like him. And so my wife and I, like fools, go to the teacher saying, why... why do you do this? And she said, you know, some kids, it's all they get to eat all day. And so I give them another bag of pretzels. And if you could just tell Dylan that, I'd appreciate it. And so, that's who I represent. That's actually a town I live in. And... and it's easy to... to categor... categorize the North Shore as all one kind of people. And... and to a larger extent, I'm... I'm not going to say there aren't wealthy people there. There are althy... also wealthy people there who have start up educational foundation programs that take kids in high risk schools. They... they got their own classrooms there to keep these kids safe 'cause they want to learn but because they want to learn, they get

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harassed, they get beat up. And so these programs are coming to the schools, have their own classrooms, and these... and they take these kids and they see them from Kindergarten all the way through college. And they're going to Princeton and Duke and Yale. So yes, I'm... I'm going to take a hard vote today. And it's... it's not for headlines and it's not for anything. But I just ask that people understand that with the vote I'm taking is to represent the people of my district, the way I see it. And... and so, I just ask that... that people recognize that. Like I said, I'm not here to joke today. I... I'm not here to cause a ruckus. I just want people to understand who I represent, where I come from, and why I'm doing what I'm doing. Thank you."

Speaker Turner: "Chair recognizes Representative Ives."

Ives: "Thank you, Mr. Speaker. To the Bill. This state has not earned the right to new revenue. This state has not made one significant reform when it comes to respecting businesses. Until we have any reform that is measurable and worthwhile, there is no reason for new revenue. We have wasted so much revenue in the past; the \$31 billion in new revenue we took in from 2011 to 2014, 90 percent of it went to pensions. There's no guarantee, as Representative Pritchard that... outlined, that this new revenue will really go into individual schools. There's no guarantee. It's more than likely it's simply going to go to a pension payment with zero pension reform. We have not earned the right to any new rev... revenue until we make the hard choices when it comes to reforming the State of Illinois and the way we conduct business. As to Representative Christian Mitchell's comment, that they are

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still using history books with Bill Clinton's picture on it, I ask you, then how can you spend \$15 thousand per child on average in... in CPS and still have books like that? Or as Chicago Teacher Union President Karen Lewis said, we have teachers without desks and students without books. Really? Where's the Auditor General and a performance audit conducted on CPS 'cause I want to know, as a taxpayer, where is the money going? Where's it going? We know where \$35 million went last year in the budget. It went through the Secretary of State's Office specifically to a new school in Speaker Madigan's district rather than going through normal grant lines like everybody else has to do. That's where some of the money went last year. The truth is, you are looking to just simply decimate the people in my dis... district. First of all, SB1, SB16, whatever you want to call it, takes out 80 percent of the school funding that we are supposed to have normally coming in. Additionally, when you look at the Local Gov... Government Distributive Fund, we give our money down... our taxes down in income, based on income. We get it back on a per capita basis. We only receive back maybe 77 cents on the dollar. The Illinois Policy Institute, when this became such a hot issue last spring, did a analysis on where this money, this millionaire's tax money would come... go. And in reality, we would send down about 144... \$140 million, and then receive back only \$77 million on a per pupil basis, losing \$63 million of income out of our county alone. For Cook County Legislators, you won't net out in this. You'll actually lose \$50 million in income that can... other people can contribute to the causes that they feel conviction about. But you don't

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like to face the real numbers in this... this area. You think new revenue is the answer and it's not. It's spending control. It's getting a Calvin Coolidge mentality, where we are looking at every single line item and finding out if it's a worthwhile enti... thing or not. Let's just go back to Economics 101. The more you tax an activity, the less you get of that activity. Isn't that part of the reason you increase taxes on tobacco? Oh. If we tax it more, maybe people will smoke less. Well, guess what, if you tax millionaires more, they're going to hide their money, they're going to leave the State of Illinois, and you're going to get less revenue in the end. Vote 'no'."

Speaker Turner: "Representative Ammons."

Ammons: "Thank you, Mr. Speaker. Will the Sponsor yield for two very quick questions? And then I'll speak to the Bill."

Speaker Turner: "The Sponsor will yield."

Ammons: "Thank you. Mr. Speaker, I would just want to clarify back becau... I'm a little bit confused by the dialogue. Is... is this a House Bill today, or a House Bill for a ballot initiative?"

Madigan: "Well, first of all, the... we normally refer to these as Resolutions, not a... not a Bill."

Ammons: "So it's not a Bill at all?"

Madigan: "It's not a Bill."

Ammons: "It's... it's just a Resolution?"

Madigan: "Just a Resolution. Which would put this question on the ballot in November of 2016."

Ammons: "I thought that's what we were talking about, but I got a little caught up into some of the dialogue that described it as more than a House Resolution for a ballot initiative."

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The second thing I wanted to clarify is, to make sure that you were aware. Were you aware, that in the last election in November, that voters in Illinois by a margin of about 64 percent voted in favor of this initiative?"

Madigan: "Yes... yes, I am."

Ammons: "Thank you so much. To the Bill. I've listened to a lot of discussion on this initiative, and I really appreciate all that has been put forward. I want to... I highlight a couple of things that I've learned about this type of an initiative. As my colleagues continue to discuss, they say that businesses will leave Illinois. And certainly one of our colleagues have already identified states with higher tax rates than ours. But many of the states that they quote about leaving to go to have lower wages, have destroyed their labor unions, and they describe those as better business climates than Illinois. I reject that idea. I believe that Illinois businesses that are partners with people in this state support fair wages for their workers and do not leave the state because they have to pay their fair share. I want to also highlight something else that I thought was interesting in this debate, and these are not my words, so I'll just read them as they are written. The legendary investor Warren Buffett said, and remember, he's worth \$63.3 billion, and the second richest man in America. He said, there's a class warfare. It's all right, but it is class warfare. The rich class that's making the war, and we're winning. Those are his words. When we stand in this chamber and vote to increase fees, fines on poor people in this state with very little dialogue, and on the other hand, spend hours about voting on a Resolution to put a ballot initiative to

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ask the voters whether people should pay their fair share with a million dollars or more, that seems a little out of step with the majority of the state. I'll also argue that I hope at some point in my experience here that this august Body would consider to look at the full measure of tax reform and look at a progressive or graduated income tax structure, so that everyone actually pays their fair share based on their ability to contribute, based on their income. And I'll say this in closing, 'cause I promised to be brief. The General Assembly was fully aware that by allowing the current or former income tax to roll back, we would be creating a deficit that was even twice that of what we had, prior to it rolling back. We knew that when we allowed the income tax to expire. So for us to have a conversation as if revenue should not be on the table, I believe that is indeed irresponsible, because we do know that our schools cannot function without adequate revenue. And so, to suggest that millionaires should not pay their fair share, but those who make less than even 10... a tenth of what a millionaire makes in a year, in a year, should bear the burden of this. And if you look for a second in small research circles, you'll find that those who benefited the most from the income tax rollback certainly is not the 97 percent of the state. And so, we are responsible for where we currently are, and I include myself in this discussion, because I am in this Body. We are responsible, and we should do the responsible thing about putting this on the ballot, and so many other measures that really deal with revenue, including a serious discussion about graduated income tax as opposed to flat. Thank you so much."

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Speaker Turner: "Chair recognizes Representative Kay."

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

Speaker Turner: "Speaker will yield."

Kay: "Mr. Speaker, stay seated. You and I are the two oldest guys in this chamber, so you deserve to sit down and not stand up through all of this. Please sit. I have a couple of questions, and I'm going to try not to retrack over what other people have said because it's been a long afternoon. But if you'd step back or walk back with me several years, I had what I referred to as a middle-class jobs growth program. Do you recall that?"

Madigan: "You had it... you had the program?"

Kay: "I did."

Madigan: "I don't recall it."

Kay: "Well, let me tell you, it was very good."

Madigan: "I am sure it was."

Kay: "And for some reason, that didn't go anywhere, and I... I doubt you had anything to do with that."

Madigan: "Thank you."

Kay: "Okay. But where I was headed with that, Speaker, and I'm going to tie this in with some questions and some conversation, was that for every hundred thousand jobs we add in Illinois, we bring in approximately \$7.5 billion worth of revenue. And so my question is, how would you like to get it? Would you like to get it through taxing a few, or would you like to get it from people who have gone to work and earned a living, are the middle class or would be the middle class, and just simply go out and spend money normally?"

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Madigan: "Yeah. Yeah. Mr. Kay, I think your question answers itself. The more taxpayers, the better. In the case of this Resolution, we're simply saying that certain people in this state have been very fortunate, and we would... we want to ask them to give more to the educational system."

Kay: "Right. I understand. I understand. So my school districts in the 112th District haven't been paid their... their full allotment, their grant since 1997. Why now are we just addressing this?"

Madigan: "I don't understand your question."

Kay: "Well, what I'm saying is that my school districts... we're talking about funding schools or helping schools out... why weren't we doing it back in '97, '98, and '99?"

Madigan: "We... we were doing what we were able to do, and... is your question why didn't I offer this in 1997?"

Kay: "Well, I... I guess we have a Tax Code that's older than probably you and I combined. Why didn't we do something to rewrite the Code and make things better so that we didn't have to do small carveouts like this?"

Madigan: "I don't have an answer for that question."

Kay: "Okay. I understand. Is this your version of the gross receipts tax times three?"

Madigan: "The answer is no."

Kay: "Well, how does it differ?"

Madigan: "As I stated in my initial remarks, it... it simply says that for those Illinois taxpayers who file an income tax return where they declare over \$1 million in adjos... adjusted gross income, that they'll be called upon to pay a 3 percent

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surcharge on the income over a million dollars. And the money would be distributed to the local school districts."

Kay: "Okay. Thank you. Are you... an... and I guess I'm going to touch on a little bit of what Bob Martwick talked about because he had a lot of data there. And it was tax data, but it didn't have to do with adjusted gross income. And that's what I want to talk to you about, is adjusted gross income. He may have been right in his analysis, I'm not sure. He didn't tell me where he got that. But are you aware that Chicago... Chicago lost \$3.2 billion to other states in 2013 by people leaving?"

Madigan: "I didn't know that."

Kay: "It's true. Do you know that the economic performance for Illinois is pegged at 48, not 2 or 3, but 48?"

Madigan: "I... I didn't know that either."

Kay: "Okay. I think most authorities would say that's pretty... pretty correct. Are you aware, that for the entire state, the adjusted gross income loss to other states is \$26 billion?"

Madigan: "The answer is no."

Kay: "Assuming it's true, why would you think that happened?"

Madigan: "I wouldn't have an answer today, Mr. Kay."

Kay: "So of the \$26 billion we lost, 6.2 went to Florida, 2.5 went to California... that's sort of interesting... 2.5 to Arizona, 2.5 to Texas. But what really concerns me is \$2 billion of our adjusted gross income went to Wisconsin, went to Wisconsin. Did you know that?"

Madigan: "No, I didn't."

Kay: "Okay. Are you aware that we have lost 299,900 people within the last three years to other states?"

Madigan: "No."

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Kay: "And the state that we brag about being so good, because they imposed the very same measure that you're attempting to impose today, has lost 238,174 people. That's New Jersey."

Madigan: "I'll take your word for it."

Kay: "Okay. Well, this... this is... these are facts. This is not my... my data. Are you aware that 5,626 people who migrated from the State of Illinois went to Florida?"

Madigan: "Went where?"

Kay: "Florida."

Madigan: "Oh."

Kay: "And I'm sure it was because it was warm. However, what's very interesting is another 4,896 went to Wisconsin. Does that surprise you?"

Madigan: "I'm not certain."

Kay: "Okay. Well, it did me, and I don't think that's a good... I guess what I'm trying to say to you is, Mr. Speaker, that I don't think that's a very good sign, when you're talking about people and adjusted gross income leaving the state at the rate it's leaving. Well, let me just tell you where this... some of this adjusted gross income went: 800 million went to Miami, 270 million to Sarasota, 310 million was lost from DuPage County, from DuPage County. And finally, another 270 million went to Sarasota. So I guess my question is, does this Bill do anything to stem the loss of adjusted gross income to other states?"

Madigan: "As I said earlier, our purpose... our request is that those that have done well in Illinois contribute a little more to the educational system."

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Kay: "All right. No I... and I understand. I guess my point was, through trying to recite some of these facts, and to address Mr. Martwick's comment about the taxes of other states, well, the taxing formulas of these states is all very interesting, all very curious. But it's the adjusted gross income that's left that's really important, and we're losing ours. So we can talk about tax rates of all the other 49 states, but when you get right down to it, it's the adjusted gross income that leaves that I'm concerned about. You probably understand more than I do, philosophy. You certainly have been able to expound quite well yours over the years, but here's mine. I have it, and you're entitled to everything I have, everything, providing you want to work for it as much as I have. Would you agree with that philosophy?"

Madigan: "Could I simply say that my view of America is that America offers every American an opportunity to work, get a job, provide for themselves, provide for their family. That's the only offer that comes to Americans from this country. But it's a lot better than countries..."

Kay: "Sure. And..."

Madigan: "...all over the world. And we should be very thankful."

Kay: "You're right, Speaker. And I'm... I am thankful for that. I'm thankful that we have been blessed as a nation up until now, believe me. But again, you would agree that you and I are entitled to the same thing as long as we both want to work for it. Is that correct?"

Madigan: "Could you say it again, please?"

Kay: "Yeah. You... you and I have... philosophically, would agree that we are entitled if we work to the very same things,

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whether it's a dollar or five or ten. And... and we can come at it from different perspectives. You're a lawyer, I'm a businessman. So we all are entitled to prosper as long as we work for it. Is that not correct?"

Madigan: "Mr. Kay, I'm reluctant to use the word 'entitled'. It's just a word that I'm not anxious to use."

Kay: "Okay."

Madigan: "I would simply say, again, that in this country, there's a basic offer. If you work, work hard, you're going to get ahead."

Kay: "Well, I... and I agree with that. But there's another philosophy that I've heard, and you didn't say it, and I'm not going to put words in your mouth. But that philosophy is, What is mine, leave it. But I'll help you in any way I can to get what you want for nothing. That's a different philosophy. You don't subscribe to that, do you?"

Madigan: "I think my answer is no. I didn't completely hear everything you said..."

Kay: "I'm sorry."

Madigan: "...but I... I think my answer is no."

Kay: "Thank you, Mr. Speaker. I think your answer is no on that. I appreciate your very candid answers to this. Obviously, my philosophy is the first. I think everyone is titled to work hard, earn, and keep what they have. And I think a different thought is being presented here today; therefore, I'm not going to be able to support your Amendment, but I appreciate the dialogue we've had. Thank you very much. Thank you, Mr. Chair."

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Speaker Lang: "Representative Lang in the Chair. Representative Hammond is recognized."

Hammond: "Thank You, Mr. Speaker. To the Resolution. If I thought that there was any more credibility to what's going on in here right now than there has been to a lot of the theater in the last couple of weeks, we might give all of this, perhaps, a little more thought. But as one of my colleagues said previously, whatever goes on in this chamber, with this resolution today, has no chance of any action in the Senate chamber. So we need to take it for what it's worth. The Sponsor had said earlier he was not certain, although it was his legislative intent, that any revenue from this proposal would go to supplement our education. It may, in fact, just supplant it regardless. In addition, there's nothing here that tells us that any revenue that might be generated from this Resolution would go directly to the student. We don't have any guarantee at that. And when I listen to my colleagues on the other side of the aisle, I just think about the hypocrisy of all of this. Over the last four years, the tax increase, that you all supported, brought \$31 billion into the State of Illinois. I listen to you tell me how important education is to you. Out of that \$31 billion, \$500 million a year would have been required to fully fund education in the State of Illinois. That's not my money.. that's not my accounting, that's according to the State Board of Education. At no time during the four years of the tax increase did we fully fund education. So I sit here and I listen to this. It's May 21, where have you been the last four years? I urge 'no'.

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Speaker Lang: "Representative Sente."

Sente: "Thank you, Mr. Speaker. The comment was made by a respected peer that this tax is a tax on success. Respectively, income tax, in general, can always be considered a tax on success because the tax is based on how much we earn. As our income rises, we do pay more to the state. I am a small business owner, and I do care passionately about the businesses in Illinois staying here. By the way, as a small business owner, I was organized as a C Corp. So, let's keep in mind that everyone is organized in different manners, and how they're taxed. But as an individual, and that's what this tax is, when I earn more, I accept that I will pay more. And as an individual without children, I also happily pay more to educating our kids. What is most important to me is that our hard earn... that my hard-earned money and my... and our taxpayers' hard-earned money is directed toward an effectively run government, toward funding priorities of great education, infrastructure, capital projects, and services to our most vulnerable citizens. I voted 'no' on this measure last year. Today, I'm changing my vote in support of this issue. My district in the State of Illinois, at large, answered my questions. Voters supported this measure by over 60 percent. The approximate \$1 billion, per year, in additional revenue is direly needed by our state to fund education. The reality is the majority of government funding comes from tax revenue. The statement I hear from all types of constituents: wealthy, middle class, and those less fortunate, is that, I will pay taxes, just use my funds wisely. I will repeat. I will pay my taxes, just use my funds

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wisely. So while I would prefer that the rollout of a comprehensive approach that details an economic development plan, a tax restructuring, a reduction of our expenses, and reductions of areas of waste, I'm resigned to the reality that our budget, again, may come to us in a step-by-step process. So I will take this first step because paying taxes towards the education of our children will have a powerful impetus to move our state forward. And we need to make bold change, and move our state forward. Thank you."

Speaker Lang: "Mr. Bradley."

Bradley: "The young man... to the Bill. The young man sitting in my seat when my name was called is Jackson Bradley. It's one of my children. Why is it that the education of my child, and the children I represent, isn't as of much value of other children in this state? Talk about tying people to the State of Illinois. We tie people here by poverty all the time. Mike Smith tried to do this years ago, and he said, to whom much is given, much is expected. We can do this. There's lots of people in Illinois that'll want to do this because they want to give other people the opportunities that they didn't have. Because they want to come up with a better system. I hear unsourced data, I hear unreferenced statistics. There's as many statistics on one side as the other, and we can quote those all day. Act as if AGI is some term that nobody knows what it is or you can't calculate it. There's probably not a term in the Internal Revenue Code that is more certain than AGI. Don't act like that's something that just got pulled out of the sky, that you don't know what it is. We don't have progressivity in the Illinois Tax Code because it's not

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allowed by the Constitution. So all we're doing... all the Speaker is doing is giving this to the people, to let them decide if they want progressivity in the Tax Code. Let's decide if we're going to take a step to valuing our children the same. Is that too much to ask? Is that too much to ask to... of the people of the State of Illinois? Is that too much to ask of this Body? Is that too much to ask that we take a step towards giving Jackson Bradley as many opportunities, and the children that he goes to school with, as many opportunities as other parts of the state. In closing, we heard these same arguments in 2011, when the previous tax increase was passed. And in 2011, we heard, wealth is going to leave the state, people are going to migrate the state. In 2011, there were 14,667 millionaires... millionaires in the State of Illinois. There were two million people attending public schools in the State of Illinois. In 2012, the year after the tax increase, when it was predicted that the millionaires would flee the state, there were still two million children in the Illinois public school districts, and there were 18,000,826 millionaires. We need help. We need help. Let's give this to the voters and decide where we're going to get it. Vote 'aye'."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Your request is acknowledged, Sir. Representative Davis."

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Davis, M.: "Thank you, Mr. Speaker. I really hate to ask, but could I ask the Speaker a couple of questions, please?"

Speaker Lang: "Speaker Madigan yields."

Davis, M.: "Speaker Madigan, I hope I'm not being redundant, but my understanding is, this three percent tax will increase per-pupil expenditure by over \$500 per pupil. Is that correct? Income?"

Madigan: "Representative, a... a revised number would indicate that there would be \$489 per student in the first year."

Davis, M.: "Okay. Well, I've looked at other numbers from other sources and it has gone from 500 to 560 dollars per pupil. But I guess that would vary, depending on the number of students we have at the time. My second question, Sir, is, will the amount that is collected go directly to the school fund, the common school fund, or will it go to the general appropriation, and then to the school fund?"

Madigan: "That's a matter that would be decided by subsequent legislation."

Davis, M.: "Well, Mr. Speaker, to..."

Madigan: "But the constitutional language would say that it goes to the school district."

Davis, M.: "The school district. Okay. So that should help us to alleviate any fears we might have that came about because of the lottery dollars that we were told would go directly to the school fund, or we thought. For example, in a few of my districts, I got a report yesterday, one of my precinct... not in the precincts, I'm sorry, a Ward, they had spent \$29 million on the lottery in Illinois in less than a year. And another one had spent \$26 million, and I know they're

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continuing to play to that degree believing these dollars are going toward education, and I... perhaps, in a roundabout way they are. So I want to hopefully be able to say to them, this really will be for our school children, divided on a per pupil basis. And I do have millionaires in my district, and none have opposed this House Joint Resolution for a Constitutional Amendment. To the Bill, Mr. Speaker. As a former educator, some millionaires living in my district became millionaires because of the education they received. And once we receive a very valuable education, it is incumbent upon us to want to give back. And if our giving back does not appear to be enough, then we have to do what the law requires, and hopefully this time it will require a three percent tax on those who earn a million or more. As we approach the end of this Session, I believe this Resolution will be one of the best pieces of legislation that we will pass because it will not discriminate in our approach to educating our children. It won't discriminate based upon whether these children live in Chicago, in Cook County, or whether they live in Coles County. I urge an 'aye' vote."

Speaker Lang: "Speaker Madigan to close."

Madigan: "Mr. Speaker, and Ladies and Gentlemen of the House, we've have a full, informative debate about this Resolution. I want to thank all of those who participated in the debate. I'm sure that the... those participating were very, very helpful to those who were listening to the debate. In closing, I'll be very simple. This simply says that for those that have done well in this state, we're going to ask you to provide a little more help for the educational systems in the state so

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that our future children can do better in life. I recommend an 'aye' vote."

Speaker Lang: "Those in favor of the... Constitutional Amendment... Excuse me. Mr. Demmer has asked for a verification, so Members will be in their chairs. Staff will retire to the rear of the chamber. Those in favor of the Speaker's Constitutional Amendment will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jesiel, McAuliffe. Mr. Clerk, please take the record. On this question, there are 68 voting 'yes', 47 voting 'no'. Speaker Madigan."

Madigan: "Request Postpone Consideration."

Speaker Lang: "And the... the Constitutional Amendment will be put on the pon... Order of Postpone Consideration. Mr. Turner in the Chair."

Speaker Turner: "Page... on page 3 of the Calendar, we have House Bill 1. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1, a Bill for an Act concerning health. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Lang."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I would simply recommend that we adopt Amendments 2 and 3, and we can have a debate when we decide to do Third Reading."

Speaker Turner: "The Gentleman moves that the House adopt Floor Amendment #2 to House Bill 1. All in favor say 'aye'; all

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opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #3 is offered by Representative Lang."

Speaker Turner: "Representative Lang."

Lang: "Same request, Mr. Speaker."

Speaker Turner: "Gentleman moves that the House adopt Floor Amendment #3 to House Bill #1. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Going to page 9 of the Calendar, on Senate Bills on Third Reading. Continuing down the list, we have Senate Bill 1421, Representative Gordon-Booth. Out of the record. Senate Bill 1422, Representative Sullivan. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1422, a Bill for an Act concerning wildlife. Third Reading of this Senate Bill."

Speaker Turner: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. Senate Bill 1421 would allow two things. One, for a person may use a crossbow in any archery season in Cook, DuPage, Kane, Kendall, Lake, and McHenry, and Will Counties, naming the collar counties. It also allows a person to take a coyote with a crossbow. Be happy to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 1422 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative

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Guzzardi, McAsey. Mr. Clerk, please take the record. On a count of 103 voting 'yes', 12 voting 'no', 0 voting 'present', Senate Bill 1422, having received the Constitutional Majority, is hereby declared passed. Leader Lang in the Chair."

Speaker Lang: "Senate Bill 1523, Leader Turner. Please read the Bill."

Clerk Hollman: "Senate Bill 1523, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Leader Turner."

Turner: "Thank you, Mr. Speaker. Senate Bill 1523 is a Secretary of State initiative that clarifies and specifies what is considered insufficient library grants, and the procedure for decreasing or increasing funds proportionally per capita. Senate Bill 1523 changes the Illinois Library Systems by... Act by the following: allowing grant funding awarded to one library system to be expanded on the provision of services to members of other library systems, if the expenditure is included in the library system's plan and approved by the State Librarian. Number two, changing the scope of the term 'area served' from this Act to making and... and expending annual library systems grants, and clarifies that funding must be either increased or decreased proportionally so that libraries receive the same amount per capita if the money appropriated fails to meet the 1.25 capita amount and the additional 19 cent per capita amount. I ask for a favorable vote."

Speaker Lang: "Mr. Sandack."

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

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Speaker Lang: "Sponsor will yield."

Sandack: "Art, walk me back a little bit because that was a lot. In the beginning, the first portion of this Bill would permit... Thank you, Mr. Speaker. Art, I wasn't following the first portion of this Bill. This permits a grant to a library system, rather than a direct library itself. What is a... help me out. What is a library system? And how is it different than existing law?"

Turner: "One second, Representative. So... so currently, the Secretary of State serves as the State Librarian here..."

Sandack: "Right."

Turner: "...and distributes the following grants: the Annual Equalization, the Library System, and the per capita grants to public libraries, as well as the planning and construction. The first point that I meant... that I... I mentioned would allow the grant funding awarded to one library system to be expended on the provision of services to members of other library systems, if the expenditure is included in the library system's plan and approved by the State Librarian."

Sandack: "Okay. So, how would that mechanically work? So a library system gets a grant, and it can then transfer the money to another library system? I... I don't... I'm not trying to cause you difficulty. I'm just trying to figure out what this Bill does, and how it helps promote a public policy."

Turner: "Sure. So Library System grants are made, upon application, to each library system approved by the State Librarian on the following basis: if the amounts are... the sum of the 1.46 per capita of the population of the area served plus the sum of 50... \$50.75 per square mile or the fraction of

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the area served. If the amounts are different than the 1.46 formula, then the area in per capita funding shall be proportionately reduced or increased accordingly. Additional funds may be appropriated and shall be distributed on the same proportion... proportional per capita and per square mile basis as mentioned. And per capita area funding for a multiple library system, 500 thousand or more population, shall be approached... apportioned with 25 percent of the funding granted to multitype and 75 percent of the funding granted to the public library system. Does that answer your question?"

Sandack: "Art, it does."

Turner: "Okay."

Sandack: "How many... how many library systems are there right now?"

Turner: "I can get that answer to you, Representative."

Sandack: "All right."

Turner: "I don't have it in front of me."

Sandack: "And so, then, real simple..."

Turner: "Yes, Sir."

Sandack: "...being able to transfer money between the systems, what's the... what policy initiative is being promoted with this new grant, seriously?"

Turner: "The Secretary of State and the Illinois Library Association are a... are proponents to this... to this Bill. And it... I'm confused. I'm sorry. What's your question?"

Sandack: "That's okay. And I... that's all good."

Turner: "Okay."

Sandack: "I was just... a colleague said that this isn't... this is a no-blood, no additional expenditure and that it's principally agreed to. Is that correct?"

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Turner: "That's correct, Representative."

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? Brady. Please take the record. On this question, there are 117 voting 'yes', none voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative McDermed."

McDermed: "Thank you. Please let the record show that on Senate Bill 1422 I needed... I intended to be a 'yes' vote."

Speaker Lang: "The record will reflect your intention, Representative. Senate Bill 1445, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "Senate Bill 1445, a Bill for an Act concerning utilities. Third Reading of this Senate Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. You still look really, really good. Okay. You look okay. Oh... So, I mean. Senate Bill 1445. The Amendment becomes the Bill and reflects discussion that I had. And intent of the amend Bill... amended Bill is to provide ComEd and Ameren utility addit... additional flexibility beyond the current law. Three exceptions to return to resident... three exceptions to return to residential or small commercial customer the same alternative retail supplier, and which is called an ARES, for electric supply service after that ARES customer was switched to ComEd, to Ameren bundled traffic service. The Bill will improve customer choice of electric supply service and competitive

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retail electric market. It... it passed out of the Senate unanimously. I'll take any 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? Brady, Evans. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1446, Representative McDermed. Please read the Bill."

Clerk Hollman: "Senate Bill 1446, a Bill for an Act concerning utilities. Third Reading of this Senate Bill."

Speaker Lang: "Representative McDermed."

McDermed: "Thank you very much. Senate Bill 1446 is a work product of the Attorney General's Office, the Illinois Commerce Commission, and the Alternate Electrical and Gas Suppliers that streamlines the compliance report filing and preserves the Commission's complete authority to proceed with formal petitions. 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? Crespo, Dunkin. Please take the record, Mr. Clerk. On this question, there are 115 voting 'yes', and 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1448, Mr. Welch. Please read the Bill."

Clerk Hollman: "Senate Bill 1448, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Welch."

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Welch: "Thank you, Mr. Speaker. Senate Bill 1448 permits the Secretary of State's Office to develop a Web-based system for the submission of the statement of economic interests, which we are all required to do. Currently, only county clerks have this authority. And if you have come from that level, you realize that... that is a very simple and efficient way of filing your statements of economic interests. There is no cost to the state beyond the normal appropriation. There's no opposition to this Bill. I ask for an 'aye' vote."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Is it... Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Zalewski: "So, Chris, is... does the Secretary of State want this?"

Welch: "Yes. This is their initiative."

Zalewski: "So, have they... are they going to develop a system for doing this?"

Welch: "Yes."

Zalewski: "And what if you don't want to use the online system?"

Welch: "It's my understanding that this is going to be permissive."

Zalewski: "Permissive?"

Welch: "You... you can still file it on paper and do it the old archaic way, which takes more time and staff power from them. But you could also do it the easier way, electronically."

Zalewski: "Okay. Thank you, Sir. Thank you, Mr. Speaker."

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? Drury, Dunkin, Gordon-Booth. Dunkin. Please take the record. On this

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question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the sha... Constitutional Majority, is hereby declared passed. Senate Bill 1467. Sorry. Senate Bill 1457, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "Senate Bill 1457, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. You look mighty fine. So, Senate Bill 1457, the Amendment we added, added the State Fire's Marshal to the task force in order to include members outside academia and inside rescue services with the task force, creates Military Prior Learning Assessment Task Force, which will study and make recommendations on the best way to use Prior Learning Assessments to recognize military learning for academic credits, industry-recognized credentials, and college degrees. This is a phenomenal piece of legislation. I ask for its passage."

Speaker Lang: "Those in favor of the phenomenal piece of legislation will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Acevedo, Jackson, Leitch. Mr. Leitch. Please take the record. There are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1482, Mr. D'Amico. Please read the Bill."

Clerk Hollman: "Senate Bill 1482, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does, this Bill will allow the Secretary

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of State to continue the use of the existing verification program until a new one can be implemented."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "The Sponsor yields, Sir."

Sandack: "John, when is the new one... is there another plan or program down the line?"

D'Amico: "Yeah, event... what they're really... they're just trying to become more efficient. They just need... they're trying to extend it another year, just so they can implement what they want in place."

Sandack: "And so, is... is there a sunset on this, or is it just expected there'll be..."

D'Amico: "It... well, right..."

Sandack: "...legislation that will..."

D'Amico: "...right now this extends it for one year."

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? Reis. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1518, Representative Moeller. Please read the Bill."

Clerk Hollman: "Senate Bill 1518, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lang: "Representative Moeller."

Moeller: "Thank you, Speaker. Senate Bill 1518 makes a pilot program permanent. The... the pilot program is one that allows

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for food waste to be comingled with landscape waste in three recycling facilities: one in Elgin, one in Stickney, and an additional one will be in Lake Bluff or... I'm sorry... Lake Villa area. Be happy to... sorry... Lake Bluff. Would be 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? Acevedo, Jesiel. Please take the record. On the question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1547, Mr. DeLuca. Please read the Bill."

Clerk Hollman: "Senate Bill 1547, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. DeLuca."

DeLuca: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 1547 will provide important protections for survivors of domestic violence, sexual assault, and individuals with disabilities from being penalized for calling the police. Approximately 35 municipalities in Illinois have crime-free housing ordinances, which would allow penalties to be waged against victims of domestic violence and sexual assault due to repeated calls to police. We had adopted an Amendment earlier this week to address some of the concerns expressed in the committee from the rental property owners and the realtors. And the Amendment has now removed all of their opposition. And Senate Bill 1547 has over 80 proponents. Senate Bill 1547 will not prevent municipalities from using their ordinances to address underlying criminal behavior or

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nuisance activity in their communities and does not prevent them from targeting the perpetrators, rather than the innocent victims. Senate Bill 1547 strikes a critical balance between the interests of cities in using their ordinances to address public safety concerns and the needs of landlords and tenants to be free from the potential harmful effects of ordinances that impose penalties based on calls to police. It will not prevent municipalities from imposing fees for services provided. It will only prohibit them from imposing penalties on the basis of 9-1-1 calls to report domestic violence or sexual assault. I'd be happy to answer any questions."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Anthony, first of all, I commend you on working with all groups. I... I want to be clear on this. With your Amendment, there is no standing opposition to your legislation."

DeLuca: "That is correct."

Sandack: "And obviously, you're intending to balance interests here. People that require police assistance, and obviously, the communities that provide that assistance, you want to make sure people have a right to call the police and aren't penalized in that endeavor."

DeLuca: "That is correct."

Sandack: "And that... how many of these crime-free zones, approximately, are there in... in Illinois, if you know?"

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DeLuca: "Well, there's about 35 municipalities that have an ordinance, that if they chose to enforce it, they could impose penalties for these folks making the calls."

Sandack: "And that's plainly bad policy to impose penalties upon people for exerting their right and seeking police protection or public safety response."

DeLuca: "I'm sorry. Could you please repeat the question?"

Sandack: "Sure. It's bad public policy to try and penalize people for seeking public..."

DeLuca: "Yes."

Sandack: "...for the police or..."

DeLuca: "Yes."

Sandack: "...public safety response."

DeLuca: "Yes."

Sandack: "Thank you. To the Bill. This is an excellent piece of legislation. I want to commend the Sponsor and obviously, all that worked with him to craft a... a balanced piece of legislation. I stand in strong support."

Speaker Lang: "Representative Wheeler."

Wheeler, B.: "Mi... Thank you, Mr. Speaker. To the Bill. I, too, stand in full support of Senate Bill 1547. As the Sponsor has explained, he has removed all opposition with the Amendment. And I appreciate that, including the clarifying language. I did vote 'no' in committee. I stre... I... Because of the Amendment, I stand in strong support in order to protect domestic violence survivors and people with disabilities. To the Sponsor. Thank you very much for your hard work."

Speaker Lang: "Mr. Breen."

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

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Speaker Lang: "Sponsor yields."

Breen: "Okay. And then, for the purposes of legislative intent, Representative, would you please confirm for me that when a municipality... that when a municipality imposes fees for medical services, medical transportation, and basic life support services, those will not be impeded by this Bill?"

DeLuca: "No, they will not."

Breen: "Okay. And so, again, that the... and again, I... those and any other terms in the Emergency Medical Services Systems Act are not impacted by this Bill."

DeLuca: "No, it is not."

Breen: "Thank you."

Speaker Lang: "Mr. Cabello. Then we won't ask you to speak. Representative Ammons."

Ammons: "Thank you, Mr. Speaker. To the Bill. I want to first of all congratulate Mr. DeLuca for such a wonderful piece of legislation. This was already on my radar. As a former city council member, we talked about this. But more importantly, for people to really understand what this Bill would do, the basic problem is that many cities, including the City of Urbana, adopted ordinances that determine a rental property be a nuisance based on the number of police calls. It doesn't matter what the call is about. If a tenant calls the police more than a couple of times, the landlord can get in trouble with the city government. And one of the strategies these city ordinances do to address this, for repeated calls, is evicting tenants. A landlord who doesn't evict a tenant for creating the nuisance of repeated police visits to the property could be fined for not cooperating with city

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officials to eliminate the nuisance. Senate Bill 1547 will only invalidate the portions of the municipal ordinance that punish landlords or tenants for the number of police calls. I hope and encourage our Members to vote 'yes' on this. This is good for Illinois, and it's certainly good for people who are living in housing complexes. It's a very good Bill to stop domestic violence, sexual assault. And I urge an 'aye' vote on this measure."

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 vote... You were planning a big close, Sir? I'm sure we're all stay after we adjourn to listen. Have all voted who wish? Those in... those in favor of the... Mr. Clerk, take the record. There are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 661, on the Order of Second Reading, Mr. McAuliffe. Please read the Bill."

Clerk Hollman: "Senate Bill 661, a Bill for an Act concerning public health. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "Agreed Resolutions. House Resolution 505, offered by Representative Jackson. House Resolution 506, offered by Representative Demmer. House Resolution 507, offered by Representative Demmer. House Resolution 508, offered by Representative Turner. House Resolution 510, offered by Representative Feigenholtz. House Resolution 511, offered by Representative Martwick."

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

Clerk Hollman: "The following committees are meeting immediately after Session: Appropriation and... Appropriation - Human Services is meeting in Room 114, Revenue & Finance is meeting in Room 118, Elementary & Secondary Education: School Curriculum & Policies is meeting in Room 413, Transportation: Vehicles & Safety is meeting in Room 115."

Speaker Lang: "And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til May... Friday, May 22 at the hour of 8:30 a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House stands adjourned until Friday, May 22 at the hour of 8:30 a.m. Go Blackhawks."

Clerk Hollman: "House Perfunctory Session will come to order. House... intro of... First Reading of House Joint Resolution Constitutional Amendment #37, offered by Speaker Madigan.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 20 to Article VI of the Illinois Constitution as follows:

ARTICLE VI

THE JUDICIARY

SECTION 20. LIMITATION ON LIABILITY FOR DAMAGES

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- (a) A punitive damage award may not be more than the greater of:
- (1) three times the amount of compensatory damages awarded in the action; or
 - (2) \$50,000.
- (b) The total amount recoverable for an injury or death of a patient as a result of medical malpractice may not exceed \$1,250,000.
- (c) A health care provider is not liable for an amount in excess of \$250,000 for an occurrence of medical malpractice.
- (d) Aggregate damages for the loss of society, including love, affection, care, attention, companionship, comfort, guidance, and protection, resulting from the wrongful death of an unmarried adult who has no dependents may not exceed \$300,000.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies only to causes of action accruing on or after its effective date. This was the First Reading in full of House Joint Resolution Constitutional Amendment #37. First Reading of House Joint Resolution Constitutional Amendment #38, offered by Representative Smiddy.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption

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of this resolution a proposition to amend Section 6 of Article VII as follows:

ARTICLE VII

LOCAL GOVERNMENT

SECTION 6. POWERS OF HOME RULE UNITS

- (a) A County which has a chief executive officer elected by the electors of the county and any municipality which has a population of more than 5,000 are home rule units. Other municipalities may elect by referendum to become home rule units. Except as limited by this Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; to license; to tax; and to incur debt.
- (b) A home rule unit by referendum may elect not to be a home rule unit.
- (c) If a home rule county ordinance conflicts with an ordinance of a municipality, the municipal ordinance shall prevail within its jurisdiction.
- (d) A home rule unit does not have the power (1) to incur debt payable from ad valorem property tax receipts maturing more than 40 years from the time it is incurred or (2) to define and provide for the punishment of a felony.
- (e) A home rule unit shall have only the power that the General Assembly may provide by law (1) to punish by imprisonment for more than six months or (2) to license for revenue or impose taxes upon or measured by income or earnings or upon occupations.

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(f) A home rule unit shall have the power subject to approval by referendum to adopt, alter or repeal a form of government provided by law, except that the form of government of Cook County shall be subject to the provisions of Section 3 of this Article. A home rule municipality shall have the power to provide for its officers, their manner of selection and terms of office only as approved by referendum or as otherwise authorized by law. A home rule county shall have the power to provide for its officers, their manner of selection and terms of office in the manner set forth in Section 4 of this Article.

(g) The General Assembly by a law approved by the vote of three-fifths of the members elected to each house may deny or limit the power to tax and any other power or function of a home rule unit not exercised or performed by the State other than a power or function specified in subsection (1) of this section.

(h) The General Assembly may provide specifically by law for the exclusive exercise by the State of any power or function of a home rule unit other than a taxing power or a power or function specified in subsection (1) of this Section.

(i) Home rule units may exercise and perform concurrently with the State any power or function of a home rule unit to the extent that the General Assembly by law does not specifically limit the concurrent exercise or specifically declare the State's exercise to be exclusive.

(j) The General Assembly may limit by law the amount of debt which home rule counties may incur and may limit by law approved by three-fifths of the members elected to each house

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the amount of debt, other than debt payable from ad valorem property tax receipts, which home rule municipalities may incur.

(k) The General Assembly may limit by law the amount and require referendum approval of debt to be incurred by home rule municipalities, payable from ad valorem property tax receipts, only in excess of the following percentages of the assessed value of its taxable property: (1) if its population is 500,000 or more, an aggregate of three percent; (2) if its population is more than 5,000 and less than 500,000, an aggregate of one percent; and (3) if its population is 5,000 or less, an aggregate of one-half percent. Indebtedness which is outstanding on the effective date of this Constitution or which is thereafter approved by referendum or assumed from another unit of local government shall not be included in the foregoing percentage amounts.

(l) The General Assembly may not deny or limit the power of home rule units (1) to make local improvements by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution unless that power is subsequently denied by law to any such other units of local government or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services.

(m) Powers and functions of home rule units shall be construed liberally.

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SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was the First Reading in full of House Joint Resolution Constitutional Amendment #38. Introduction and First Reading of House Bills. House Bill 4220, offered by Representative Kay, a Bill for an Act concerning employment. First Reading of this House Bill. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 21, 2015: recommends be adopted, referred to the floor is Floor Amendment 1, 2, 3, and 4 to House Bill 1287. There being no further business, the House Perfunctory Session will stand adjourned."