

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

53rd Legislative Day

5/22/2015

Speaker Lang: "Happy Friday. The House will be in order. Members will be in their chairs, those who are here. We shall be led in prayer today by Vicar Daniel Joyner Miller, who is with Lutheran Church of the Holy Spirits in Lincolnshire. Vicar Miller is the guest of Representative Sente. Members and guests are asked to refrain from starting their laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Vicar Miller."

Vicar Miller: "Will you join me in prayer? Gracious and loving God, as this Assembly gathers to work, we call upon Your holy name. Let Your presence be among us this day. By Your divine wisdom, guide those present to do the work that would glorify You, bring healing to all creation, and protect Your people of all lands, creeds, and ways of life. We especially pray this day for all people who call this great State of Illinois home. We are a people who find strength in diversity, wisdom in collaboration, justice in equity and progress when Your people work for the interest over the many, over the few. God of all creation, You have called us from many into one. Bless the esteemed Members of this Legislature from across this great state. Bring Your spirit, we pray, into our midst. Fill us with Your love and compassion, direct our hearts and minds, guide our steps as we plan for the days, years, and generations to come. Temper our pride and self-ambition and let Your selfless love be the measure of our life and deeds. Hear us, Oh God, for it is in Your holy and blessed name we pray, Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Mautino and Turner are excused today."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please let the record show that Representatives Phillips, Poe and Wehrli are excused today."

Speaker Lang: "Mr. Clerk, please take the record. We have 113 Members present and we do have a quorum. Mr. Clerk, Committee Reports."

Clerk Hollman: "Committee Reports. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on May 21, 2015: recommends be adopted is Floor Amendment #1 to Senate Bill 627. Representative Greg Harris, Chairperson from the Committee on Appropriations-Human Services reports the following committee action taken on May 21, 2015: do pass Short Debate Senate Bill 1847. Representative Golar, Chairperson from the Committee on Elementary & Secondary Education: School Curriculum & Policies reports the following committee action taken on May 21, 2015: do pass as amended Short Debate Senate Bill 226. Introduction of Resolutions. House Resolution 512, offered by Representative Bradley. House Resolution 513, offered by Representative Smiddy. These were referred to the Rules Committee."

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Speaker Lang: "Mr. Clerk, Agreed Resolutions. Don't get too excited, Members."

Clerk Hollman: "Agreed Resolution. House Resolution 514, offered by Representative Smiddy."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolution is adopted. Mr. Brown is recognized."

Brown: "Are you calling House Bill 1287 at this point?"

Speaker Lang: "I don't believe that's why you were recognized, Sir."

Brown: "Okay."

Speaker Lang: "Did you have an announcement about your caucus, Sir?"

Brown: "No, not at this point. Thank you."

Speaker Lang: "All right then. The Chair recognizes Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please proceed."

Bellock: "I have a wonderful young man that has come down today from Clarendon Hills, Illinois, to Page. His name is Jack... Jack Ingenibins... Inabnit and he's from the Clarendon Hills School called Prospect in fifth grade. And I'd like to ask everybody to welcome him. He's down here to learn how Illinois government functions and how we're going to address the laws of the land today. Thank you very much."

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Speaker Lang: "Welcome to Springfield. Mr. Clerk, on the Order of House Bills-Second Reading, there appears House Bill 1287. Please read the Bill."

Clerk Hollman: "House Bill 1287, a Bill for an Act concerning employment. This Bill was read a second time on a previous day. Floor Amend... No Committee Amendments. Floor Amendments 1, 2, 3 and 4 have been approved for consideration. Floor Amendment #1 is offered by Speaker Madigan."

Speaker Lang: "Mr. Brown is recognized."

Brown: "Thank you, Mr. Speaker. Are you calling House Bill 1287 at this point?"

Speaker Lang: "Seems to be on the board, Sir."

Brown: "The Republicans request an immediate caucus in Room 118."

Speaker Lang: "The Chair is shocked, shocked."

Brown: "Understandable."

Speaker Lang: "And how long do you anticipate your caucus, Sir?"

Brown: "It's going to be about five hours. One hour. One hour."

Speaker Lang: "The Chair... the... the House will recess 'til the call of the Chair. The House will be in order. Chair recognizes the Clerk."

Clerk Hollman: "Introduction of Senate Bills. Senate Bill 33, offered by Representative Lang, a Bill for an Act concerning health. First Reading of this Senate Bill."

Speaker Lang: "Representative Bellock. No running, Representative. Representative Bellock."

Bellock: "No. Sorry."

Speaker Lang: "That's all right, Representative."

Bellock: "I thought you said Senate..."

Speaker Lang: "Mr. Brown."

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Brown: "Thank you, Mr. Speaker. Please let the record show that Representative Unes is excused for today."

Speaker Lang: "The record will reflect that. Mr. Clerk, House Bill 1287."

Clerk Bolin: "House Bill 1287, a Bill for an Act concerning employment. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 through 4 have been approved for consideration. Floor Amendment #1 is offered by Speaker Madigan."

Speaker Lang: "Mr. Hoffman on Amendment 1."

Hoffman: "Thank you, Mr. Speaker. Welcome back. Amendment #1 is the... the Governor's causation Amendment. It's from the Illinois Turnaround Agenda of the Governor. It's regarding the workers' comp... workers' compensation reform that he has proposed. Amendment #1 would indicate that the causation standard for an individual to be able to collect under the Worker's Compensation Act should be raised from any... an any cause standard to a major contributing cause standard. The accident at work must be more than 50 percent responsible for the injury compared to all other causes. This is the Governor's proposal. I believe that this proposal would... would result in many people who, under the workers' compensation system, would not receive... would not receive compensation. As you know, we had a lengthy hearing about two weeks ago where we heard testimony from people, not only from Illinois, but Indiana, Oklahoma, and throughout the... the nation regarding workers' compensation. The testimony of a Stephen Emery, who described how he received a severe injury caused by 30 years at work in coal mine and left him unable

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to work and he can no longer even lift as little as five pounds. He worked since 1979 as a... as a coalminer and worked at Inland S... Inland Steel where he pulled pillars, dragging 90 pound support beams from one part of the mine to another. When in... when Inland Steel closed in 1989, he then began working at the Willow Lake mine in 1996. For 13 years, as an aboveground coalminer, Stephen would smash a hammer against rocks thousands of times every day. Eventually, his body broke down and he started to experience intense pain in his hands, but he waited 2 years before he finally started seeing a doctor in 2009. His thumbs were fused and a metal plate and screws were inserted into his left hand. Stephen testified that return... he returned to his work duties, but when swinging the hammer, he shattered a plate in his left hand and needed surgery again. He still could not lift more than five pounds. He can no longer work. And Stephen... Stephen's company tried to stop him from getting workers' compensation because they indicated that this could have been caused by him playing baseball as a youth. He testified that he didn't even play baseball, yet, as a result of... of their testimony, they were attempting to deny him compensation. If Stephen was in another state that would have these type of causation standards that are similar to the Governor's Turnaround Agenda, he could have been denied compensation. This is directly from the Governor's Turnaround Agen... Agenda. Unfortunately, I'm asking for a 'no' vote."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. To the Amendment. The Gentleman that sponsors this Bill just asked for a 'no' vote. The reason

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he's asking for a 'no' vote is because he doesn't believe in the propriety of causation in any way, shape, or form, which is certainly his prerogative, but belies the process that we've been undertaking for the last two weeks. The Gentleman does not believe causation should have any involvement in workers' comp reform. Indeed, I doubt he believes in any further workers' comp reform. But let's talk about what he's proposing right now by the way he doesn't believe in it. He says that this would... this is the Governor's proposal. It is not. It is not the Governor's proposal. The Governor's proposal will be rolled out later today, maybe it makes sense that we wait for the actual language. But because I don't think this Gentleman will pull the... the Amendment, let's just make sure what's cl... what's clearly define, what is being presented from... versus what the Governor proposes. This causation standard does not account for an injured worker with a repetitive injury that has multiple employers. That injured worker does not have a remedy. This was an issue raised by the House and Senate Democrats in the Governor's working group on economic growth. The Governor was responsive and the language he has filed today provides that a worker with a repetitive injury sustained while working for multiple employers shall be compensated by her or his most recent employer. So, the Amendment brought by the Gentleman today is defective. It is not the Governor's. He urges a 'no' vote; I urge a 'present' vote because the game of charades perpetrated by the Party in charge continues. We waste time. We've wasted two weeks with these faux Bills, these faux Amendments, trying

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to play gotcha politics rather than tending to the peoples' business. It is shameful conduct. Vote 'present'."

Speaker Lang: "Mr. Wheeler."

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

Speaker Lang: "Sponsor yields."

Wheeler, K.: "Representative Hoffman..."

Hoffman: "Yes, Mr. Wheeler."

Wheeler, K.: "...I've had some great discussions with you. Yes, Sir."

Hoffman: "Sponsor yields."

Wheeler, K.: "Thank you. Representative Hoffman, we had some great discussions in... in Labor Committee. You held a... what would you call that... an open forum, effectively, for different organizations, different people to come in and be advocating for or against certain parts of what we've been talking about and I appreciated that. And you talk about your brother-in-law, who I believe is a drywaller. Is that correct, Representative?"

Hoffman: "Yes."

Wheeler, K.: "You know, it's funny 'cause I have a stepbrother who's a drywaller and it's been his career. And you made me think quite a bit about that process. You talked about a guy who runs a jackhammer for a career. Well, I did that when I was putting myself through college. So I appreciate all those issues. And I thought about those people that we'd be affecting by raising the causation standard to 50 percent just by itself like this Amendment would do. Those repetitive strain injuries are an important issue. And my original language, which I believe, may be some variation on what the

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Amendment we're talking about today is, is something that you posted in committee and I never called. And I never called that Bill because it didn't include something to protect those workers. So had this Bill and the Amendment that we're proposing today actually gone through committee, Jay, I would have actually brought language that would protect a worker like your brother-in-law or like my stepbrother 'cause they are, they're giving their body to a career. And we should keep those people in the workers' compensation system where they... where they belong. So you mentioned this Bill is the Governor's Bill. You know, I know you're part of a working group on this and I... I'm sure this was discussed at some point in time in there, but I'm not part of that working group... or I wasn't part of that working group. So independently, Jay, I went to the... to the Governor's team repeatedly and requested language that would protect a worker with repetitive strain injuries to keep them inside the workers' compensation system where they belong. So I'm also going to urge a 'present' vote from the entire Body because there's a better answer than this and those people that do give their lives and their careers in those kinds of... of vocations deserve to be part of this system, and we should work on that approach rather than this one. Again, I urge a 'present' vote."

Speaker Lang: "Mr. Batinick."

Batinick: "To the Bill. I wasn't planning on speaking, but go figure. You know, a lot of us come into this Body with ideas on what we want to do. I did. I had ideas, I filed the Bill that's going to be talked about later as a different Amendment. But you know what, we talk to each other and we

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learn. And the Governor is filing language today that is better than what he originally talked about. And it is because of all the discussions that we had. So instead of playing these games, maybe it's time as a Body that we work together like the Governor has shown that he's willing to do to correct the issues. I urge the whole Body to vote 'present'. Thank you."

Speaker Lang: "Mr. Bradley."

Bradley: "You may not remember, but the way that we got to workers' comp in Illinois as it is now is that there was an agreement or a tradeoff made by business and labor. And as part of that discussion, the benefits of workers were reduced in... in terms of more certainly with regards to the payment of claims. And part of that discussion was getting away from the standards and the burdens of proof that were requisite in regular cases. So they took it out of the civil courts. I actually passed a Bill a few years ago to just get rid of workers' comp because in getting rid of causation you bring back more damages, you bring back contributory negligence, you bring back all kinds of things that happen in regular court. But after the Cherry Hill Mine Disaster in the early part of the last century, this was a decision that was made. And when I tried to get rid of workers' comp, which would put causation back on the table, there was gnashing of teeth. There was gnashing of teeth. So I stand in opposition because this wasn't the agreement that was made between labor and between the business community with regards to the way that we deal with injured workers. You can't just take a piece of it; you have to take the whole thing. And to say that you're going to put causation

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back on the table and not give workers back their additional injury rights is not the way that the State of Illinois wants to go. I'd ask for a 'no' vote."

Speaker Lang: "Mr. Hoffman to close."

Hoffman: "Well, thank you, Mr. Speaker. I just... to the previous speakers, I do appreciate your comments. But you have to understand the context of... of this Amendment. You know, we're... it's... it's Friday. We're due to adjourn next Sunday. I understand the Governor may be filing some type of Bills, finally today. We're a little over a week away from the final adjournment; we're finally seeing some Bills. We got to move the process forward. We can wait. I don't know what's going to be in the Bills. I can only tell you what we've discussed whenever we've discussed it in our working groups, when we had his turnaround agenda working groups. And basically, what was discussed is if a person... if a person... an accident at work, must be more than 50 percent responsible for the injury compared to all other causes. Now, what was discussed is what Representative Bradley talked about, is if it isn't 50 percent, if it's found not to be 50 percent, then you could possibly go to civil court. Now, is that what we really want? Do you really want to litigate these things in civil court? That was what was in the Governor's proposed language that we talked about in our working group. I don't think that that's what you want. I don't think that that's the result that you want. Oregon, in the Oregon study, they have indicated that there have been no known cases in which workers have prevailed at a trial if that is the remedy. The remedy should be this. The remedy should be this. If you are injured at work, there

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should be a system in place, where if it is repetitive injury, that you should be fairly compensated. You talked about my... my brother-in-law. He worked for 30 years hanging drywall. He worked for... out of the union hall and probably worked for as many as 30 employers. One day, all of a sudden, his body breaks down and he has to get carpel tun... or rotator cuff surgery. Now, I wish that the final employer wouldn't be a hundred percent liable, but that's our system. What we should do is look at a way of assessing liability so that everyone in the system possibly has to compensate that individual who was... who was injured as a result of repetitive trauma. They shouldn't have to wait and go to court. They shouldn't have to wait and go to trial. And they certainly shouldn't have to go and prove that the final employer that they were working for is over 50 percent at fault as a re... not even at fault, but over 50 percent of the injury as a result of that accident at work. So we're putting this up here to move the ball forward. Let's give... if we're going to do workers' compensation reform, this is not going to be part of the workers' compensation reform 'cause this side of the aisle is not going to accept it. I urge a 'no' vote."

Speaker Lang: "Those in favor of the Gentleman's 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? Fortner, Harris, Ives, Jesiel, McSweeney, Morrison. Mr. Clerk, please take the record. On this question, there are 0 voting 'yes', 69 voting 'no', 38 voting 'present'. And the Amendment fails. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Speaker Madigan."

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Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 contains what is called 'AMA guidelines'. The language that would limit the Commission, the Industrial Commission, from using only one of five factors to determine permanent partial disability would be eliminated under... under the Governor's proposal. This would allow, according to the Governor, the Commission to solely base an award on AMA guidelines. We heard testimony of, when we had the hearing of the Committee of the Whole, from individuals and from experts who had indicated that Indiana exclusively uses... utilizes the AMA guidelines. Under the Bill that Representative Bradley referenced in 2011, there were five factors to determine... to be determined by the Commission as to what compensation would be... would be provided under permanent partial disability. One of those factors... one of those factors was AMA guidelines. The Governor's proposal would say that the AMA guidelines, which it... is from the American Medical Association, would be the sole factor. Incidentally, the AMA guidelines, themselves, indicate in the guidelines that they should not be a sole factor. There is testimony from a Laura Summers, who was injured as a nurse in Indiana, who would indicate that the AMA guidelines wou... have resulted in her only receiving a \$10 thousand award and Judge Corrigan who indicated that in Illinois Ms. Summers would have been eligible for wage differential. Also testifying was John Coffell, who worked at Goodyear plant in Oklahoma where AMA guidelines were adopted only months before he was injured, actually six weeks before he was injured, and he is... he and

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his family have barely enough to keep his family from living below... above the poverty line. He is declaring bankruptcy. Suzette Burakiewicz, she was also a nurse in Indiana, worked at a nursing facility. She was severely injured and as a result of the AMA guideline, she received inadequate compensation. She specifically indicated in Indiana, you know, there are no options for me. We believe that we should follow the guidelines themselves and they should continue to be one of the factors, but not the sole factor. I ask for a 'no' vote."

Speaker Lang: "Mr. Brown."

Brown: "If... Thank you, Mr. Speaker. Please let the record show that David Harris is excused today."

Speaker Lang: "Thank you, Sir. The record will reflect that. Leader Durkin is recognized."

Durkin: "Good morning. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Durkin: "Representative, I was not on the floor for the last Floor Amendment. How did you vote on that Floor Amendment #1?"

Hoffman: "I voted 'no'. I think..."

Durkin: "And you sponsored that Amendment and you voted 'no'. Okay."

Hoffman: "I'm not the Sponsor. Speaker Madigan was an in error by putting this forward, so I voted 'no'."

Durkin: "Okay. On the Bill... the Amendment you're presenting, you voted 'no'."

Hoffman: "I voted against it because I didn't... I didn't believe that we should deny injured workers compensation. It's the Governor's proposal, not mine."

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Durkin: "No, it isn't. The Governor's proposals will be introduced at some point today, but that is not the Governor's proposal."

Hoffman: "We can hardly wait."

Durkin: "It's... it's... there is a distinction."

Hoffman: "We can hardly wait."

Durkin: "And a matter of fact, the Governor..."

Hoffman: "We have eight days."

Durkin: "...the Governor's proposal actually incorporates your language..."

Hoffman: "We can hardly wait for the Governor to finally put a proposal forward."

Durkin: "...which you asked for regarding... let me see... the injured worker with repetitive injury that has multiple employers. And we have that in... that'll be coming up today. That's... which is something you brought up in a working group, that's the distinction. So, let me ask you right now, Representative. How do you plan to vote on this Amendment?"

Hoffman: "Look, I've been... I have been asking for the Governor to please put his agenda forward. It was going to be 11 Bills, then 10 Bills, then 7 Bills, then 6. So we're... we don't know and why would he wait to put them forward 'til we leave town?"

Durkin: "Well, that wasn't the question I asked. How do you plan to vote on your Amendment?"

Hoffman: "Oh, I'm sorry. I was answering a question I was thinking of. I'm sorry."

Durkin: "You're a deep... you're a deep thinker. I know that. Real deep. You got a lot of stuff going on between those ears..."

Hoffman: "It's all going on."

Durkin: "...Representative Hoffman."

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Hoffman: "It is."

Durkin: "I don't know what. I don't want to go any further, but anyway. Let everybody can, you know, draw their own conclusions. But how do you plan to vote on this Amendment that you're presenting right now?"

Hoffman: "I'm voting 'no'."

Durkin: "Well, I guess it's interesting, this philosophy about introducing Bills and Amendments. This is something I have not seen in my years down here. But generally when the Sponsor of the Bill is voting 'no', it's a signal that this is meant for failure."

Hoffman: "Yeah."

Durkin: "And that's what we've seen over the past two weeks and that's what we're going to see today. This is all doomed for failure. This is about embarrassment. But remember folks, these are issues in which the Democrats have walked away from the working groups that were started about two months ago to try to find resolution and compromise on major issues, structural reforms to the State of Illinois. So, again, the charade and the circus continues. And I'm sorry that we're doing this."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you. To the Amendment. Listening to the back and forth between Leader Durkin and, yes, the Sponsor of this Amendment was instructive and does belie the process. And I guess I get a little bit of a kick out of it when the Gentleman says he's been waiting for the Governor's Bill. Well, he needn't wait no longer. But in the interim, before it was introduced, the Governor tried this crazy thing called

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bipartisanship, working groups, bicameral, bipartisan working groups that were trying to create a Bill that maybe was a product of compromise. But instead, the last two weeks, what we have endured and what we've had to put on the people of Illinois are show trials, mock Bills. This is a mock Amendment. And I'm... I'm a little... yeah. Look, the Sponsor last time said you have to take the context of this Amendment in, you know, in... in context. We're near the end of the game, but I want to move the process forward. He's not moving the process forward. He's trying to embarrass the Governor. He's trying to put Republicans in a trick box. This is part of Speaker Madigan's grind'em down game. Grind down the Democrats on this side, try to embarrass the Republicans on this side. Yeah the people of Illinois really benefit from this stupidity. Frankly, it's stupid. To the Amendment itself. The AMA guidelines are helpful. And they are part of an overall, comprehensive reform package. So, yes, they belong in an overall reform Bill. Not standing alone by itself, which is what the Gentleman seeks to do. Ladies and Gentlemen, when we go home Friday and your constituent says, what'd you do this week, remind them that we didn't move the ball forward. We didn't move the needle in a positive direction. Illinois's fiscal and financial straits exist and actually worsen each and every day and it's because of the inertia that's taking place... deliberate inertia to be sure... and it's embarrassing. Vote 'present'."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

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Kay: "Jay, a quick question about the testimony we heard at the Committee of the Whole. You may recall that I asked one of the attorneys who was at the table whether or not the witnesses who spoke were his clients. Do you recall the... the responses I got?"

Hoffman: "I... It was a long hearing. I apologize. I don't recall."

Kay: "Huh. Well, they were his clients or at least, one of the people were a client of his firm and the other four were his clients. And with respect to Mr. Coriden, do you remember the conversation there about whether or not they were his clients?"

Hoffman: "I apologize. I... I remember him testifying. I don't recall the... whether they were his clients or not. I don't... I apologize."

Kay: "Yeah. So..."

Hoffman: "And wait, I'm not trying to... you can enlighten us."

Kay: "No, no. I understand that and that's fine. My memory sometime goes blinky too, so I mean, I... it's okay. But my memory that day was pretty good because I sat here until 8:00 at night waiting to hear whether or not the people that were testifying were clients of the attorneys who sat at the table and they indeed were. So I don't know that you need to read those statements any more for me because that was a pretty much a set up deal. And when we asked one of... one of the witnesses how long they had prepared for it, they said at least a month. So let's not go back to the Committee as a Whole, please. One question. I thought we had a tacit understanding in the Governor's working group that you guys were going to bring language back and I think that's what the

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Governor was waiting on. Was your understanding different than that?"

Hoffman: "Well, we... I generally... genuinely have attempted to work through a lot of these issues. Some of these issues we're just not going to agree on. I don't believe that the Gov... I don't believe that this side of the aisle, as the vote indicated, is going to agree to an individual not being fairly compensated who is hurt. If you want to talk about how we can save employers money while still compensating injured employees fairly, we're willing to discuss that. And we will bring some... some of that forward. But when we continually talk around the same issues, things that we just cannot agree to because injured workers will not be fairly compensated, it's very difficult to negotiate."

Kay: "Okay. Well, I think our perception would be that we negotiated in good faith and you indeed yourself said, where's the language, where's the language, where's the language. And we were waiting to flesh it out and finally, we came to you and said, where's the language? So I think the Governor was waiting on you for the language. So let's not... let's not mix facts here with what may not be quite the issue that the working group is dealing with. Finally, I... I would be remiss if I didn't tell you that this was an issue that you all brought to the table, the Democrats brought to the table was fee schedule. And this is the second time around. You brought it in 2011. That was the only part of what you thought was resolution to a workers' compensation problem and you thought was a great idea. Why wouldn't it be a great idea today?"

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Hoffman: "This has to do with the AMA guidelines. The next Amendment is the fee schedule."

Kay: "Okay. Forgive me for that. And the AMA guidelines were put in this conversation and you did say that you thought it should be one of five. But do you know how PPD rates are computed today?"

Hoffman: "As far as the premium rates or..."

Kay: "PPD..."

Hoffman: "...compensation?"

Kay: "No, no. Workers' compensation PPD rates."

Hoffman: "Yeah. There's... there's five factors that are contained in the law that was drafted in 2011. One of those five factors that can be taken account... into account is the AMA guidelines. And... and I just want to quote from the... from the AMA guidelines themselves. They are very specific in that they... they indicate in disability valuations the impairment rating is one of several determinations of... of disablement. Impairment rating is a determinant most amenable to physician's assessment. It must be further integrated with contextual information typical typically provided by nonphysician sources regarding psychological, social, vocational, and agricultural issues. In other words, the guidelines themselves say it shouldn't be the sole factor, yet in the... in the working group, the proposal is that the AMA guidelines would... could be the sole factor."

Kay: "Yeah. Well, that's not responsive to my question. I'll tell you how they're computed. It's sixty-six and two-thirds times 2 and you divide it by 3. That's the answer to the question. Thank you, Mr. Speaker. I'm going to vote 'present' on this."

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I think, quite frankly, we have not been negotiating in good faith here in these working groups. That's unfortunate. I think Jay is very familiar with workers' comp. Maybe... maybe he's the best spokesman on your side of the aisle. And when we're waiting for... when we're waiting for legislation based on information that the other side was going to propose, didn't get it. I'm going to vote 'present' on this Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Just wanted to remind everybody that since 2011 when we did the reforms, that the cost of workers' comp in Illinois has gone down over 25 percent and that's including a looking at years that took place before the 2011 reforms. And so, the expectation is that the rates will continue to fall even at a potentially escalated rate because we're now getting into the category of only examining years subsequent to the reforms. Now, over 25 percent of reductions, which more to come, is significant and a significant portion of those reductions whether the changes that were made with regards to considering the AMA formula. As part of the considerations, rates are down over 25 percent. The 2011 reforms worked. Vote 'no'."

Speaker Lang: "Representative Ives."

Ives: "Mr. Speaker, since the presenter on this Bill doesn't really believe in this Bill and that is hypocritical to honest political debate, then I move the previous question."

Speaker Lang: "There's only one more speaker, Representative. The Gentleman's on your side of the aisle. I'm sure you'll indulge Mr. Hays."

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Hays: "Thank you, Mr. Speaker. To the Bill. I... I spent some time earlier this week asking Members who had tenure in this august Body, people who had been here 5 years or 10 years, and I asked in your career have you ever brought to the floor or presented a Bill that you were not in favor of? And to a Member, the answer was no. So I... I went up the ladder to those who have been here 20 or 25 years, 30 years. Have you ever presented a Bill on the floor that you were not in favor of? And again, the answer was no. And I thought to myself, as we have this ridiculous debate on Bills that the presenter is not in favor of, I thought, you know, should we get the trophy out? And I thought, well, you can't get the trophy out 'cause you have to have a hundred 'no' votes. Maybe we should have another award for somebody who runs a Bill that gets zero 'yes' votes. And when I... in my youth, I used to play cards with some guys and one of the guys had a button that said, are you stoned or just stupid. And I am going to implement, as we speak here today, in honor in part to the Gentleman in the podium and his great work on medical marijuana... Congratulations, Sir. You are the first recipient of the, are you stoned or just stupid button. I'll have it on Monday."

Speaker Lang: "On that exciting note, Representative Hoffman to close. Do you want to answer the question for him?"

Hoffman: "I mean, seriously. Okay. Just vote 'no' on..."

Speaker Lang: "Those in favor of the Gentleman's 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? Bennett, Chapa LaVia, Fortner, Ives, Jesiel, McSweeney, Morrison. Mr. Clerk, please take the record. On this question,

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there are 0 voting 'yes', 69 voting 'no', and 38 voting 'present'. And the Amendment fails. Mr. Clerk, Rules Report."

Clerk Hollman: "Rules Report. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 22, 2015: recommends be adopted, referred to the floor is Floor Amendment 1 to Senate Bill 125, Floor Amendment 1 to Senate Bill 202, Floor Amendment 1 to Senate Bill 379, Floor Amendment 1 to Senate Bill 1595."

Speaker Lang: "Returning to House Bill 1287, Mr. Clerk, please proceed."

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

Speaker Lang: "Mr. Hoffman on Amendment 3."

Hoffman: "Thank you, Mr. Speaker. This is also a proposal of the Governor's Turnaround Agenda regarding workers' compensation. His proposal would... would be a 30 percent reduction from the 2011 reforms regarding the medical fee schedule. There has been... the testimony of the Committee of the Whole had some grave concerns about access. And I received a letter from a physician in the Metro East who indicated that my pa... my patients, the injured workers of Illinois, depend on quality service specialists. Good results means workers can get back to work, get back to their lives and families. In the end, that helps businesses in Illinois to prosper. And I'm extremely concerned that these type of reductions in the fee schedule will result in physician specialists not providing services to injured workers. In addition, we heard testimony from Kim Janis of the Illinois State Medical Society who indicated that the fee schedule reductions have already had

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an nega... negative impact on injured worker's ability to access the most critical medical care in Illinois. A.J. Wilhelmi of the Illinois Hospital Association testified that there's been a profound impact on the State of Illinois, on the people of the State of Illinois and in piticular... particular, on access to quality health care for injured workers. I urge a 'no' vote."

Speaker Lang: "Mr. Sandack."

Sandack: "Will the presenter yield?"

Speaker Lang: "Of course."

Sandack: "Mr. Presenter, because you're not the Sponsor of this Amendment, how do you intend to vote on the... the Amendment you're presenting?"

Hoffman: "I urged a 'no' vote and I intend to vote 'no'."

Sandack: "And other than this... other than this exercise today, have you ever in your illustrious career, I think, rising like the Phoenix from the ashes, career one or career present, have you ever presented or sponsored a Bill on your own initiative and... and urged a 'no' vote?"

Hoffman: "Earlier... or last week, yes."

Sandack: "You're getting good at it."

Hoffman: "I did."

Sandack: "Will you commit to this Body that you'll..."

Hoffman: "I mean, can I tell you something. It's... I'm getting a complex."

Sandack: "Good."

Hoffman: "A lot of zeroes going up on the board here."

Sandack: "Yeah. Well, I think Representative Hays has a good point about it a new button we should don in such instances. Will

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you commit to this Body that you will not present any more Bills in your part-two-career that you will do anything other than... part three, four, five, Hoffman redo, whatever... that you will not present any more Bills that you don't believe in the propriety of. And you're never going to present a Bill that you don't think should pass this august Assembly?"

Hoffman: "No. I... you know, the future's the future and I can't predict the future."

Sandack: "No, because you're good at passing bad Bill... at killing bad Bills, right?"

Hoffman: "Look, come on."

Sandack: "Come on."

Hoffman: "You know what this... Here's what we're talking about here today, all right."

Sandack: "Come on."

Hoffman: "We don't believe that injured workers should not receive adequate compensation. You guys want to take a strong 'present' vote, go ahead. Really strong, showing guts. There you go."

Sandack: "Well, to... to the Amendment this presenter presents, which he's getting good at, it's called disingenuous process and it really is unbecoming because he is a good Legislator, these two weeks notwithstanding. The fact is this Amendment, as it's presented, is not the Governor's Amendment. It's not his Bill, but it's an attempt, yet again, to use this process in a really embarrassing, dishonest way. And so, let's make sure we know what this does and what it doesn't do. This fee schedule, reduction, is across the board. It will force quality doctors and other health care professionals out of

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workers' compensation system. Nobody here wants that. And because of the work groups that the Governor had put into place and thought would honestly go about a process, the Governor listened to the House and Senate Democrats in that working group and decided a change should be made in his proposal. And had anyone really wanted to go through the process the real way, they would have waited for his proposal and then deal with it on the merits. That's an honest way of doing things. This is dishonest. It's unbecoming. And it... it really is a charade and embarrassing. I know the Sponsor gets... oh, I'm sorry... the presenter gets the last word and I'm sure it will be something earth shattering. This is not the way to do the peoples' business. We're not doing it. We're reacting to it. And yeah, it's a brave 'present' vote because we believe in quality workers' compensation system, but it needs reform. And to a previous spek... speaker that was talking about the 2011 reforms, they were good incremental steps, but we're still not competitive. We're still not where Illinois ought to be. And if it's your... if the Democrats want to continue with the race to the bottom... oh, wait a minute, we're already there... that's right, the race is already lost. We're trying to reform a system that's fair to everyone and race to the median at least. Let's get there, okay? Let's stop the charades. Vote 'present'."

Speaker Lang: "Mr. Bradley."

Bradley: "2011 down over 25 percent, more reductions to come. A big part of that success was a reduction in the fee schedule. We reduced the fee schedule 30 percent... 30 percent in 2011. Many people in this room voted against that proposal because

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we reduced the fee schedule so dramatically. The effect has been the reduction of workers' comp rates by over 25 percent with more to come. Vote 'no'."

Speaker Lang: "Mr. Hoffman to close."

Hoffman: "Thank you, Mr. Speaker. Now, you know... look, I've stood here and I've taken it, okay? I've taken it because I understand you guys are upset that you wish that you weren't put in this position. You wish that you didn't have to vote to deny injured workers compensation. You wish you didn't have to vote against your doctors and your hospitals. You wish that you wouldn't deny access. You wish that they would be fairly compensated, if they provide care 'cause they support you. But look, I didn't put this proposal forward. This comes directly from the Governor's proposed language. The problem is you can't handle the truth. You're running from the truth. When are you going to start facing and look at yourself in the mirror and understand this is your proposals, not ours... not ours. We're not the ones saying doctors shouldn't be adequately comp... adequately compensated. We're not saying surgeons should be... shouldn't be adequately compensated. We're not saying hospitals have... shouldn't be adequately compensated. We're voting 'no'. Vote a strong 'present'. Look yourself in the mirror in the morning and understand there hasn't been a Bill put forward by the Governor. There hasn't. What are we waiting on? We got eight more days. We got eight more days. I said last week Rome is burning... Rome is burning and we're doing nothing about the budget because we're languishing in this stuff... this stuff. You want to talk about employers reducing their obligation

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and their premiums, I'll talk to you about it. You want to talk about denying injured workers adequate compensation, we're not going to talk about it. We're voting 'no'."

Speaker Lang: "Those in favor of the Gentleman's 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? Breen, Fortner, Ives, Jesiel, McAuliffe, McSweeney, Morrison. Any of you wish to vote? Mr. Clerk, please take the record. On this question, there are 0 voting 'yes', 69 voting 'no', and 37 voting 'present'. And the Amendment fails. Mr. Clerk."

Clerk Hollman: "Floor Amendment #4 is offered by Speaker Madigan and has been approved for consideration."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Representative Bradley, who was a leader with the 2011 reforms, talked about the reduction that NCCI and other industry experts has indicated should have resulted to employers in pre... premium rates as a result of the 2011 reforms. We heard testimony on the Committee of the Whole, as well as before the Labor Committee, and since 2011 there's been a reduction of 18.1 percent in advisory rates and 19.3 percent in advisory loss costs. This is the testimony the National Council of Compensation Insurance or NCCI. Over the same time, average rates have risen 9.1 percent nationally. The point being is we don't believe that we're seeing these premium reductions as a result of 2011 reform being passed on to the employers. This provision would provide that there would be a prior approval of rates that the Department of Insur... Insurance can make a determination as to whether or not the rates are excessive prior to them being...

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being put on the employers. The current system is that there is no prior approval of rates. We think there should have been reductions in rates to the employers if the burden on the employers should... should have been reduced as a result of the 2011 reform. In addition, this... this would follow 25 states which require prior approval rates, include... including the neighboring states of Indiana, Iowa, and Wisconsin. On this... on this, I'm proposing a 'yes' vote."

Speaker Lang: "Mr. Bradley, whose name was used in debate."

Bradley: "Again, during the Committee of the Whole, in response to the advisory rate reductions, there was a question asked by myself to the panel. And can you show that those reduction in rates was actually passed on to businesses in Illinois? And they couldn't answer that. We need that these advisory rates to be passed on to businesses in Illinois. What we did worked. The rates are down; pass that on to the businesses. One final point I'd make on a technical matter, the evaluation of the rates is based on, my understanding, a six-year average. We don't even have a full adjusted rate evaluation because part of the preworkers' comp reform years are still being put into those numbers. So once we transition into an evaluation of all postcomp reform numbers, the rates are going to drop even more significantly. What we did worked. What we did was difficult. What we did continues to work. And we need to make sure that those savings, those sacrifices or reductions in benefits and costs, which is benefits to workers, costs to the medical community, is being passed on in sufficient amounts to the business community of Illinois. I stand in support of that effort."

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Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "So we've heard a lot about how much the 2011 reform Bill helped us. So I would ask anybody who... and, Jay, maybe you want to do it, maybe the previous speaker would like to do it, can you explain how rates are calculated? Because 25 percent reductions is simply not accurate? So, can you explain to the Body how rates are calculated, start to finish?"

Hoffman: "Well, I can tell you that the National Council on Compensation Insurance testified that there should have been an 18.1 percent reduction. Those are... those are their advisory rates. But as you know, in... in discussions that we have had and the insurance industry has indicated, that that has not been the case. Now, I assume what happens is insurance... or according to the testimony in the Committee of the Whole, insurance rates are based upon experience factors. They're based upon the type of industry you may be in. For instance, pro... I would assume, a construction industry probably has higher rates than receptionist type or service employee type of a job. So..."

Kay: "No, no, no, no. No and let's stop there. Let's stop there. I... I..."

Hoffman: "I mean, if you know, you could enlighten us."

Kay: "No. I... I... because I want to know that you know. Because when you say... you make these broad statements about how much we're saving, you ought to be able to support the formula."

Hoffman: "The point is it's not... we're not saving it because the insurance industry may not be passing it along. All we're..."

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Kay: "Well, now, wait a minute. We just heard there's a 20..."

Hoffman: "I said may not. I said may not."

Kay: "Wait a minute. I just heard there's a 25 percent saving and more to come."

Hoffman: "I'm telling you what was testified to by the experts. There should... the 18.1 percent advisory rate reduction is what they said should have happened."

Kay: "All right. Jay, I'm going to... I'm going to... I'll stipulate that you don't know how to calculate the rates. And that's unfair to start talking about increases or decreases being in a debit position or a credit position if you don't know how to calculate the rates. And that's been the problem. Now, the 19 percent was an advisory rate. It was not a premium calculation. Is that... is that correct or am I wrong?"

Hoffman: "That's correct."

Kay: "Okay. So you just made my point. An advisory rate is just that."

Hoffman: "Incidentally, I'm not stipulating anything. Okay?"

Kay: "Oh, will you... That's all right. I did it for you."

Hoffman: "Listen, you talk... when you talked earlier about the... yeah, you always do... you talked earlier about PPD. Well, can I tell you something? Thank God you're not my lawyer because you're absolutely wrong and as an injured worker, I would've... would've been neglected and would've been neglectful for what you said PPD rates are... are calculated on."

Kay: "Well, maybe you'll introduce a formula then to somehow tier those."

Hoffman: "I don't have to. It's in the law."

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Kay: "Yeah. And it's exactly the way it works because, as I told you, because that's what lawyers do when they get before an arbitrator. So, you know, you can say what it is and I can say what it is, but I bet you I've been to an arbitration... the last time maybe two weeks ago, and you haven't been there for 20 years. So that's a big difference. But let me... let me just say this to you. If you don't know how to calculate the rates and you keep throwing out 25 percent reductions in costs and the advisory rate is only 19 percent, there's a problem. That math... that... that's voodoo math. That's voodoo math and shame on you for bringing that here. You shouldn't do that. Now, let me get to... to the real questions I guess I... I have for you today. Is it your intention to set rates for insurance companies?"

Hoffman: "I apologize. I was talking to staff. I'm sorry."

Kay: "No, I'm sorry, Jay. Is it... is it your intention to instruct insurance companies as to how to set rates?"

Hoffman: "No. It... So, what we... what this would do is it would give the Department of Insurance... incidentally, the head of the Department of Insurance is appointed by this Governor. It would give them the right to review the rates and prior approval."

Kay: "Well, they do that now."

Hoffman: "No, they don't. There is not prior approval in Illinois."

Kay: "You don't... they don't review the rates?"

Hoffman: "There is not prior approval in Illinois and not to determine whether rates are excessive. They say if they... if they believe there's a competitive market, then the rates are

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just filed and they basically don't review them. This is prior approval. There are 25 other states that do this. And we always point to Indiana, Iowa and Wisconsin as having lower rates. They have prior approval. All we're doing, under this Amendment, is saying to the... the Governor's appointed head of the Department of Insurance that you will pri... have prior approval of rates to determine..."

Kay: "Okay."

Hoffman: "...whether or not what NCCI is saying should happen or shouldn't happen."

Kay: "Okay. So, what... what you really want to do here though is tell them how to run their business."

Hoffman: "No. We're... we're trying to regulate to make sure employers aren't..."

Kay: "Bingo."

Hoffman: "...being charged excessive rates."

Kay: "Bingo. Regulate their business."

Hoffman: "We're trying to make sure employers aren't being charged excessive rates. Now, if you don't care about employers..."

Kay: "Well, you can't tell me..."

Hoffman: "...vote 'no'..."

Kay: "...you can't tell me..."

Hoffman: "...or vote 'present'."

Kay: "...you can't tell me how to calculate a rate. For Pete's sake don't..."

Hoffman: "But the Department of Insurance can and that's what this Bill would do is allow the Department of Insurance to review rates."

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Kay: "So, with over... I'm sorry for interrupting. I didn't mean to cut you off, Jay."

Hoffman: "It's all right."

Kay: "I didn't mean to cut you off."

Hoffman: "My point was we're not saying we're going to regulate the rates. We're saying the Department of Insurance will be able to review, like 25 other states, to make sure that the rates are not excessive."

Kay: "So, out of the 300 companies who write business in Illinois, you think there's collusion?"

Hoffman: "I'm not saying that. I'm saying... I'm saying what..."

Kay: "Well..."

Hoffman: "I'm telling you the facts. NCCI said an advisory rate reduction of 18.1 percent as a result of the 2011 law. And I'm saying that Indiana and Iowa and Wisconsin, that everybody says have lower rates, they have prior approval of rates. We don't for whatever reason. That's what this would do."

Kay: "Okay. But, here again, I'm just going to go back and I don't mean to be... beat a dead horse here, but if you know how to calculate rates, you know what an advisory rate means. And that's the problem here because it's not... it's not a premium rate. It's not a premium rate. So we... I think maybe we've cleared that up, but have you seen the House Bill that I filed recently, 4022?"

Hoffman: "No. I've... I'm afraid I haven't. I'm sorry."

Kay: "Might have staff pull that up for you and give it to you because I think it's a far better approach to what you are sort of suggesting we do here. It's very proactive. It would satisfy your side of the aisle, satisfy my side of the aisle

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and it makes a whole lot more sense. I'm surprised you don't have that, but that's okay. Let's... let's move on. So your proposal instructs the Department of Labor to tell insurance companies to recalculate employer rates. Is that correct?"

Hoffman: "My proposal... my proposal requires free... prior authorization to determine whether or not rates are excessive."

Kay: "So, you... again, you want to run their business by telling them to recalculate the rates for business."

Hoffman: "No."

Kay: "What does it do?"

Hoffman: "Just what I said. It allow... it gives the Department of Insurance the ability to make sure that rates are not excessive."

Kay: "Well, is there any reward for a company who doesn't have excessive rates?"

Hoffman: "If a company does not have excessive rates, then the Department of Insurance will let them keep the rate that they filed."

Kay: "And then would they be able to make a profit? Would that be okay?"

Hoffman: "I'm not saying they shouldn't be able to make a profit."

Kay: "Okay. So the Department of Insurance estimates that this Amendment will cost \$9.6 million due to the need to hire outside vendors to handle... to handle 330 filings. Is that correct? Do... do you agree with that?"

Hoffman: "I... I don't know that, but I do know that... I do..."

Kay: "Would... if you... if that..."

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Hoffman: "I do know this, that Indiana, which we always point to, Iowa, Wisconsin, and 25 other states have insurance companies that write workers' compensation insurance. I would assume they're all making a profit or they wouldn't be writing their workers' compensation insurance. And all of those states have prior approval rates."

Kay: "Well, the simple truth is though you... you really don't like insurance companies and you don't want them to... to make a profit. You don't want them to be competitive and be in business. You'd rather have something else. Isn't that the case?"

Hoffman: "That is not true."

Kay: "Why is... why is it in this Amendment that we aren't looking at how much attorneys are making off of work comp?"

Hoffman: "They are... they are capped at 20 percent."

Kay: "Well, but what's that accumulate to? What's the end product there? We don't know that either, do we?"

Hoffman: "Well, if you want to deny injured workers representation then put that Bill in. We'll vote against it."

Kay: "Well, you know, I... I often thought pro say was far better because things got settled quicker. But that's just my personal opinion."

Hoffman: "Yeah."

Speaker Lang: "Mr. Kay."

Kay: "Yes."

Speaker Lang: "Can we bring our remarks to a close, Sir?"

Kay: "Yeah, absolutely. I'll... I'll do it now, Mr. Speaker. It's pretty obvious to me and to the Body that if you can't understand or explain how you calculate the rates for workers'

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compensation, you can't talk about savings, you can't talk about auditing, you can't talk about what insurance companies do, you can't talk about how to fix the system because you don't understand the system. And if you don't understand the system, your proposal is flawed. So I'm going to... I'm going to ask that you take up House Bill 4022 and look at that in lieu of what you have here today because this is a sham. This is a total sham. And to proceed with this is taking us down the primrose path and, again, any road will take you there if you don't know where you're going. Stop... stop looking through bifocals. You need to get some clear vision here and this is not clear vision. Vote 'present'."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Sponsor yields."

Reis: "Ladies and Gentlemen of the House, to the Amendment. You know, here we go. Watch the other side's lights pop up green now because we're going to sock it to the insurance companies. Illinois is the single most competitive rates in the country for workers' comp from an insurance standpoint. As a result, 300... over 300 insurers compete for the right for customers' workman's compensation business in this state and the rates are extremely competitive. Amendment 4 would reverse open market competition. Substituting government price controls for the competitive market place will discourage deployment of capital of workers' compensation market place and does nothing to under... to address the underlying causes of workers' compensation expenses. And it'll send a negative message to every insurer in the country looking to invest or do business

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in Illinois. Submit your business government price controls before you cross the border. Obviously, a lot of them won't continue to do that. So, how can any business remain competitive under such government control top down regulatory system? That could take two months, maybe more, for an insurer to reach a decision for a customer. The simple answer is it can't. Vote 'no'."

Speaker Lang: "Mr. Tryon."

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

Speaker Lang: "Sponsor yields."

Tryon: "You know, Jay, I... I give Governor Rauner a lot of credit for having working groups and trying to work out something on a bipartisan basis. In fact, we had some productive discussions. Many times you were the only Member of the other side of the aisle that came. The... the problems that we have, when it comes to workers' comp as a whole, are pretty significant. And yesterday, I pointed out a COGFA report that said last year alone we lost 11,500 manufacturing jobs; 11,500 manufacturing jobs. A net loss of 2 percent of all our manufacturing in a state that's had a romance with manufacturing since the nineteenth century. We always led the way out of a recession in the Midwest on every recession there was, but we're not doing it now. But when we ask companies in our districts, in our state, why they leave, they tell us the cost of doing business here is too much. And workers' comp costs is one of those things. While this is one component that might make it better, all these other things that we fail to recognize as problems, fail to negotiate, are going to continue to drive out jobs out of the State of Illinois.

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So we like to talk about Indiana, and Wisconsin, and Iowa, you just mentioned those three states. So last year by the way, there was a report from the area economic growth professionals, a publication, it's a national publication that ranked the top 10 states for manufacturing job growth. It should be no surprise to some that the top 3 were Iowa, Wisconsin, and #1 was Indiana. And we might want to sit here and say that has our policies that we debate here has no impact on jobs. When we create an atmosphere for people looking to come to other states or any state to create jobs, we create a toxic atmosphere. We've had to fight down gross receipts tax. We've had to fight down income taxes every year. We got a... we got a debt that scares people from moving into Illinois. But what's sad is we're losing jobs. And when we lose 11,500 jobs in manufacturing sector alone, you know what it leaves behind, broken families. It leaves behind high unemployment costs. It leaves behind communities that are divided. But yet, you talk about Rome burning. You're standing there watching the fire instead of trying to put it out. A discussion with our business community where almost every single business group is telling us the cost of workers' comp needs to change, we can't have that in a bipartisan conversation of working groups that's been put forth by the Governor and be productive? We shouldn't be having these Bills here. We should be having Bills that we know are going to pass. You know, this... this is... I find it unfortunate for all of Illinois. And once again, we're adding to the toxic atmosphere in the business environment to anybody looking at coming to Illinois. And I'm sorry this is happening because

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I thought we had some good ideas that we discussed there. I thought you brought some good ideas, but when you come and you say, you know what, there's just no appetite on our... on our side of the chamber for any of this other stuff."

Hoffman: "That's... that's not what I'm saying."

Tryon: "That's wrong."

Hoffman: "I'm... That's not what I'm saying."

Tryon: "Well, what are you..."

Hoffman: "Could..."

Tryon: "Tell me why do you think 11,500 manufacturing jobs left last year, in one year alone?"

Hoffman: "My... my point is this. We, like you, would like to reduce the burden on employers, but not at the expense of people who are legitimately injured. So, I have put forward several ideas in the working group. This is one of them and that's... and you talk about Indiana, and Iowa, and Wisconsin, this is the law in Indiana, Iowa, and Wisconsin. So you're basically making my closing argument for me by saying that... that it works there. And all we're saying is..."

Tryon: "Well..."

Hoffman: "...certain things... certain things..."

Tryon: "It works there because all the other parts that you just voted 'no' on are also part of those states."

Hoffman: "You're upset..."

Tryon: "We could have done it differently here. We could have maybe even done it better than In... Indiana, Iowa, and Wisconsin, but we're not going to have that opportunity because nobody's coming to the table willing to sit down and have a meaningful discussion. It's been, no, we're not

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interested in that. No, we're not going to do that. No, we're not going to do this. You know, one... one of the other Members of my working group, one of the Senators, said they would have liked to have seen this in February. We would have liked to have seen this before yesterday. You know, this is no... this is just putting politics above policy. And this is the policy that means a lot to the future of our workforce and we can't have a meaningful discussion. I think... I'm... I'm sorry it's come down to this. I think this is... I think it's wrong to put politics before policy, especially this policy. So, do what you want, but we're going to come out here with ro... no real solution."

Speaker Riley: "Representative Riley in the Chair. Thank you. The Chair recognizes Leader Sandack."

Sandack: "Thank you, Mr. Speaker. A question of the presenter."

Speaker Riley: "The Sponsor will yield."

Sandack: "Representative Hoffman, are you a Sponsor of this initiative?"

Hoffman: "Speaker Madigan is the Sponsor."

Sandack: "But this is an initiative that you... I think you've already said in your opening remarks... you support."

Hoffman: "I do."

Sandack: "Okay. I wasn't here when Governor Blagojevich was around. Maybe... maybe you can remind me because I think you were. I don't remember of any... any working groups, bicameral, bipartisan working groups. Leader Hoffman, well, you were the kind of Blagojevich's floor leader. Remind me, were there any working groups, bicameral, and bipartisan working groups that

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took on interesting important policy initiatives like workers' comp?"

Hoffman: "I have been... I don't believe so. The answer to that is... But... but can I just... can I..."

Sandack: "Say whatever you want."

Hoffman: "Can... just... you really can... got to try and be a little bit fair to me here, okay? You... Representative Tryon has indicated I have actively attempted to work through some of these issues with our working group. We have put forward... people said we didn't put things forward... we put forward no less than five Bills to the working group that we said we could... we could support. This is... is an issue that we have discussed. This is an issue that's happened in other states. This is something that can help employers. Okay? It really can. And it's helping them in other states. But, no, there weren't any working groups that I know of. There were a lot of Leaders meetings of... of all the Leaders, but I wasn't a part of any of the working groups."

Sandack: "And there weren't any working groups under Governor Quinn either, were there?"

Hoffman: "Not that I know of."

Sandack: "Well... Okay. And so... and... and I want to be fair to you, Jay. And I think you want to be fair to this Governor, who's been Governor for what, five months? And so, while things certainly aren't working fast enough, and I'll get to that point in a second, because your analogy of Rome is burning I think is a very good one. You used it twice on this floor now. But let's go back to being fair. So the guy elected by everyone in the state, the only map Speaker Madigan and

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President Cullerton couldn't change, is elected by the people. And he's asked for bipartisan... a spirit of collegiality to try and move some issues forward. Now, obviously, because we're doing what we're doing right now, it didn't happen, but he's presenting Bills today. And it may not be fast enough for you, of course, he's trying to fix a pretty big mess. Wh... Why is it that I'm supposed to be fair to you while you run the charade three out of four Amendments, but you can't be fair to him. And let him file his Bills, too late perhaps for you, notwithstanding. But why can't we let the Governor, who was elected to govern, actually try and move things forward in a bipartisan, bicameral way?"

Hoffman: "So, we're elected as well. Okay? And..."

Sandack: "The Phoenix."

Hoffman: "...we're elected as well and... and we have an obligation to the people that elected us. I agree with you. I... I personally will work with the Governor in a bipartisan fashion. There are just a few things here that we are against. That's it."

Sandack: "Okay. To the Amendment, Mr. Speaker. The Gentleman from Williamson County, three Amendments in a row except for this one, kept saying there's been active and meaningful improvement of the reforms in 2011 and premiums have gone down and more will come. And then all of a sudden does a little 180 and says we need to enact now. We need to enact this Amendment, Amendment #4. I think it's... well, I... I think it's disingenuous. And... and to the presenter Sponsor. I... I think he is a... a terrific Representative. I happen to disagree with the last two weeks' worth of work that's been

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demonstrated and/or put on the floor, but I'm going to use his analogy. Rome is burning, Representative Hoffman. Rome is burning and you're fiddling. The Speaker of this House is fiddling while it burns. And for the last two weeks, we've been on the sidelines not attending to the fire that's going on and instead you're bringing a garden hose. Actually, now that I think about it, you're bringing a new set of matches. It is embarrassing. Vote 'present'."

Speaker Riley: "The Chair recognizes Representative Franks."

Franks: "Thank you, Mr. Speaker. I've been listening to debate and I haven't spoken today, but I feel like I need to because a number of my colleagues are decrying the process and decrying the procedure. I don't think we all love the procedure here, but at least we're having a debate. What I'm concerned about is that the Governor said he's going to put his turnaround agenda today after we leave sometime on... So, we won't see it 'til Monday. And he's going to give us six Bills with less than a week to handle them, dropping us on at last minute, which you all are decrying over there about these Bills, and said you've got five days, take it or leave it. Vote for it or you're here all summer. That process stinks. That's worse than this because at least we are debating. And I'd encourage you to get involved now. Tick tock, people, tick tock. And if the Governor is listening, please file your Bills. Please file your Bills. We would like to discuss them. We would like to debate them. We would like to negotiate them. We can't negotiate with something that isn't in written form. At least now we have something in written form. And I heard some of the histrionics. That's... forget the procedure now,

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let's move on to the substance of this fourth Amendment. I've heard the histrionics from some decrying it and I don't know, obfuscating and I don't... I'm not even sure what the numbers they were saying. But this is not a radical idea, folks. Almost half the states in the country are doing exactly what the Sponsor is asking us to do. Our neighbors in Indiana, and Wisconsin, and Iowa. And Indiana, and Wisconsin's like, geez, it's almost like the Messiah lives in those states. 'Cause that's what I'm hearing all the time. We got to be like Wisconsin. We got to be like Indiana. Here's our chance. And what do we get, we get people standing up and saying, oh, you're going to take away their ability to make money. And we're doing the exact same thing that they're doing. That's all we're proposing. And we hear constantly, constantly, constantly, the biggest problem facing our employers, or one of the biggest problems, is our workers' compensation costs. Well, heck folks, there's 300... there's 300 companies providing workers' comp costs here. They're here 'cause they're making a lot of dough. They wouldn't be here if they weren't. Now, you talk about the real costs but you don't want to look at the folks who are profiting off of it. We're not saying you can't profit. We're saying please be upfront. Let us know what these rates are and let us review those. I can give you some anecdotal stuff. I mea... I mean, I'm not a businessman like some. I'm a farm boy from Marengo. But I can tell you, a few years ago... that's it. I'm not as smart as these guys. I get it. But I... but we... but we had this debate on the House Floor on an unconstitutional Bill to put caps... Could you hold that down, please? Please? Thank you. We had

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a debate on the House Floor about unconstitutional caps because we were talking about these high costs for medical malpractice. Right? And I voted against that Bill because I thought it was unconstitutional and the court, you know, did rule against it. But we're talking about these rates. Now, Mike, you know what? The rates are so high because these companies are making so much money. So, like, I'm going to do a little experiment. Like I said, I'm not a businessman, but I wanted to try an experiment. So, what I did is I started an insurance company. I got to dress up in a new suit, got to go to Lloyd's of London, got the whole deal and I started an insurance company that provided insurance to doctors. Boy, it was interesting because all I did was charge 20 percent less than what the other did and you wouldn't believe how much... how much business we got. But the fact is I was able to do that because we were able to know what some of the rates were. It was real... it was called real competition. We're asking here to emulate what's working in other states, those states that many on the other side of the aisle wish to emulate, being Indiana, and Wisconsin, and asking to level the playing field so our companies can do the same. And our goal here is to lower the rates. We always say we want to lower the rates 'cause we want to save our businesses here. If you really want to save businesses in Illinois and you want to make us more competitive, this is a no-brainer to vote for. Okay. So let's try to move past the histrionics and the game playing because there's going to be plenty of that next week and maybe we're going to be here all summer if we don't do the all or nothing thing. But folks, we have an opportunity to make a

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difference on this. We ought to make this difference and I'd encourage an 'aye' vote."

Speaker Riley: "Members, there are a number of people who still want to speak. And let's try to keep our remarks as succinct as possible. The Chair recognizes Representative Christian Mitchell."

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

Speaker Riley: "He indicates he will."

Mitchell, C.: "Jay, I want to make sure... I'm... I'm a little lost this morning, so I want to check in, I guess, on a few things. Now, typically, when we kind of divide things down the aisle by Party, we have some orthodoxies we fall into. Democrats, for the most part, stand with labor and in this case, Trial Lawyers. And Republicans, as I understand it, are... tend to be probusiness. Is that, you think, an accurate description of our political system?"

Hoffman: "It's fairly accurate except for moderates like me."

Mitchell, C.: "Of course. Of course. And of course, the... the farm boy from Marengo. I understand we've got some exceptional folks here. But what's confusing me is, it's my understanding that, according to the Gentleman from Marion, that we lowered workers' comp rates a few years ago and those rates were never realized by businesses. And where'd they get lost? I'm trying to understand."

Hoffman: "Well, I can only tell you what was testified to at the Committee of the Whole. NCCI indicated that they had an advisory rate of 18.1 percent reduction as a result of the 2011 reform. And if you talk to the employers' groups, like

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the Manufacturers Association that testified, and they would say that they have not seen that reduction."

Mitchell, C.: "So... Mr. Speaker, to the Bill. What I think the Gentleman's testimony reveals to us is that those rates, those savings, are being swallowed up by insurance companies. Now, everybody on this side of the aisle is decrying process. We had a couple days of decrying process and random attacks on this side. I had my name mentioned by the Gentle Lady from Wheaton who apparently isn't voting this morning. And it's... it's just been interesting to watch people hide behind process because Republicans say they want to save money for businesses and we have on the board, right now, an Amendment that would save money for our businesses. Yesterday, everyone was talking about how much they love education and they care about poor kids and how sad they are. And they're defending millionaires. So we're defending millionaires and we're defending insurance companies and we're talking about process, but we're refusing to ever take a stand on anything that would actually advance the ball for the things that we care about. We've got on the board a Bill that everyone says makes sense. We had a previous speaker talk about how the other Amendments also made sense, but because they haven't been washed in the blood of these working groups, somehow, they're not valid. And it just doesn't make sense. If you care about lowering rates for businesses, if you care about making sure insurance companies don't have usurious rates that are breaking our businesses and destroying our families, you vote 'yes' on this Bill. That's what you do. It's on the board. It's a Bill we all agree on. It's a Bill we all think

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makes sense. Just vote 'yes'. Stop hiding behind process. Stop protecting millionaires. Stop protecting insurance companies. Just vote 'yes'."

Speaker Riley: "The Chair recognizes Representative Keith Wheeler."

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

Speaker Riley: "He indicates he will."

Wheeler, K.: "Thank you. Representative Hoffman, in a previous debate you had mentioned that you were willing to... I may have this out of context though... make sure... make sure I have it correct, that you were willing to sit down and discuss workers' compensation reform that didn't diminish the value to the injured worker and fam... balance that with lower costs to employers. Is that accurate?"

Hoffman: "It's accurate."

Wheeler, K.: "Thank you. I... I now invite you to any time you want to sit down and do that. I sincerely ran for office as a small business owner, an employer, someone who's signed the front side of a whole lot of those work comp insurance premium checks. And I had the understanding with my colleagues across this state, who own those businesses that do the same things that I do, that this is a cost driver that's not just affecting them personally or making them not into the millionaires they hope to be someday, but it's affecting their ability to hire their neighbors and put those people to work. That's why I got involved in this process. That's why I ran for office. That's why I was glad to serve with you on the Labor Committee because these are important things that we can get right for this state that actually don't cost this

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state money. It's not a budget issue. This is just a practical regulatory issue that we can solve and make a better case for investing in this state, for hiring people in this state, growing this state and ultimately, then we can talk about fixing our budget problems by then. So this is an important matter to me. And I'm... I'm really looking forward to that conversation. In fact, I invite everybody from both sides of the aisle to that discussion 'cause I think this is something that we need to get right for all the workers in Illinois. And there's an answer and part of that, I hope we get to debate, what the Governor is going to propose. I know you haven't seen it. I haven't seen the... the draft either yet, but I'm excited about the fact that we can discuss that, Jay. So, I look forward to doing that with you next week."

Hoffman: "Let me just say that I agree with your comments. Okay?"

Wheeler, K.: "Thank you."

Hoffman: "And in the time... the short time I've known you and you served on the Labor Committee, I take that as genuine in really wanting to do something of... and to me the goals are simple. And what the previous Representative, Representative Tryon, indicated is exactly right. This is an issue we need to address. But really, to me, it's an issue of how can we save employers money, make them more competitive with other states while still maintaining the ability of an injured worker and an injured family to... to survive. It's that simple. Now, somewhere there's an answer and I agree with you."

Wheeler, K.: "Thank you. I appreciate it. I look forward to working with you on that. Today's line of Amen... Amendments aren't in total of that answer. I think you agree with that

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since you didn't vote for any of them either. But let's... let's go back to the process just real quickly so maybe those who haven't looked at the... the actual results see them. Before 2005, Illinois's work comp premium rates were somewhere in the middle of the pack. Wouldn't you agree?"

Hoffman: "I... I don't know that it was 2005, but there was... there was a period in the not so distant future..."

Wheeler, K.: "Or past, right."

Hoffman: "...or distant past when we were in the middle of the packets."

Wheeler, K.: "Right. And then in 2005, we made some reform work here in Illinois. We drove our rates up to be the third highest in the country according to the Oregon study. Which precipitated then, if I understand correctly, the 2011 reforms that were worked on here. I was on the sidelines then supporting reform that would drive down those costs. And a result of that instead of 18 point... 18 percent reduction, we had... we've dropped somewhere around seventh in the pack of the United States in the Oregon study for work comp premium rates. You... you saw the same thing. I think I saw it in committee with you, Jay. Now, in order for us to actually achieve what we're talking about, this insurance reform you've got on... on the board here, which I want to discuss with you more and understand better, even if that magic billion dollars, that our friend attorney Menchetti talked about, were actually in... in the process here, I don't believe, with my math, that that would actually drive us anywhere near the middle of the pack over that period of time. So we have to look at the cost factors for our state. When we held the

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work comp Committee of the Whole hearing on the floor, our friend from the insurance industry presented numbers to us that said that Illinois has a PPD award rate of 554 per 100 thousand workers. That sounds like mumbo jumbo, doesn't it? Well, let's put it in context. The national average is only 337 per 100 thousand workers. So we've got people that maybe not belong in actually the work comp system driving up our costs. Hence, the reason why we need more comp reform. Another Representative mentioned the fact that the insurance companies are just making way too much money. So I try to figure out where these costs are because the costs matter. Insurance companies have to have a profit to continue, but the self-insured companies in Illinois that have policies in other states and have costs in other states testified in our Labor Committee, Jay, that they have seen no real reduction that matches the NCA site... the NCCI rate reduction or advisory rate because the costs haven't gone down with that. But they don't have a profit to worry about. They don't have marketing costs and overhead costs and HR costs with that. They just have to deal with the cost. Municipalities said the same thing to us. So we have to address more than just this insurance component. And that's the point I'm trying to make to everyone in this Body. We have to have a comprehensive workers' compensation reform. I think that's going to have to start with whatever the Governor's proposed and work from there. And I look forward to and I encourage... I implore everyone to work on this. This is an issue that we can help make this State of Illinois a great place to invest, grow a business, create more jobs. Thank you."

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Speaker Riley: "The Chair recognizes Leader Sullivan."

Sullivan: "Thank you, Mr. Speaker. I want to speak to the process more than anything else. The Gentleman farmer from McHenry talked a little bit about the process, and... and the secret workgroups, and where are our Bills and... and obviously, now, they're going to be coming. But you know, that process has taken place in the past. A few years back we had a wonderful group initiated by the Speaker, a secret workgroup, if you will, on unemployment insurance. And we came together, and had historical unemployment insurance reform about four or five years ago. Of course, in those groups, industry lobbyists were part of the deal. Just a few years ago, we had another secret workgroup initiated by the Speaker that dealt with concealed carry. And that's another group that I was on. And then we met in Leader Mautino's office, sometimes they went late at night, someone had to bring the beverages, but another secret workgroup. This Governor has put forth an idea. You might not like it. You might like some of it. He's brought Legislators, absent industry lobbyists, together to talk about reform. We got a little lip service from your side of the aisle. And so, what has he done? He's negotiated against himself and brought forth six ideas... or six Bills that we're going to talk about next week hopefully. Those will be dropped later today. But you want to talk about secret workgroups? Well, let's define those. According to your side, and the Speaker's spokesman, those are Legislators working behind the scenes going away from the process and working secretly. Well, you want to know what the ultimate secret workgroup is, the ultimate, that's been going on forever? House Democrat

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Leadership team under Speaker Madigan. That's the ultimate work... secret workgroup. How many times have you guys had legislation come to this floor you've never seen? It's never been vetted. It's been put together; it's been brought out on to the floor. So let's get rid of this secret workgroup and start working on good stuff. You'll get a chance to debate the Governor's Turnaround Agenda. You'll get to debate it next week. But remember, he worked against himself to try and move the ball forward and you guys have done nothing but charades like we had today."

Speaker Riley: "The Chair recognizes Rep... Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Amendment. I'm delighted to make these remarks on the heels of those by the previous speaker. Because when the... when these... when the Governor's working groups were first... I wouldn't even say announced... when they were first formed and it was... the mere existence of the working groups was a secret. It wasn't that they... that the work was being done, it was the work was secret. The mere existence of the working group was secret. Certainly, the identity of those people on the working group was secret and... and I... I'm fascinated now that it's... now that we're talking about the working groups as though they're some big... like process that everyone should know about and there were no restrictions on them. I... my name's been out there. I'm on one of the working groups and I was under very strict instructions that that first working group to say nothing about the fact that we were meeting, that I was there, what the topic of discussion was, what we were... what anything was said in that

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room. It was all designed to be very, very secret. And now, it's a weapon being used against us to say that... that we have these working groups and they're work... and they're... they're making progress and there's discussions there. And I... I'm just... I'm just befuddled by this that when we try to bring legislation forward and have it debated in public that somehow the existence of this... the secret working groups and the work being done in that is now being thrown back at us as though somehow we're... this side of the aisle is doing something that is a bad process and we shouldn't be engaged in this. I... I just find this... the... frankly, the hypocrisy of that to be just stunning. Thank you."

Speaker Riley: "The Chair recognizes Representative Demmer."

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

Speaker Riley: "He indicates he will."

Demmer: "Representative, I think you've mentioned today several problems that you see that exist with the current workers' compensation system. Is... is it fair to characterize you see there's opportunities for improvement?"

Hoffman: "Yes."

Demmer: "Does this Bill... is this the be-all end-all to address those or is this just one aspect of the problems or the opportunities that might exist in the work comp system?"

Hoffman: "I think this would go a long way to addressing..."

Demmer: "Is this all?"

Hoffman: "I'm not saying it would... it should be all, no."

Demmer: "If this Amendment is adopted, do you intend to call this for a vote on Third Reading?"

Hoffman: "I think that's yet to be determined."

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Demmer: "So this is just one narrow piece of the many things that we need to do to make the workers' compensation system more... more competitive, more attractive and less of a hurdle, less of a barrier to adding jobs in the State of Illinois. What we need is a comprehensive approach. And I've got great news for you because today the Governor's introducing legislation that deals comprehensively with many of the problems, many of the opportunities for improvement in the Illinois workers' compensation system. And you know what, Representative, just for you, we'll put that proposal in an envelope and we'll send it to your district office."

Hoffman: "Thank you."

Demmer: "...and we'll put that proposal in an envelope and we'll send it to your Springfield office and we'll send it to your P.O. Box and we'll send it to your home to make sure you get every opportunity to read that comprehensive approach to workers' compensation reform. To..."

Hoffman: "Could you overnight it 'cause I can't wait?"

Demmer: "To the... to the... to the Bill. This process has not worked for us on the floor. We've done this several times. Your seatmate did this. Representative farm boy did this. We've tried to govern by Floor Amendments, tried to govern by Floor Amendments, none of which have come up for Third Reading votes. And none of which have actually moved the ball forward. If we're serious about workers' compensation reform, which we all go home and tell our constituents we are, it's time to look at this in the big picture and actually make some actions that are going to get the ball... get the job done and move the ball forward. I urge a 'present' vote today."

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Speaker Riley: "The Chair recognizes Representative Batinick."

Batinick: "That is tough to follow. I'm going to try to take the tone of Representative Wheeler, Mr. Hoffman, a little bit more. I just want to... I just want to clarify a couple things. We've heard 25 percent savings. That's really been dropped to 18..."

Speaker Riley: "Representative Batinick, are you speaking to the Bill or are you speaking..."

Batinick: "Oh, I'm sorry. Mr. Speaker, will the Sponsor yield?"

Speaker Riley: "There is a process. The Sponsor will yield."

Batinick: "Demmer threw me off. My understanding is I heard 25 percent, but the NCCI rate reduction was 18ish, percent, correct?"

Hoffman: "That's what they testified, 18.1."

Batinick: "18.1 percent. And my understanding is that we went from fourth to seventh according to the NCCI ratings. Is that correct?"

Hoffman: "It's actually a study done by the State of Oregon."

Batinick: "Right, the Oregon study. Okay."

Hoffman: "Yeah, not NCCI. The Oregon study."

Batinick: "Okay. But I believe they testified that it was similar, correct?"

Hoffman: "Yeah, it could be in."

Batinick: "Okay. So and... and those numbers match. I guess... I guess my point is, is you said this would go a long way to..."

Hoffman: "I'm sorry."

Batinick: "That's all right. Speaker did it yesterday. I deserve it. You said... you said this would go a long way to reforming

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work comp. So we went from 47th worst to 44th worst according to the Oregon study. Is that a definition of a 'long way'?"

Hoffman: "My... What I... what I'm saying to you is that this proposal, we believe, would provide, not price controls that was tes... that was mentioned earlier, but would just oversight of the insurance industries similar to 25 other states."

Batinick: "No, I... I understand that you said this would go a long way and you wanted to know where the savings went. The savings, if they were enacted as we expect, even though the self-insurers are telling us that they're not seeing these savings so there is no insurance company stealing from the City of Naperville, there's no insurance company taking money... hiding money from Caterpillar. Putting that aside, but if you don't... if... if the 18 percent dropped, it only moves the needle a little bit and I'm... I'm hoping that you're looking for a much broader reform."

Hoffman: "So, I'm trying to recall the exact testimony that I believe that NCC... NCCI testified that the 2016 rates will be the first rates that will show all postreform after 2011. So I anticipate that 18 percent being higher as a result of the reforms being totally in place."

Batinick: "Okay. Do you have any idea when we're going to see those rates?"

Hoffman: "They didn't indicate."

Batinick: "I mean, you... you can see a trend line. We haven't gone off the charts on this. I guess, to the Bill. We need to do this in a holistic situation, many people have said it. The self-insurers, who have nothing to do with insurance companies, are not seeing the rate reductions. We need to

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look at this holistically. You can have a barbecue with Keith and me on my deck and we'll figure it all out. Thank you very much. To the Bill. I urge a 'present' vote. Thank you."

Speaker Riley: "Representative Hoffman to close."

Hoffman: "Well, thank you, Mr. Speaker. I... I just wanted to... to say that this, I do believe, will go a long way to making sure that actually employers will see reduction in their costs. It'll make sure that they can be competitive with other states. Previous speakers indicate that this consain... contains some type of a price control. There are no price controls in this Bill. It's just oversight, review and making sure that the rates are not excessive. This will go a long way to making sure that employers in Illinois are competitive. You know, you guys on the other side of the aisle, I respect things that you said but I can guarantee you, and I'm just predicting having not seen it, that the Governor's proposal is going to contain a lot of the things that we voted down in Amendments #1, #2 and #3. And what would they do? They would deny access to health care for injured workers. They would deny injured workers benefits that they deserve. And they would deny compensation and fair compensation to injured workers. That's why we're doing this today. That's why we're doing this today; to put forward something positive that actually is going to reduce the cost to employers. You guys have me all the way up 'til the point where you say, so, I urge a 'present' vote. I urge a strong 'present' vote. Now, if you're against it, vote 'no'; if you're for it, vote 'yes'. Whether we're going to call this on Third Reading or not, I would like to... I would like to call it on Third Reading. So,

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hopefully, by the time we get to the point of calling this on Third Reading, you guys will take something other than a strong 'present' stand. I urge an 'aye' vote."

Speaker Riley: "So, the question is, 'Shall Floor Amendment #4 to House Bill 1287 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? Please record yourself, Members. Fortner, Ives, Jesiel, McSweeney, Morrison. Mr. Clerk, take the record. On this question, with 68 voting 'yea', 0 voting 'nay', 39 voting 'present', Floor Amendment #4 to House Bill 1287, is hereby adopted. Mr. Clerk."

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

Speaker Riley: "Clerk, keep this Bill on the Order of Second Reading. Leader Lang in the Chair."

Speaker Lang: "Mr. Tryon is recognized."

Tryon: "Thank you, Mr. Speaker. I would just like the record to show on House Bill 1287 I intended to vote 'present'. Thank you."

Speaker Lang: "On which Amendment, Sir? You're referring to Amendment 4?"

Tryon: "Amendment 4."

Speaker Lang: "Thank you. We want the record to be clear. Thank you. On the Order of Senate Bills-Second Reading, page 14 of the Calendar, there appears Senate Bill 47, Mr. Dunkin. Mr. Dunkin. Out of the record. House... excuse me... Senate Bill 107, Representative Conroy. Please read the Bill."

Clerk Hollman: "Senate Bill 107, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee

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Amendments. Floor Amendment #4, offered by Representative Conro... Conroy, has been approved for consideration."

Speaker Lang: "Representative Conroy."

Conroy: "House Bill #4 is a gut and replace. It becomes the Bill and provides the assessed value of a home cannot be increased because a homeowner makes modifications to make the home more accessible for a disabled person and provides a homestead exemption for veterans with a service connected disability."

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

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

Speaker Lang: "Third Reading. Senate Bill 202, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "Senate Bill 202, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. I wish to adopt Floor Amendment #1. It adds language regarding when the case is assigned to... from the chief judge for the purposes of timing."

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

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

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Speaker Lang: "Third Reading. Senate Bill 368, Mr. McAuliffe. Mr. McAuliffe. Out of... Do you wish to run that, Sir? Out of the record. Senate Bill 379, Mr. Riley. Please read the Bill."

Clerk Hollman: "Senate Bill 379, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Riley, has been approved for consideration."

Speaker Lang: "Mr. Riley."

Riley: "Thank you, Mr. Speaker. Floor Amendment #1, essentially, just adds some technical language that deals with land use of Cook County in construction rules."

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

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

Speaker Lang: "Third Reading. Senate Bill 508, Mr. Crespo. Out of the record. Senate Bill 627, Mr. D'Amico. Mr. D'Amico. Please read the Bill."

Clerk Hollman: "Senate Bill 627, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative D'Amico, has been approved for consideration."

Speaker Lang: "Mr. D'Amico."

D'Amico: "Thank you, Mr. Speaker. This Amendment was adopted in committee and for some reason, I got to adopt it on the floor. We'll debate it on Third, if we can."

Speaker Lang: "Mr. Sandack."

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Sandack: "Could... John, could you elaborate a little bit on what the Amendment is and whether it was in committee or on the floor, just for the record?"

D'Amico: "It was... it was in committee. And basically, what it does is it expands the use of the BAIID device, the breath alcohol ignition device."

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

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

Speaker Lang: "Third Reading. Senate Bill 805, Representative Mayfield. Out of the record. Senate Bill 1381, Mr. Verschoore. Out of the record. Senate Bill 1630, Mr. Wheeler. Please read the Bill."

Clerk Hollman: "Senate Bill 1630, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1919, Mr. Evans. Out of the record. We now move to some Resolutions sponsored by Representative Lilly. The first one is HJR38. Mr. Clerk, please read an appropriate section."

Clerk Hollman: "BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate Cermak Road from South Wolf Road to Westchester Boulevard as the "Gene Pingatore Road"."

Lang: "Representative Lilly."

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Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. Today, I present House Resolution... House Joint Resolution 38. As a fan of St. Joseph Hospital... High School... High School for over 36 years, this is the first Resolution that sets the sage... stage for the next two Resolutions. I present HJR38 to celebrate Gene Pingatore. Gene Pingatore is the winningest coach in Illinois high school basketball history. He has been a mentor, an educator, both on and off the court for over 50 years at St. Joseph High School in Westchester. In 46 years, as head coach, he and the Chargers have captured over 27 east suburb... suburban Catholic Conference championships, 2 Catholic League North titles, 9 prestigious Proviso West Holiday Tournament Championships, 31 State Regional titles, 12 State Sectional titles. His team has qualified for 7 Elite Eight Tournaments. And this year, St. Joseph Hospital Charger... excuse me... St. Joseph High School Chargers qualified for the Final Four in Peoria and won the Illinois High School Association 3A State title championship with a record 29 to 6. Coach Ping coached over 11 professional all stars: 9 in the NBA and 2 in the NFL. He is also a 9-time recipient Coach of the Year through the *Pioneer Press* and the *Suburban Life* paper. Gene Pingatore, a lifetime resident of Westchester, Illinois, has one daughter, Lisa, and three grandchildren; Aaron, Kelly, and Jack, and a lifelong friend, and fiancée, Gio. Due to his dedication to the children of Illinois, and his contributions to the community, I ask that we designate Cermak Road between Wolf Road to Westchester Boulevard as 'Gene Pingatore', affectionately known as 'Coach Ping', Road. I ask for your 'aye' vote. Go, Chargers."

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Speaker Lang: "Mr. Mitchell on the Resolution."

Mitchell, C.: "Thank you, Mr. Speaker. To the Resolution. Hey, Coach, I... I said last... or said a couple weeks ago when the St. Joe Chargers were here, the state championship team, that it wasn't going to be the best day of their lives because of how St. Joe's emphasized building men of character in addition to basketball players. And what I didn't get to say was that much of that credit goes to you, Coach. I... I want to thank you personally for all the advice and support you've given me over the years. And I know that there are countless young men and now, probably young women, who would share that sentiment. I know that Evan would agree and much of the great young man that we see and are about to honor as well, is due to the time that you spend with him. So, we love you, Coach. We're so proud of you and congratulations."

Speaker Lang: "Mr. Welch."

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

Speaker Lang: "Sponsor yields."

Welch: "I want to begin by first commending our Sponsor for bringing this initiative forward. I am honored to join her as a chief cosponsor of this initiative. I have lived in the 7th District, where Westchester is located, my entire life. Having been a Proviso grad, I have been a witness to a number of St. Joseph victories over my Panthers and my Pirates. I got to tell you, everyone growing up in the 7th District, if you are a basketball fan, a basketball player, they all grew up wanting to play for the legend Coach Gene Pingatore. We have heard of the great college coaches, Coach K and Coach Wooden of UCLA and Coach Calipari from Kentucky. But on the

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high school level, there is one name that rings throughout the entire State of Illinois and I am happy that he calls St. Joseph High School and the Village of Westchester and the 7th District home. And I think this Body should all stand and give this coaching legend, who is present with us here today, a round of applause."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I was just going to add to that. I grew up in the River Forest area. I actually played basketball at Trinity High School and even then, this man was a legend in that time. And I'm just proud to be here today to honor him because, in our entire area, he is a legend that everybody respects and everybody... he has done so much for high school basketball in our area. Thank you very much."

Speaker Lang: "Mr. Cavaletto."

Cavaletto: "Thank you, Mr. Speaker. Coach, anybody who coaches as long as you did and win as many games as you have, I think the whole road should be named after you. Congratulations."

Speaker Lang: "Representative Lilly moves that the Resolution be adopted. Those in favor will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Flowers, Jesiel, Morrison, Wheeler. Mr. Clerk, please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Congratulations, Coach. House Joint Resolution 39. Mr. Clerk."

Clerk Hollman: "BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate South Wolf

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Road between Roosevelt Road and West Cermak Road in Westchester as the "Isiah Thomas Boulevard"."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker. And again, Ladies and Gentlemen, because of Coach Pingatore we can talk about Isiah Thomas. Isiah Thomas attended St. Joseph High School in Westchester from 1975 to 1979. He led St. Joseph High School Chargers to the Illinois Health... Hos... High School Association Class 2 1978 State Championship game. Under the leadership... under the coaching style of Coach Ping. As a resident of Chicago's west side, he set many high school and collegiate and professional records in basketball. He played for the Indiana Hoosiers and now is the member of the Naismith Memorial Hall of Fame, a 12-time NBA All-Star, Isiah is named one of the NBA 50 greatest players in the history of the game. He led the Detroit Pistons to back-to-back championships in 1988 and 1989. Isiah Thomas graduated with a BA from Indiana University and a masters from the University of California. As a former coach of the Indiana... Indiana Pacers, he is a very talented individual who has now went on to do sports television analysis for the NBA television. He is a busy professional. Isiah is the youngest of nine children raised by his mother, Mary Thomas, and he has... who has inspired him to improve the lives of the disadvantaged families in Chicago where he has founded the Mary's Court to support health, safety, academic and personal achievement for children and youth of Chicago's west side. At this time, I ask for your 'aye' vote for a young man who has taken basketball to greater heights and supports

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many youth activities throughout our great country. I ask for your 'aye' vote."

Speaker Lang: "Representative Reaves-Harris."

Reaves-Harris: "Thank you, Mr. Speaker. I'd just like to thank the Sponsor for sponsoring this Resolution. Isiah Thomas is extremely instrumental on the west side of Chicago. He acts as a mentor for some of the underprivileged youths on the west side of Chicago. I've been out there with him on a number of occasions. And his dedication and commitment to the community is shown. And so, again, thank you, Sponsor, for sponsoring this Resolution and thank you for adding me as a cosponsor."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Batinick, Leitch, Pritchard, Sims. Mr. Clerk, please take the record. On this question, there are 109 voting 'yes', 0 voting 'no'. And the Resolution is adopted. House Joint Resolution 40, Representative Lilly. Mr. Clerk."

Clerk Hollman: "BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate West Cermak Road between South Pulaski Road and South Laramie Avenue in Berwyn as the "Evan Turner Street"."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker. Again, Coach Pingatore as having his hand on some of the best. Evan Turner, my nephew, an American professional basketball player, currently plays for the Boston Celtics in the NBA. Evan Turner attended St. Joseph

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High School in Westchester from 2004 to 2007. He was one of the top high school players in the nation in his position. As a high school senior in 2007, he ranked #2 in the state. Evan was part of the Chicago Area sophomore class that was considered to be the best in the history of the State of Illinois. Evan led the Chargers to win Proviso West tournaments, ESCC tournaments, RB's regional tournaments, and LaGrange Sectional Tournaments, receiving individual accolades of most valuable player, all state, all consensus conference, and All-American nominee. As a freshman at Oh... Ohio State, Evan led the Buckety... Buckeyes to the 2008 NIT championship. In 2009, he was a Big Ten scoring championship, All-Big Ten first team, All-Big Ten Conference Tournament team, became one of five among the top ten conference players in averaging points, rebound, and assists in a... in the same season. In 2010, the Big Ten season, Evan Turner broke his back after slipping off the rim. Many prayers went out for him. And he was dedicated to a comeback. His comeback was remarkable. He went on to assist the Buckeyes to win the Big Ten Conferences and he made and allowed the Buck... Buckeyes to enter the Elite Eight by... after hitting a buzzer beater against Michigan State. He went on to win 12 of 14 national player awards in 2000... in 2010 and he holds the most careers and single conference player of the week awards, for that year. Evan received the Naismith Award, the National Association of Players, the Oscar Robinson Award, Jessie Owens and Associated Press, just to name a few. Evan entered the NBA as a point guard, but ended up playing shooting guard, small forward and point guard. He is de... he is considered a

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very versatile and talented basketball player. Evan has been in the NBA playoffs four times in his five-year career. Evan has a heart of gold as he supports the youth throughout Illinois and Boston, Massachusetts. Evan is a lifelong westsider. He's the youngest of three boys of all, which who attended St. Joseph Hos... High School. Darius and Richard. He was raised by his mother, Iris; his father, James. And he has a very close-knit family who loves to vacation together. At this time, I'd like to say to my nephew, we are proud of you and this street is for you. God bless you."

Speaker Lang: "Mr. Beiser on the Motion."

Beiser: "Thank you, Mr. Speaker. I want to thank Representative Lilly for bringing this forward. I just want to say, when Camille first came into the General Assembly, I was sitting close to her and we got to talk quite a bit and she told me a lot about Evan and how he handles himself. And I've watched him, sometimes on... when he was with Ohio State, but more now that he's with the NBA. And what she told me and what I've gathered from just watching him and how he carried himself really was both one and the same. Today I had the very good fortune of getting to meet him in person and speak to him for a few minutes up in the gallery. And in an era when professional athletes sometimes are in the news for the wrong things, I just want to tell Evan, in front of all these people and in front of your family especially, the way I thought you were and the way Camille described you are and the way you presented yourself this morning, I want to say thank you for renewing my faith in professional athletes. Thank you, Evan."

Speaker Lang: "Mr. Mitchell."

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Mitchell, C.: "Thank you, Mr. Speaker. To the Amendment. I have a bit of a unique relationship with Evan. He was a freshman when I was a senior, but I... I will tell a... just a brief story. The last time I saw Evan, he was back on the south side of Chicago at the Bud Billiken Parade. And one of the things that I admire most about the Evan that I... I got to speak to for a few minutes this morning is that he hasn't changed. He's still the smart, humble, hardworking kid that I got to see coming in to St. Joe's and hasn't forgotten about where he came from. So it... it's hard to follow your Auntie. I call her Auntie too, so I guess that makes us brothers. I'll just say that we all love you and we're very, very proud of you. Congratulations on all you've accomplished."

Speaker Lang: "Mr. Ford."

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

Speaker Lang: "Sponsor yields."

Ford: "Congratulations, Representative Lilly, and congratulations to Evan Turner, and the coach, and his grandparents, who are in the gallery, on the hard work that you've done to raise a fine young man. But I... I support this Resolution, but I have to remind you as a Chicago Bulls fan, you remember Michael Jordan... you remember 63 against the Boston Celtics. I want you to score 63 one day. Good luck, Evan Turner."

Speaker Lang: "Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. I personally do not know Evan, but I know Evan through, obviously, his Aunt Camille, but I also know the things that he has done for St. Joe's High School. My nephew, John Johnson, Jr., was on the St. Joe's basketball team last year and he would always talk about

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the things that Evan would come back to the school and do for, not just the basketball team, but all of the guys at St. Joe's. They would have opportunities to go to basketball game.. games. They would hang out and it was all because of Evan. He helped build a level of camaraderie with the young men at that school that was really incredible. And obviously, the professional accolades that he has are wonderful, but what really strikes home to me is the way that his family operates with one another. I sort of live vicariously through the stories that Camille shares with me every year about how their family gets together. And Evan, and Camille are truly at the.. the center and they are the nucleus of keeping their family tight. And I just wanted to share this simple story because just watching your all's family stay.. remain so connected and so close, it has inspired me to continue to try to keep my family close in that same way. So I want to thank both of you."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker. Like Representative Beiser, we sometimes get an opportunity to see how professional athletes act. And trust me, we've seen them on TV and sometimes they get into real and serious trouble. But we hope that the gentleman standing in the gallery, Mr. Turner, will set an example for all professional athletes in the manner in which he conducts himself and the manner in which he presents himself. Earlier while he was in the gallery, there were some young people visiting, as well who weren't sure who he was, but when they figured out who he was, Mr. Turner was kind enough to take selfies with them, allow them to take pictures

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with him as well. And so, we appreciate... appreciate the way he handled himself. And he may or may not know, I don't know if his Aunt told him, that a few weeks ago Representative Evans put together a House-Senate basketball game. Did she tell you about it? A little bit. Oh, and she didn't tell you how she got in there and banged with the big guys. You know, she suffered a little bit: knee, ribs, hip. But nevertheless, she got out there and played in true spirit. And she was telling us that that's the way she used to bounce you around when you were younger and she was playing basketball with you. So we appreciate your Aunt for everything that she does and thank you for visiting with us today."

Speaker Lang: "Representative Lilly to close."

Lilly: "Thank you, Mr. Speaker. And if I could ask that if you could join me on this Resolution... I'd like to add all of our Members here to this Resolution that I have submitted today because you have made me and them very proud that we do good work here in our great state. If you wouldn't mind adding them. Also, we have a reception. The Secretary of State is sponsoring a reception right after Session or as soon as we can finish up the great business of our great state. Thank you."

Speaker Lang: "Lady moves that all Members of the House be added as cosponsors. Is there leave? Leave is granted. And all Members of the House are added as cosponsors. Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Hernandez. Please take the record, Mr. Clerk. On this Motion, there are 111 voting 'yes', 0

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voting 'no'. And the Resolution is adopted. Congratulations, Evan. Ladies and Gentlemen, moving to page 4 of the Calendar, under the Order of House Bills-Second Reading, there appears House Bill 813, Representative Gabel. Mr. Clerk, please read the Bill."

Clerk Hollman: "House... House Bill 813, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Gabel, has been approved for consideration."

Speaker Lang: "Representative Gabel on the Amendment."

Gabel: "Thank you... thank you, Mr. Speaker. This proposed legislation establishes a hearing panel to hear petitions for boundary changes in schools in Cook County. Currently, there is not a process for this that... that seems to be fair."

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

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

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

Clerk Hollman: "House Bill 813, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. So, as I said, this Bill establishes a hearing panel to hear petitions for boundary changes in Cook County. In Cook County, the regional office of education was abolished and in this district, three intermediate service centers were established. And what this legislation does is it allows a representative from the

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intermediate service centers to decide if residents would like to detach or annex onto another school district."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Robyn, since the dissolution of the Regional Board of Trustees, when a detachment or annexation proceeding occurred, who heard it prior to your..."

Gabel: "Well, I..."

Sandack: "...presenting this Bill."

Gabel: "...in... in from Cook County? So in some places it was... it was to be heard by the township trustee, but in this case there isn't a township trustee. Or it was to be heard by the school district that the group wanted to detach from."

Sandack: "So that was obviously a conflict..."

Gabel: "Yes."

Sandack: "...in so far as having a fair proceeding."

Gabel: "Correct."

Sandack: "So this clari... basically clarifies a definitive body to hear detachment or annexation claims in the absence of the Regional School Board in that area in Cook County."

Gabel: "Correct. Correct."

Sandack: "Thank you. I appreciate your answers."

Gabel: "Thank you."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "Sponsor yields."

Pritchard: "Representative, why is the Regional Office of Education opposing this piece of legislation?"

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Gabel: "So as you heard in committee, they... they felt that it should be an elected body that hears it and the... the ICS is not... ISC is not elected, but the three proposals... but they did agree that they recognize that this was a problem. And the suggestions..."

Pritchard: "Yes."

Gabel: "...they had was for either the state board to hear it or Cook County to hear it and those didn't seem reasonable."

Pritchard: "So, is the reason that this district brought forward the request to improve the education of the children of the area or what was the reason?"

Gabel: "Well, I... I think they felt that the... that the school they wanted to annex with is a better school district. And they also said that the other school was much farther away across a highway and they wanted their children to be able to be with the other children in the neighborhood."

Pritchard: "So, is this going to change the ratio of low-income, minority students by doing that. Are they trying to go to a district that perhaps has less minorities?"

Gabel: "Not... not that I know of."

Pritchard: "But you don't know if there's a... from the school report card, if there's going to be a significant change in..."

Gabel: "I wouldn't think so."

Pritchard: "...the ratio?"

Gabel: "I mean, it's... it's the group in Winnetka wanting to go from one school to another."

Pritchard: "Ladies and Gentlemen, to the Bill. We have another piece of legislation that we hope to bring forward this Session that deals with the deannexation from... of a property

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from one district to the other and sets up some guidelines that we can use whether it's the state.. or the County Board of Education or whether it's the service centers, as we see in this Bill, to really evaluate the.. the merits of moving from one district to another. So I just alert you to that fact. And in this particular case, it certainly looks reasonable to set up a body that can objectively look at the deannexation requests."

Speaker Lang: "Mr. Davis."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, I believe I heard you say that the group would prefer to have an elected body hear this appeal, correct?"

Gabel: "That is what the Illinois Association of Regional Superintendents said."

Davis, W.: "Okay. So, in Cook County, we know have ISCs."

Gabel: "Correct."

Davis, W.: "And they are spread out throughout Cook County. I believe there are three of them who have all the rights, responsibilities, and duties granted.. to them, via legislation, that an ROE would have, correct?"

Gabel: "Yes."

Davis, W.: "Okay. So you want to undermine an ISC by suggesting..."

Gabel: "No, no, no. I want the ISC to be able to make this decision."

Davis, W.: "You want the ISC..."

Gabel: "Yes."

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Davis, W.: "...to be able to make the decision, not an elected group."

Gabel: "Correct."

Davis, W.: "'Cause the ISCs are not elected."

Gabel: "Correct."

Davis, W.: "Okay. So, this is to suggest that the ISC..."

Gabel: "Yes."

Davis, W.: "...which is in place and has the authority of an ROE to hear their..."

Gabel: "Correct."

Davis, W.: "...the appeal. Okay. Thank you very much."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Franks, Mayfield. Please take the record, Mr. Clerk. On this question, there are 102 voting 'yes', 7 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, an announcement for you. All Bills in House Committees and on... still on the Calendar will have their deadlines extended until Friday, May 29. One week from today. And now, leaving Perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned until Monday, May 25 at the hour of 1 p.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til Monday, May 25 at the hour of 1 p.m. Have a wonderful weekend."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill

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4221, offered by Representative Sullivan, a Bill for an Act concerning civil law. House Bill 4222, offered by Leader Durkin, a Bill for an Act concerning civil law. House Bill 4223, offered by... offered by Leader Durkin, a Bill for an Act concerning employment. House Bill 4224, offered by Leader Durkin, a Bill for an Act concerning local government. First Reading of these House Bills. First Reading of House Joint Resolution Constitutional Amendment #39, offered by Leader Durkin.

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 2.5 to Article IV and amend Section 2 of Article V of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 2.5. TERM LIMITS. A person may not be elected to the office of State Senator or State Representative, or a combination of those offices, for terms totalling (sic-totalling) more than 10 years. Service before the second Wednesday in January of 2017 shall not be considered in the calculation of a person's service.

ARTICLE V

THE EXECUTIVE

SECTION 2. TERMS

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These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and, except in the case of the Lieutenant Governor, until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter. A person may not be elected to any Executive Branch office, or any combination of Executive Branch offices, for terms totalling more than 8 years. Service before the second Monday in January of 2017 shall not be considered in the calculation of a person's service.

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 #39."

Clerk Bolin: "First Reading in full of House Joint Resolution Constitutional Amendment #40, offered by Representative Durkin.

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 eject... rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 3 of Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 3. LEGISLATIVE REDISTRICTING

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(a) The Independent Redistricting Commission comprising 11 Commissioners shall adopt and file with the Secretary of State a redistricting plan for Legislative Districts and Representative Districts by June 30 of the year following each Federal decennial census. Legislative Districts shall be contiguous and substantially equal in population. Representative Districts shall be contiguous and substantially equal in population. The redistricting plan shall comply with Federal law. Subject to the foregoing, the Commission shall apply the following criteria: (1) the redistricting plan shall not dilute or diminish the ability of a racial or language minority community to elect the candidates of its choice, including when voting in concert with other persons; (2) the redistricting plan shall respect the geographic integrity of units of local government; and (3) the redistricting plan shall respect the geographic integrity of communities sharing common social and economic interests, which do not include relationships with political parties or candidates for office. The redistricting plan shall not either intentionally or unduly discriminate against or intentionally or unduly favor any political party, political group, or particular person. In designing the redistricting plan, the Commission shall consider party registration and voting history data only to assess compliance with the requirements in this subsection (a).

(b) For the purpose of conducting the Commissioner selection process, an Applicant Review Panel comprising three Reviewers shall be chosen in the manner set forth in this subsection (b). Beginning not later than January 1 and ending not later

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than March 1 of the year in which the Federal decennial census occurs, the Auditor General shall request and accept applications to serve as a Reviewer. The Auditor General shall review all applications and select a pool of 30 potential Reviewers. The Auditor General should select applicants for the pool of potential Reviewers who would op... operate in an ethical and non-partisan manner by considering whether each applicant is a resident and registered voter of the State and has been for the four years preceding his or her application, has demonstrated understanding of and adherence to standards of ethical conduct, and has been unaffiliated with any political party for the three years preceding appointment. By March 31 of the year in which the Federal decennial census occurs, the Auditor General shall publicly select by random draw the Panel of three Reviewers from the pool of potential Reviewers.

(c) Beginning not later than January 1 and ending not later than March 1 of the year in which the Federal decennial census occurs, the Auditor General shall request and accept applications to serve as a Commissioner on the Independent Redistricting Commission. By May 31, the Panel shall select a pool of 100 potential Commissioners. The Panel should select applicants for the pool of potential Commissioners who would be diverse and unaffected by conflicts of interest by considering whether such applicant is a resident and registered voter of the State and has been for the four preceding... for the four years his or her application, as well as each applicant's prior political experience, relevant analytical skills, ability to contribute to a fair

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redistricting process, and ability to represent the demographic and geographic diversity of the State. The Panel shall act by affirmative vote of two Reviewers. All records of the Panel, including applications to serve on the Panel, shall be open for public inspection, except private information about applicants for which there is no compelling public interest in disclosure.

(d) Within 45 days after the Panel has selected the pool of 100 potential Commissioners, but not later than June 23 of the year in which the Federal decennial census occurs, the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate each may remove up to five of those potential Commissioners. Thereafter, but not later than June 30, the Panel shall publicly select seven Commissioners by random draw from the remaining pool of potential Commissioners; of those seven Commissioners, including any replacements, (1) the seven Commissioners shall reside among the Judicial Districts in the same proportion as the number of Judges elected therefrom under Section 3 of Article VI of this Constitution, (2) two Commissioners shall be affiliated with the political party whose candidate for Governor received the most votes cast in the last general election for Governor, two Commissioners shall be affiliated with the political party whose candidate for Governor received the second-most votes cast in such election and the remaining three Commissioners shall not be affiliated with either such political party, and (3) no more than two Commissioners may be affiliated with the same political party. The Speaker and Minority Leader of the House

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of Representatives and the President and Minority Leader of the Senate each shall appoint one Commissioner from among the remaining applicants in the pool of potential Commissioners on the basis of the appointee's contribution to the demographic and geographic diversity of the Commission. A vacancy on the Panel or Commission shall be filled within five days by a potential Reviewer or potential Commissioner from among the applicants remaining in the pool of potential Reviewers or potential Commissioners, respectively, in the manner in which the office was previously filled.

(e) The Commission shall act in public meetings by affirmative vote of six Commissioners, except that approval of any redistricting plan shall require the affirmative vote of at least (1) seven Commissioners total, (2) two Commissioners from each political party whose candidate for Governor received the most and second-most votes cast in the last general election for Governor, and (3) two Commissioners not affiliated with either such political party. The Commission shall elect its chairperson and vice chairperson, who shall not be affiliated with the same political party. Six Commissioners shall constitute a quorum. All meetings of the Commission attended by a quorum, except for meetings qualified under attorney-client privilege, shall be open to the public and publicly noticed at least two days prior to the meeting. All records of the Commission, including communications between Commissioners regarding the Commission's work, shall be open for public inspection, except for records qualified under attorney-client privilege. The Commission shall adopt rules governing its procedure,

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public hearings, and the implementation of matters under this Section. The Commission shall hold public hearings throughout the State both before and after releasing the initial proposed redistricting plan. The Commission may not adopt a final redistricting plan unless the plan to be adopted without further amendment, and a report explaining its compliance with this Constitution, have been publicly noticed at least seven days before the final vote on such plan.

(f)The... if the Commission fails to adopt and file with the Secretary of State a redistricting plan by June 30 of the year following a Federal decennial census, the Chief Justice of the Supreme Court and the most senior Judge of the Supreme Court who is not affiliated with the same political party as the Chief Justice shall appoint jointly by July 31 a Special Commissioner for Redistricting. The Special Commissioner shall adopt and file with the Secretary of State by August 31 a redistricting plan satisfying the requirements set forth in subsection (a) of this Section and a report explaining its compliance with this Constitution. The Special Commissioner shall hold at least one public hearing in the State before releasing his or her initial proposed redistricting plan and at least one public hearing in a different location in the State after releasing his or her initial proposed redistricting plan, and before filing the final redistricting plan with the Secretary of State. All records of the Special Commissioner shall be open for public inspection, except for records qualified under attorney-client privilege.

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(g) An adopted redistricting plan filed with the Secretary of State shall be presumed valid and shall be published promptly by the Secretary of State.

(h) The Supreme Court shall have original jurisdiction in cases relating to matters under this Section.

SCHEDULE

This Constitutional Amendment takes effect upon... takes effect beginning with redistricting in 2021 and applies to the election of members of the General Assembly in 2022 and thereafter. This has been the First Reading in full of House Joint Resolution Constitutional Amendment #40."

Clerk Hollman: "Introduction and First Reading of Senate Bills. Senate Bill 1672, offered by Representative Nekritz, a Bill for an Act concerning safety. First Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."