

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

57th Legislative Day

5/28/2015

Clerk Hollman: "House Perfunctory Session will come to order. Introduction of Resolution. House Resolution 540, offered by Speaker Madigan, is referred to the Rules Committee."

Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Pastor Larry Moody who is with Burritt Community Church in Rockford. Pastor Moody is the guest of Representative Wallace. Members and guests are asked to refrain from starting their laptops, turn off cell phones, and rise for the invocation and Pledge of Allegiance. Pastor Moody."

Pastor Moody: "Could we bow our heads, please? Holy God, life giver, as close to each and every living being as the breath they breathe, be particularly sensitive and be with these individuals representing the good people of the State of Illinois. Give them an increase of wisdom, an increase of compassion, an increase in the desire to work cooperatively for the greater good of the people of this great state. We ask in the name of Jesus, the very presence with us this day in the days of our life, Amen."

Speaker Lang: "Be led in the Pledge by Representative Feigenholtz."

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

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

Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Monique Davis and Laura Fine."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please let the Journal show that Representative Charlie Meier is excused today."

Speaker Lang: "Mr. Clerk, please take the record. There are 115 Members present, we do have a quorum. Mr. Clerk, Committee Reports."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 28, 2015: recommends be adopted, referred to the floor is Floor Amendment #1 to House Joint Resolution 69, Floor Amendment #4 to Senate Bill 96, Floor Amendment #3 to Senate Bill 788, Floor Amendment #2 to Senate Bill 1304, Floor Amendment #5 to Senate Bill 1455; recommends be adopted, referred to the Order of Resolutions is House Resolution 540. Representative Daniel Burke, Chairperson from the Committee on the Executive reports the following committee action taken on May 28, 2015: do pass Short Debate is Senate Bill 33; recommends be adopted is a Motion to Concur with Senate Amendment #1 to House Bill 3241, Motion to Concur with Senate Amendment #2 to House Bill 3241, Motion to Concur with Senate Amendment #1 to House Bill 4029, Motion to Concur with Senate Amendment #4 to House Bill 4029, House Resolution 431, House Resolution 440, Floor Amendment #2 to Senate Bill 29, Floor Amendment #2 to Senate Bill 51, Floor Amendment #1 to Senate Bill 842, Floor Amendment #3 to Senate Bill 1256, Floor Amendment #1 to Senate Bill 1354. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on May 28, 2015: recommends be adopted is a Motion to Concur

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

57th Legislative Day

5/28/2015

with Senate Amendment #1 to House Bill 2556, Motion to Concur with Senate Amendment #2 to House Bill 3619, House Resolution 439, House Resolution 442, Senate Joint Resolution #7. Representative Nekritz, Chairperson from the Committee on Personnel and Pensions reports the following committee action May 28, 2015: recommends be adopted is Floor Amendment #1 to Senate Bill 763. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action May 28, 2015: do pass as amended Short Debate is Senate Bill 507; recommends be adopted is a Motion to Concur with Senate Amendment #1 to House Bill 3556, Floor Amendment #1 to Senate Bill 508. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action May 28, 2015: recommends be adopted is a Motion to Concur with Senate Amendment #2 to House Bill 3382. Representative Golar, Chairperson from the Committee on Elementary & Secondary Education: School Curriculum & Policies reports the following committee action May 28, 2015: recommends be adopted is a Motion to Concur with Senate Amendment #2 to House Bill 3159. Introduction of Resolutions. House Resolution 536, offered by Representative Bourne. House Joint Resolution 81, offered by Representative Bryant. And House Joint Resolution 82, offered by Representative Ford. These are referred to the Rules Committee."

Speaker Lang: "Representative Ammons."

Ammons: "Thank you, Mr. Speaker. I rise with a point of personal privilege, please."

Speaker Lang: "Please proceed."

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

57th Legislative Day

5/28/2015

Ammons: "Thank you. I stand to ask the Assembly to stand in recognition of the life and the untimely passing of two members of our community, both of which will receive an acknowledgement and later Death Resolution, but I did not want to miss this opportunity for us to all reflect on the life that we've been given and certainly the path for which we will all take. In recognition of one of our family members that we all remember as Dave Benton, we want to lift up his family at this time thanking them for allowing all of us to experience his life on WCIA, part of which is the principle of democracy shared through the media. And so we thank him and his family for his life. And I also want to acknowledge a young man who was a star athlete in Champaign schools who unfortunately passed away who's 18 years old. His name is Ravonte Leshoure-Baker. And his family is mourning the loss of this young man at 18 years old. His services will be held tomorrow at noon at Salem Baptist Church, one of our community churches in Champaign, Illinois. And we just want to give a moment of thankfulness for their lives and for their deaths, that their families are able to heal from this great loss. And I ask for a moment of silence."

Speaker Lang: "Thank you, Representative."

Ammons: "Thank you."

Speaker Lang: "Members may be seated. Moving to page 7 of the Calendar, Senate Bills-Third Reading. The first Bill on that order is Senate Bill 23, Leader Currie. Out of the record. Senate Bill 398, Representative Feigenholtz. Please read the Bill."

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

57th Legislative Day

5/28/2015

Clerk Hollman: "Senate Bill 398, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker and Members of the House. I stand here to present Senate Bill 398, the Culinary and Hospitality Modernization Act. This is a Bill. The basic principles are to modernize how we... we're... the City of Chicago has been blessed to get the James Beard Award. The State of Illinois, they're revenues are about 1.8 billion from the hospitality and restaurant industry. I believe *Crain Chicago Business* last year said that more people were... there were more sales receipts in restaurants than there were in grocery stores. This is a... a growing industry. This Bill is supported by the Restaurant Association, hotel and lodging, IRMA, Licensed Beverage, the Chicagoland Chamber of Commerce, the beer distributors, the craft brewers, and Kendall College. It promises to drive more sales tax into our coffers, defines and permits meal packages, and entertainment packages, and pairings, and infused spirits. And it also makes the BASSET Test for responsible alcohol serving statewide. I am glad to answer any questions."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Sara, will you go over some of the safety improvements with respect to, you know, the responsible alcohol service components of this Bill, particularly the BASSET enhancements, if you will?"

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

57th Legislative Day

5/28/2015

Feigenholtz: "Sure. So last year, we passed the BASSET Test for just one or two counties in Illinois, Representative Sandack. I believe six states have already made the BASSET Test statewide. It's a very probusiness move. People can take this exam online and get certified. It doesn't take time away from managers to do the training and it dramatically drops the cost of insurance for restaurants and bars knowing that all of their alcohol servers have passed this test."

Sandack: "Well, and... and obviously that's important to... to dramatically drop the insurance expense, but it also dramatically enhances and improves safety and obviously good dispensing of alcoholic products to end users and consumers. It's a safe... essentially a safety component and best practices component now statewide, isn't that correct?"

Feigenholtz: "Correct. It... it... the BASSET Test is designed to train alcohol servers, anyone who pours alcohol to... how to deal with and manage the serving of alcohol and to avoid overserving."

Sandack: "Thank you, Representative. To the Bill. This is a total team effort led by, obviously, Representative Feigenholtz with respect to modernizing and enhancing the existing laws making them convenient and also business friendly, and at the same time, safe and appropriate. I commend her efforts and recommend a 'yes' vote."

Speaker Lang: "Mr. Breen."

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

Speaker Lang: "Sponsor yields."

Breen: "Representative, I need to ask some questions just to get clear in my mind what one of the provisions that you are

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

57th Legislative Day

5/28/2015

amending in terms of Section 6-11, sale of alcohol within a hundred feet of any church, school, hospital, home for the aged, and those sorts of things. You are adding a Section (a-5) that appears to allow a municipality to overrule that state limit on... on these facilities, correct?"

Feigenholtz: "Representative, let me explain what this provision is. We have many entities who move in next to schools, in the City of Chicago, specifically. I believe there's a... in, you know, it... for in... the story I like to tell is last year I had a wine store trying to open its doors to do business in my district. They approached me in June, a month aft... a few... a month after we adjourned and because all they sold was wine and they needed the exemption, they had to pay rent with their doors closed for six months having no venue in this... with the local liquor commission or the City of Chicago. So, we are not closing the door on the State of Illinois being a remedy for those exemptions, but we are affording municipalities an opportunity to set up a system to deal with scenarios like the one I just described."

Breen: "Right. But... and just to be clear, if a municipality wants to eliminate the hundred foot barrier between bars and churches, retirements homes, and the like, they can do so under this Bill?"

Feigenholtz: "Correct."

Breen: "Okay."

Feigenholtz: "But they have to set up a mechanism in which they can do it; otherwise, they can owe... they have to pay us an ordinance or the liquor control commissioner has control. But as you can understand, sometimes, because of our Sessions,

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

57th Legislative Day

5/28/2015

this becomes problematic. About 40 pages of the Liquor Control Act are exemptions, so we kind of want to be able to give people some remedy on the local level."

Breen: "And there's no exception in here, so if... if the sensitive land use, the church, the home for the aged is in a neighboring municipality and the liquor commissioner that would otherwise be protecting his home for the aged or church, he has no say over the actions of a liquor commissioner in the municipality with the bar. Is that correct?"

Feigenholtz: "They can still come here."

Breen: "Well, no, no. But I mean the municipality that has the... the bar is the one that will control this, even if the sensitive land use is in a neighboring municipality and the liquor commissioner of that neighboring municipality doesn't agree?"

Feigenholtz: "Correct. Now, another..."

Breen: "Okay."

Feigenholtz: "...thing that I want to say about this Bill is it essentially sets a ceiling. There's nothing in this Act that overrides local control. Local control prevails overall..."

Breen: "Right. Right. No, I... and..."

Feigenholtz: "...in this legislation."

Breen: "...and Representative, I... I'm asking very particular questions because I'll now go to the Bill. I am counsel on a liquor complaint filed with the Village of Stone Park which allowed a bar, that happens to be a bar where the... the entertainers are nearly naked, immediately next to a retirement home in the neighboring community of Melrose Park. And so, for that reason, I... I believe that even though it's



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

57th Legislative Day

5/28/2015

not a direct conflict, I will be unable to vote on this measure at all. I'll have to vote 'present'. But I did just want to make sure that this... this Act... or this... this Bill would essentially grant that mayor of Stone Park the ability to locate a bar, including a bar with nearly naked dancers, to operate immediately next to a retirement home in the neighboring community. And so, for that reason, I will need to vote 'present', but I did just want to make sure that that is as close to a conflict as one can get. Thank you."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Sponsor yields."

Reis: "Representative Feigenholtz, thank you for your work on this, and I want to follow up on the former Representative in his line of questioning."

Feigenholtz: "Go ahead."

Reis: "This local control, or local override as you may call it, can only happen if the church gives approval to do so. Isn't that correct? 'Cause when I asked the beer distributors about this question, you know, we're doing... we're taking away the authority from the General Assembly and giving it to the local... local control, but it can only happen if that church..."

Feigenholtz: "We're... we're not taking it away."

Reis: "Well..."

Feigenholtz: "We're giving... we're..."

Reis: "...we're giving it to them."

Feigenholtz: "...we're permitting this... the local municipalities, if they want, to set their own system up."

Reis: "Their own setback."

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

57th Legislative Day

5/28/2015

Feigenholtz: "They could also always come back here."

Reis: "But they can only make that setback smaller if the church or the place of business give them permission to do so. Is that correct?"

Feigenholtz: "It's up to the municipality. There is no requirement for that. That may... you may be referring to perhaps a previous draft of the Bill."

Reis: "So the local church would not have ultimate say then, the local government would?"

Feigenholtz: "Most of the time when we do exemptions here, Representative Reis, we... we typically want the local officials to send a letter from the institution that's a hundred feet away, along with the neighboring alderman, but it's not required. But when people come to Springfield for these kinds of exemptions..."

Reis: "Okay. Thank you, Representative. I was told something else. I think it was in a previous version of the Bill. So, thank you."

Feigenholtz: "Thank you."

Speaker Lang: "Representative McDermed."

McDermed: "Thank you, Mr. Speaker. I want to follow up on some of the questions raised by Representative Breen. You may or may not remember my adult entertainment facility setback Bill, which is back in the House now on Concurrence and which now provides that there can be no less than 250 feet, either in a Home Rule community or any municipality, between an adult entertainment facility and one of the family uses that are prescribed in the Bill. So, I'm... are we giving in one hand and taking away in the other hand? My Bill calls for 250 feet."

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

57th Legislative Day

5/28/2015

Now, apparently, it can be waived to zero is there's liquor?  
I'm concerned about that."

Feigenholtz: "Are you... I think these are two separate issues,  
Representative. Are you talking about entities that already  
have liquor licenses?"

McDermed: "No. My Bill is prospective, not..."

Feigenholtz: "But you're talking about... what are you... what exact  
institutions are you talking about?"

McDermed: "Well, adult entertainment facilities are defined in  
the statute. They may or may not... I mean, I'm not aware of  
any of them that don't have a liquor license."

Feigenholtz: "This is... this is about a liquor license, not about  
zoning or strip clubs."

McDermed: "All right. So, the... the question that I have is, if an  
adult entertainment facility has a liquor license and there's  
the 250 foot minimum, which one prevails? The zero liquor  
license..."

Feigenholtz: "This..."

McDermed: "...setback or the 250 foot if they're in the same  
location? I don't..."

Feigenholtz: "The two hun..."

McDermed: "...know the answer. I'm asking."

Feigenholtz: "If it's a strip club, they would have to comply  
with your law."

McDermed: "Okay. So even if they have a liquor license, they'd  
have to comply with the more restrictive 250 foot setback.  
Okay. Thank you. That makes me feel much more confident."

Feigenholtz: "I'm happy you're happy."

Speaker Lang: "Representative Feigenholtz to close."

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

57th Legislative Day

5/28/2015

Feigenholtz: "Ladies and Gentlemen, I appreciate an 'aye' vote on this. I know a lot of us are concerned about revenue in the State of Illinois. And while we grapple over this, the tourism, hospitality, and culinary industry is providing a lot of jobs and a lot of revenue for the state. This will hopefully assist further in making Illinois, especially the City of Chicago, a destination for so many. And I would appreciate your support on this Bill."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bennett, Ford. Mr. Ford. Please take the record. On this question, there are 82 voting 'yes', 31 voting 'no', 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 691, Mr. Dunkin. Mr. Dunkin. Out of the record. Senate Bill 785, Mr. Evans. Please read the Bill."

Clerk Hollman: "Senate Bill 785, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Evans."

Evans: "All right. Thank you, Mr. Speaker and the great Members of this Assembly. Senate Bill 785 is an initiative of the Illinois State Medical Society and tends to allow for a license waiver program within the Department of Financial and Professional Regulations for out-of-state athletic team physicians. I request your support. No opponents."

Speaker Lang: "Those in favor of the Gentleman's Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please

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

57th Legislative Day

5/28/2015

record yourselves. Breen, Fortner. Please take the record. There are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Moffitt is recognized on a point of personal privilege."

Moffitt: "Thank you, Mr. Speaker. I'm pleased to have two Pages today to run errands for all of you. I'd like to introduce them. Nearest to me is... they're from Galesburg, Caleb Plattner and his brother Benjamin. Caleb celebrated his 12th birthday yesterday. Would you please make them welcome here to the Illinois House?"

Speaker Lang: "Welcome. We're happy you're here with us today. Thanks, guys. Mr. Brady."

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

Speaker Lang: "Go right ahead, Sir."

Brady: "Thank you. Also, I'd like to introduce two Pages that I have today. They're down, if they'd stand up. Mr. Kyle Walsh, who is a recent graduate of Heartland Community College, on his way to Illinois State University, and Kelli McClernon, who's at Heartland Community College. Both Paging for me today and work and help in my district office back home in Bloomington-Normal. Please give them a big Springfield welcome."

Speaker Lang: "Thanks for joining us today on the House Floor. Senate Bill 805, Representative Mayfield. Representative Mayfield. Out of the record. Senate Bill 806, Mr. Crespo. Please read the Bill."

Clerk Hollman: "Senate Bill 806, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Mr. Crespo."

Crespo: "Thank you, Speaker. Senate Bill 806 creates the Student Transfer Achievement Act. Under the Act, a community college student who graduates with an Associate Degree in the transfer program and is accepted in a public university will be granted junior status and 60 credit hours. This is an agreed Bill in collaboration with the officers of the Illinois community colleges and public universities, the Illinois Board of Higher Education, and the Illinois Community College Board. Happy to answer any questions."

Speaker Lang: "Representative Wheeler."

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

Speaker Lang: "Sponsor yields."

Wheeler, B.: "Representative, thank you for doing this. I know you've been working on this for a couple of years and getting all of the parties to agree on it. I want to comment during... during committee, McHenry County College came and talked about how successful their program was with some of the private schools. So expanding it to Illinois state schools is a great benefit to our junior college students. So, thank you very much."

Crespo: "Thank you."

Wheeler, B.: "I strongly urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Dunkin, Evans, Gabel, Sims. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the

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

57th Legislative Day

5/28/2015

Constitutional Majority, is hereby declared passed. Senate Bill 838, Mr. Rita. Mr. Rita. Out of the record. Senate Bill 920, Mr. Bennett. Please read the Bill."

Clerk Hollman: "Senate Bill 920, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Bennett."

Bennett: "Thank you, Mr. Chairman. This Bill basically clarifies, reaffirms that windmills are under local control of municipalities and counties when there is no zoning in place. We currently interpret the law to say that there's nothing that would bar a county or a municipality from doing so, but again, this clarifies that windmills are under local control of municipalities and counties. And I move for an 'aye' vote, Sir."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Burke. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 936, Mr. Mautino. Please read the Bill."

Clerk Hollman: "Senate Bill 936, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. This is a TIF extension for the Village of Crestwood and.. and Ottawa, Illinois. All letters are in and I know of no objections. Appreciate an 'aye' vote."

Speaker Lang: "Mr. Sandack."

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

57th Legislative Day

5/28/2015

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

Speaker Lang: "Sponsor yields."

Sandack: "Frank, I'm... I'm quickly going through this and it looks like it's an extension from 23 to 35 years?"

Mautino: "Yes."

Sandack: "Maybe I haven't seen too many of these, but how many instances have we seen of extensions, you know, beyond the 23 years? There usually... Is there typically another bond issuance on top of it as well?"

Mautino: "In the... well, in the situation of Ottawa that I can speak to, there is... there is some... it's coming towards the end of its life and they're actually doing this different than the other TIF districts in the state. They're taking all the areas that have developed, as they're supposed to, out of the district and they're filling in just those areas which are undeveloped into the new section and extending the life so they can do a new issue."

Sandack: "Thank you much. Appreciate it."

Mautino: "Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Turner in the Chair."

Speaker Turner: "Chair recognizes Representative Keith Wheeler."

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



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

57th Legislative Day

5/28/2015

Speaker Turner: "Please proceed, Sir."

Wheeler, K.: "Thank you. I'd like to introduce to our wonderful House of Representatives my Page for the day, Adam Annerino. He is a... he's finishing his sixth grade year at Parkview Christian Academy. School is out tomorrow; he's down here with us today. Adam is a leader among his peers at school and is interested in learning more about our state's political process. He's joined today by his mom and grandma up in the gallery. You can wave. And let's give him a big Springfield welcome. Thank you very much."

Speaker Turner: "Thank you, Representative. And welcome to your Capitol, Adam. Senate Bill 993, Representative Kay. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 993, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Turner: "Representative Kay."

Kay: "Thank you, Mr. Speaker. The purpose of 993 is to amend the Employee Classification Act by moving the filing date of the report required by contractors to April 30 each year. It's currently January 31. The Bill also requires such reporting to be filed electronically. Current law does not have any requirement that reporting is supposed to be filed. So it clarifies, if you will, a technical change. I ask for an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 993 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tabares. Mr. Clerk, please take the record. On a count of 116

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

57th Legislative Day

5/28/2015

voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 993, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1076, Representative Morrison. Out of the record. Senate Bill 1102, Representative Anthony. Mr. Clerk... Out of the record. Senate Bill 1228, Representative Lang. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1228, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Turner: "Leader Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a Bill regarding the labeling of milk. It's an agreed Bill. There are no known opponents. There was an Amendment added to exempt raw milk. I would ask your support."

Speaker Turner: "Chair recognizes Representative Hammond."

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

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

Hammond: "Representative, what day is it?"

Lang: "Well, yesterday was hump day."

Hammond: "I... and was there a reason..."

Lang: "I know you're concerned about camel milk."

Hammond: "...and was there a reason you weren't able to call this Bill on hump day?"

Lang: "I tried very hard to call this Bill yesterday so that you would be able to make this joke in an appropriate way, but I could not make that happen."

Hammond: "And I am really disappointed, but I would urge the Body to vote 'yes'. It is a good Bill. Thanks, Representative."

Lang: "Thank you very much."

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

57th Legislative Day

5/28/2015

Speaker Turner: "The question is, 'Shall Senate Bill 1228 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunkin. Mr. Clerk, please take the record. On a count of 116 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 1228, having received the Constitutional Majority, is hereby declared passed. Leader Lang in the Chair."

Speaker Lang: "Chair recognizes Mr. Guzzardi."

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

Speaker Lang: "Go right ahead, Sir."

Guzzardi: "On the opposite side of the chamber in the gallery we have a former constituent of mine who is visiting today to witness democracy in action. Edwin Cost, will you please stand up? Let's give him a warm Springfield welcome, everybody."

Speaker Lang: "Welcome. Happy to have you with us. Senate Bill 1256, Mr. Dunkin. Please read the Bill."

Clerk Hollman: "Senate Bill 1256, a Bill for an Act concerning liquor. This..."

Speaker Lang: "Mr. Dunkin, did you have an Amendment on this. Do you move... wish to move this back to Second Reading?"

Dunkin: "No... yes, Sir. I'd like to move it to... if we could adopt Amendment #3."

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

Clerk Hollman: "Senate Bill 1256, a Bill for an Act concerning liquor. This Bill was read a second time on a previous day. Floor Amendment #1 was adopted previously. Floor Amendments

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

57th Legislative Day

5/28/2015

2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Dunkin."

Speaker Lang: "Mr. Dunkin on Amendment 2."

Dunkin: "Thank you. I move that we adopt Floor Amendment #2."

Speaker Lang: "Please tell us what the Amendment does, Sir."

Dunkin: "The Amendment simply allows for a Whole Foods and two hotels in my district, which are near a church, to have a liquor license."

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

Speaker Lang: "Mr. Dunkin."

Dunkin: "Thank you, Mr... Mr. Speaker, Members of the... the House. Floor Amendment #3 adds another... an additional grocery store and three restaurants and they are requesting a liquor license because they're near some churches that have been there for years. And I would ask for a favorable vote."

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 1271, Mr. Walsh. Please read the Bill."

Clerk Hollman: "Senate Bill 1271, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Walsh."

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

57th Legislative Day

5/28/2015

Walsh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1271 is an initiative of the Illinois Park... Park Distr... Association of Park Districts. What it does is... is raise the competitive bid requirement threshold from 20 to 25 thousand. They haven't asked for an increase since 2004. The last increase went from 10 thousand to 20 thousand. Be happy to answer any questions."

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

Sandack: "Thank you. Larry, I swear we did something like this already. Is there a similar Bill that we passed out of here that..."

Walsh: "This is..."

Sandack: "...was nearly substantially the same?"

Walsh: "It was House Bill 417, but they shelled it in the Senate."

Sandack: "God, I hate when they do that."

Walsh: "Happens."

Sandack: "We saw... we saw that in committee today. They're... they're bad people over there. Thank you."

Speaker Lang: "The Chair echoes your sentiment. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Anthony, Bellock, Stewart. Please take the record. On this question, there are 69 voting 'yes', 47 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Martwick."

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

Speaker Lang: "Please proceed, Sir."

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

57th Legislative Day

5/28/2015

Martwick: "Thank you. Ladies and Gentlemen of the House, in the west side of the gallery up and wearing proudly displaying their blue shirts is a school class from my district. Would you please welcome the seventh-grade class of Garvy Elementary to the Illinois chamber?"

Speaker Lang: "Welcome. We're happy you're here with us today. Senate Bill 1312, Representative Kelly Burke. Out of the record. Senate Bill 1421, Representative Gordon-Booth. Representative Gordon-Booth. Out of the record. Oh, I didn't see you, Representative. No running. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 1421, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. And I apologize and thank you for your patience. Senate Bill 1421 allows a public utility that provides both water and wastewater service to spread the cost of its revenue requirement... excuse me... of its revenue requirement including capital costs, operating costs, and a return on investment, for both its water system and its wastewater system among all of its water and wastewater customers regardless of whether or not the customer receives both services from the utility. Essentially, what Senate Bill 1421 does is it allows the Illinois American Water Company to apply to the Illinois Commerce Commission in order to be able to put this into place. I'm open for any questions at this moment. I ask for your 'aye'..."

Speaker Lang: "Representative McAsey."

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

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

57th Legislative Day

5/28/2015

Speaker Lang: "Sponsor yields."

McAsey: "Thank you. Representative, can you please explain what the current law is related to the way that water companies, such as Illinois American Water for whom this is an initiative, are able to bill their customers and charge their customers?"

Gordon-Booth: "Are you talking about for what, wastewater or water?"

McAsey: "Well, why don't we start with water?"

Gordon-Booth: "Individual residents are billed for their water."

McAsey: "Okay. So, if you are a water customer then you are billed for water services only, return on investment, infrastructure in... upgrades, operations, capital only for the water system. Is that correct?"

Gordon-Booth: "Yes."

McAsey: "Okay. And with regard to wastewater, what is the current law with regard to wastewater?"

Gordon-Booth: "Say that again."

McAsey: "With regard to wastewater services, how would a wastewater customer presently?"

Gordon-Booth: "Same fashion."

McAsey: "Okay. So right now, if you receive wastewater services you can be charged for wastewater services. But this legislation is a very drastic departure from that current law, isn't it?"

Gordon-Booth: "I wouldn't use the word drastic."

McAsey: "Okay. So can you explain what will happen for customers under your Bill? For example, a customer who only has water

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

57th Legislative Day

5/28/2015

services from a private utility company, what will happen to them if this legislation becomes law?"

Gordon-Booth: "If this legislation becomes law, the Illinois American Water Company would have the ability to apply to the Illinois Commerce Commission. That's what the... that's all that this law does."

McAsey: "Okay."

Gordon-Booth: "It doesn't go beyond that scope."

McAsey: "So it would have... the private utility company would have the ability to apply to the Illinois Commerce Commission to raise the rates on individual customers who do not receive the benefit of the wastewater service. Is that right?"

Gordon-Booth: "That's not true. No. That's not true. That's a myth. What this does is it spreads out costs for everyone so if something happens in your community and there's a huge water main burst, the citizens of your community would not have to bear the burden of fixing that particular service at that time. So the cost is spread out over the entire service prov... all over the entire service territory so that it remains a flat cost, a reasonable cost that folks can afford."

McAsey: "Okay. So, to that. So say that there's an issue in your community, my customers on the service would be paying to repair something that's hundreds of miles away?"

Gordon-Booth: "In the same way that if something happened in Lockport, yes."

McAsey: "Okay."

Gordon-Booth: "People would pay for them in other places as well. Yes, that's exactly what would happen."



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

57th Legislative Day

5/28/2015

McAsey: "So, to the Bill. I think it's very important that the Members of this Body understand what this legislation is in fact doing. This legislation is opposed by the... by CUB as well as by the Attorney General's Office. I also understand that those opponents were not offered an opportunity to testify in committee. But those opponents and I stand in strong opposition to this legislation because, as the Sponsor just explained, what this will do is spread costs across the system so that individuals who do not receive the benefit of a service will be paying for the service. Water customers who do not receive any wastewater services will be on the hook to pay for wastewater. And the opposite is true if you are wastewater only, that you would be on the hook to pay for a service that you do not receive the benefit of. I'd like to give a... what I think is a pretty simple analogy to explain how fundamentally unfair this is. If two people were to buy a home that was identical in the same neighborhood and one individual paid a \$100 thousand and the other paid \$200 thousand, but down the road there was a decision that the individual who spend \$200 thousand, well, they just couldn't afford it. They paid too much. The person who paid \$100 thousand would be on the hook to help them pay the cost of that. They don't live there; they don't enjoy the benefit. This is fundamentally unfair for consumers to pay the costs incurred by another consumer. It is not in the best interest of our constituents who rely on the basic necessities of water. For that reason, I urge your 'no' vote."

Speaker Lang: "Mr. Leitch."

Leitch: "Thank you very much. Will the Lady yield?"

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

57th Legislative Day

5/28/2015

Speaker Lang: "Lady yields."

Leitch: "You and I are very good friends but we don't agree on this measure. Why should we, with the highest rates in the... water rates in the state, be subsidizing other parts of the state without knowing where that money is going?"

Gordon-Booth: "The concept... again, the concept of this Bill is to spread costs over an entire region so that customers don't see an excessive spike if there is a need for capital and infrastructure improvements. So, in our area, if there happened to be a large water main break, instead of simply our community having to share in the cost of that, it's spread out. No different than anyone else in that entire service territory if something happens within their community, that cost is then spread out over the entire service territory region."

Leitch: "I understand that. I'm... I regret that an extremely good Amendment that I had proposed is not included on this Bill and I guess was considered hostile, although I don't know why it was hostile because so many people in our community ask this question often. We pay the highest rates in the state; we don't know where these capital improvements are being made. So why would we want to additionally increase our water costs without understanding what capital investments we're getting and where other capital investments are being proposed? To me it's just a fundamental issue of transparency. Why is this a secret where the capital investments would go with ratepayer's money?"

Gordon-Booth: "Can you repeat the question?"

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

57th Legislative Day

5/28/2015

Leitch: "Yeah. The question was, where is the transparency in this Bill?"

Gordon-Booth: "Well, the transparency would rely in the Illinois Commerce Commission process. So anything that... all of the things that we're discussing today that people may take issue with, all of those issues would have to be justified with the Commerce Commission in order to be granted the opportunity to even do this. Again, what this Bill does, this does not enact anything other than allow a process for the Illinois Commerce Commission to vet and thoroughly go through to allow... to make a determination one way or another."

Leitch: "I agree that it would go to the Commerce Commission. My point is the public would like to know where the capital improvements will be made and are being made when they're paying the highest rates in the state? And when their rates are being increased, I think they're entitled to have transparency and know where these capital investments are being made and have been made."

Gordon-Booth: "There's a..."

Leitch: "That's my only point..."

Gordon-Booth: "Certainly, and..."

Leitch: "...and perhaps we disagree..."

Gordon-Booth: "...and I don't..."

Leitch: "...and I respect that."

Gordon-Booth: "...I don't..."

Leitch: "But I think..."

Gordon-Booth: "...actually, I don't disagree with you. I think that that process does take place. When the Illinois Commerce..."

Leitch: "No, it doesn't take place."

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

57th Legislative Day

5/28/2015

Gordon-Booth: "...when the Illinois Commerce Commission has their hearings, those hearings are public. The Illinois Attorney General is always... has representation at those hearings and advocates on behalf of the citizens. So, there are al... it's always a... it's still an open process."

Leitch: "Well, I respect your point of view, I just disagree with it. I think it's very important that the... that these and other issues and filings before the Commerce Commission have a lot... lot more dis... transparency. I hear every day... not every day, but many days we are contacted by people who complain about high water rates and then they wonder also what they're getting in return in addition to water because clearly there are many capital improvements that are made and the... our constituents want to know where this money is going. So I think that that should have been in the Bill. I'm concerned about the impact of the Bill on our ratepayers. And I would urge a 'no' vote. Thank you."

Speaker Lang: "Mr. Breen."

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

Speaker Lang: "Sponsor yields."

Breen: "Representative, who was the Senate Sponsor of this Bill?"

Gordon-Booth: "The noise level is pretty high. I can't hear you. I'm sorry?"

Breen: "Who is the Senate Sponsor of this Bill?"

Gordon-Booth: "Senator David Koehler."

Breen: "Now, where... where are... are Senator... you guys both represent Peoria..."

Gordon-Booth: "Yes, we do."

Breen: "...or that area?"

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

57th Legislative Day

5/28/2015

Gordon-Booth: "Yes, we do."

Breen: "Okay. Are you all served by American Water..."

Gordon-Booth: "Yes..."

Breen: "...in Peoria?"

Gordon-Booth: "...yes, we are."

Breen: "Are you trying to build additional wastewater capacity in Peoria?"

Gordon-Booth: "I think there have been some conversations."

Breen: "All right. Because I ask this question because I see in my analysis, and I'm not normally on the same side as the Attorney General on something, but I'm glad to do it if we need to. I see here that American Water across the state in 2013 had 280 thousand water customers but only 30 thousand wastewater customers. And as best I can tell, they want to expand their wastewater customer base but charge the water customers for that expansion, right? That's what they're trying to do."

Gordon-Booth: "I wouldn't agree with that."

Breen: "Well, I mean, the problem is in my... in my district, I've got folks that are wastewater customers of our municipality and we've got a... a utility to do the wastewater. So, they're paying wastewater charges to the one group and they're paying water charges to American Water. And as best I can tell, they're now going to have to pay to build out the American Water wastewater facilities and pay for their wastewater facilities to our municipality. How is that not a fee increase and getting nothing back in return?"

Gordon-Booth: "Well, again, anyone who is in the service territory, if there is a necessity for a buildout, that cost

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

57th Legislative Day

5/28/2015

is then spread over the entire service territory so that those wastewater or those water customers don't see an excessive spike."

Breen: "Right. So... so Peoria will get a wastewater facility and folks in Lombard and Glen Ellyn will pay for your wastewater expansion..."

Gordon-Booth: "And when you..."

Breen: "...along with paying for our own..."

Gordon-Booth: "...and when you..."

Breen: "...wastewater maintenance."

Gordon-Booth: "...and when you need a wastewater facility, which Lord willing we will continue to live that you will eventually..."

Breen: "We pay for it ourselves."

Gordon-Booth: "...need one as well, we will pay... we will pay for yours."

Breen: "No, you won't."

Gordon-Booth: "Because if we all have this... if we all are in the same service territory, yes, we will."

Breen: "How?"

Gordon-Booth: "This isn't a Peoria centered Bill."

Breen: "Well, okay. But American Water serves 280 thousand... gives water to 280 thousand people but only provides wastewater up to 30 thousand people. And again, apparently many of them are in Peoria or where... I mean, I don't know exactly where. They're not in my area. We have a municipal utility, the Glenbard Waste Water District from the 1970s; we pay for that. I mean, Peoria is not paying for wastewater in our area;

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

57th Legislative Day

5/28/2015

however, we are now being asked to pay for wastewater in your area."

Gordon-Booth: "That's not true. If... if..."

Breen: "Well, you just conceded it."

Gordon-Booth: "No. No, I did not. If the individuals in your community are a part of the Illinois American Water service territory then they will all share the cost. If they are not a part of that service territory, they will not share the cost."

Breen: "Right. They're all going..."

Gordon-Booth: "It's really..."

Breen: "...to share the cost."

Gordon-Booth: "It's very simple."

Breen: "None of the benefit, all of the cost..."

Gordon-Booth: "I don't agree with you."

Breen: "...none of the benefit."

Gordon-Booth: "I don't agree with you."

Breen: "Okay. To the Bill. Again, normally I'm not with the Attorney General's Office, nothing... nothing against the folks there. We're very fine. This is a fee increase, straight up. It's folks in other parts of the state having to pay for what are apparently targeted improvements in a wastewater system in another part of the state. This is not a good Bill. I agree with my colleagues on this. And certainly just... I mean, if you're not for fee increases on your... your constituents, you should vote 'no' here. Thank you."

Speaker Lang: "Mr. Zalewski."

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

Speaker Lang: "Sponsor yields."

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

57th Legislative Day

5/28/2015

Zalewski: "Jehan, I called the advocate for American Water and he mentioned that the Attorney General's Office did not slip on this Bill, correct? They didn't..."

Gordon-Booth: "Correct."

Zalewski: "...they didn't file an opposition slip. Can you tell us just why... explain the AG's position as far as you know?"

Gordon-Booth: "In all actuality, the AG's Office nor CUB has come to meet with me about their feelings on the legislation. CUB actually was present when I ran the Bill in committee, but they had no oral testimony."

Zalewski: "Can you... can you ask esteemed counsel why they're listed as opponents on the... our analysis?"

Gordon-Booth: "Well, typically what happens when you have any sort of utility conversation that must go to the ICC, it's sort of the practice of the AG's Office as well as CUB to slip because of concerns that they will end up being a part of as it relates to the Illinois Commerce Commission process."

Zalewski: "So as a rule they oppose these types of legislation and therefore, they... they, as a rule, would oppose your legislation. But they made no vociferous objection to this in committee."

Gordon-Booth: "Yes. They were late to committee and they did not... they did not testify."

Zalewski: "Okay. Well, I appreciate your answering my questions."

Speaker Lang: "Mr. Arroyo."

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

Speaker Lang: "Sponsor yields."



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

57th Legislative Day

5/28/2015

Arroyo: "Representative Booth, what does this Bill do to the city water? Is this a downstate issue? Are you trying to spread the... the costs all through the... through the state? I'm..."

Gordon-Booth: "No. This... this has..."

Arroyo: "...I'm confused."

Gordon-Booth: "This has no effect on the city."

Arroyo: "Has nothing to do with the city."

Gordon-Booth: "No."

Arroyo: "But what... what is this Bill trying to do?"

Gordon-Booth: "What this Bill will do is this Bill will allow the Illinois American Water Systems apply to the Illinois Commerce Commission so that when they have to make buildouts all over that entire service territory as opposed to say one community having to shoulder the entire burden of... the bill of having to pay for capital and infrastructure improvements, it's spread out over the entire territory. So that way that whenever work has to be done there isn't an excessive... an excessive cost that residents must incur."

Arroyo: "Drinking water or wastewater?"

Gordon-Booth: "Both in that serv... only in that service territory."

Arroyo: "Okay. Thank you."

Gordon-Booth: "Thank you."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, let's not reinvent the wheel here. This takes place in all your municipal sewer and water plants right now. If you think about it, you pay either property taxes or something to the system and you pay a fee for the service. If the city goes in and fixes the lines in one neighborhood, the cost of

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

57th Legislative Day

5/28/2015

those lines are not addressed to that neighborhood, they're addressed to the entire system and so everybody pays. That's exactly what this Bill does, but in the private side. And so we're not reinventing the wheel with what goes on here. This is a good plan and a good idea because overall this will help improve the overall system by which other people will benefit and so they should be pairing... paying their fair share of that benefit. That's what this Bill does. You don't need to try and rethink this as a fee increase or someone's getting charged for something they're not paying for because they are paying for it. They're paying for the upgrades to the overall system by making one area better if it was a degraded system. Overall, the system gets better. Everybody should pay their fair share just like they do in municipal systems today. Please vote 'aye'."

Speaker Lang: "Mr. Phelps."

Phelps: "To the Bill, Mr. Speaker. Just like the previous speaker, he's absolutely right. This only allows American Water to apply to the ICC for a combined tariff. Everything must be approved by the ICC. This doesn't require anything. This is absolutely not a fee increase. This is a good consumer Bill. Vote 'aye'."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Picking up on the previous Representative's statements concerning this Bill, I was wondering if what he said is accurate. Is it accurate that you're going... that these systems are interconnected between communities where an improvement

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

57th Legislative Day

5/28/2015

in one actually results in an improvement in other communities? Or are these... these systems completely separate from each other? Or is there an actual interconnection between the sewer systems themselves between the communities, yes or no?"

Gordon-Booth: "Not sure."

Ives: "Okay. To the Bill. So what we heard from a previous Representative is that you're going to have a systemwide improvement like you would see from neighborhood to neighborhood. That is factually incorrect. That is not what is happening here. When you invest in, for example, the City of Wheaton sewer system, everybody sees a benefit because you don't get backups in other parts of the system. That is not what's happening here. You have separate community systems that are going to be paying for other community systems that are not interconnected. I just wanted to clarify that on the floor. Thank you."

Speaker Lang: "Representative Gordon-Booth to close."

Gordon-Booth: "Thank you, Mr. Speaker. Again, this issue is a public health issue for many communities. It is preventing rates from spiking on citizens at inopportune times. We're looking to provide adequate water and wastewater treatment. I ask for your 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Butler, Cassidy, Gabel. Mr. Clerk, please take the record. On this question, there are 63 voting 'yes', 50 voting 'no', 2 voting 'present'. And this Bill, having

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

57th Legislative Day

5/28/2015

received the Constitutional Majority, is hereby declared passed. Senate Bill 1440, Mr. Turner. Please read the Bill."

Clerk Hollman: "Senate Bill 1440, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Turner."

Turner: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1440 deals with reverse mortgages and is an unopposed Bill. Reverse mortgages are a special type of home equity loan that allows borrowers to access equity they have built up in their homes now and defer payment of the loan until they die, sell, or move out of the home. Elderly homeowners are usually the target of predatory reverse mortgage scams. Proponents argue that as the population ages it is important that procedural safeguards are in place so that seniors can access this capital without falling victim to unethical persons. Senate Bill 1440, as amended, creates the Reverse Mortgage Act by consolidating current State Laws regulating reverse mortgages and making certain definitions and terms consistent with federally insured reverse mortgage products. It makes the following changes to the current laws. This makes the Attorney General responsible for producing consumer protection information. It provides for a three-day cooling off period in which a home... a borrower cannot be required to close or proceed with the loan. It prohibits cross selling of other products as a condition of the loan. Forbids anyone with a financial conflict of interest from financially benefiting from the reverse mortgage loan and provides for enforcement of the new Reverse Mortgage Act under the Consumer Fraud and Deceptive Business Practices Act and the

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

57th Legislative Day

5/28/2015

Residential Mortgage Licensing Act. I'd ask for a favorable vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ammons, Golar. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1441, Mr. Bradley. Mr. Bradley. Out of the record. Senate Bill 1444, Representative Kifowit. Please read the Bill."

Clerk Hollman: "Senate Bill 1444, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Kifowit."

Kifowit: "Thank you, Mr. Speaker. This Bill prohibits members on a commission board or similar body with members appointed by the Governor from receiving a per diem on two or more different days within a seven-day stretch unless each meeting lasts more than four hours or if there is a bona fide amen... emergency. Currently, there's no limit on when these bodies can collect their per diem. The Amendment changed it so that it only in... only applies to meetings that are confirmed by the Senate. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Gordon-Booth. Please take the record. There are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the

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

57th Legislative Day

5/28/2015

Constitutional Majority, is hereby declared passed. Senate Bill 1458, Representative Bryant. Please read the Bill."

Clerk Hollman: "Senate Bill 1458, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Lang: "Representative Bryant."

Bryant: "Thank you, Mr. Speaker. Senate Bill 1458 is a cleanup Bill that goes along with some legislation last year. It allows a fund to be set up for the Oil and Gas Resource Management as opposed to what it was now, the Mines and Minerals. This will allow them to put the funds in the appropriate account and also allow them to... to get interest on that account. And I urge an 'aye' vote."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker. According to our analysis, it makes mention of an Amendment. Was that Amendment ever adopted?"

Bryant: "Yes. The Amendment was adopted and the Amendment was to allow for interest... to be an interest-bearing account."

Davis, W.: "Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Drury, Hammond, Unes. Please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1506, Mr. Bradley. Out of the record. Senate Bill 1526, Mr. Walsh. Please read the Bill."

Clerk Hollman: "Senate Bill 1526, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Mr. Walsh."

Walsh: "Thank you, Mr. Speaker. Senate Bill 1526 is an initiative of the township officials. Under current law, board of review... requires board of review to notify each and every taxing district affected when a taxpayer files a complaint seeking a change of assessment of 100 thousand or more. This Bill cleans that up and requires upfront notice from the complainant when the complaint is filed if they are seeking a change of assessment of 100 thousand or more, reduces the unwanted not... unwanted notices to the smaller taxing districts who would have no intention of intervening in the complaint by requiring that notice to automatically... but it does require the notice to be automatically sent to school districts, municipalities, park districts, fire districts, and community colleges only. This basically is a cost-cutting measure. There is no opposition and I'd ask for a favorable vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mautino, Nekritz, Reaves-Harris. Please take the record. There are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1548, Mr. Bradley. Please read the Bill."

Clerk Hollman: "Senate Bill 1548, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "This sets an agreed sourcing rule with regards to equipment leasing. It particularly involves the farming..."

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

57th Legislative Day

5/28/2015

agriculture industry in the State of Illinois. I know of no opposition... I know of no opposition."

Speaker Lang: "Mr. Sandack."

Sandack: "Thanks. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sandack: "John, could you give us a little more about the Bill? I know there's no opposition, but I don't know what the Bill does."

Bradley: "Yeah, it's a sourcing rule so it provides for where the tax is actually charged on the equipment that is being sold or leased."

Sandack: "So, it's a point of sale Bill? It determines..."

Bradley: "Yeah. It... it's a poi..."

Sandack: "...where the point of sale..."

Bradley: "...it's a... Yeah. It's a point of sale sourcing Bill. It clear... clears up ambiguities and actually was an agreement, which in that realm of, you know, is unusual."

Sandack: "So, the... Okay. Until... and what my analysis says is that... that it amends the Retailer's Occupation Tax to provide a retailer selling property to a nominal lessee under a conditional sales agreement to be assumed to be engaged in the business of selling at the location where the property is."

Bradley: "Correct."

Sandack: "Is that a..."

Bradley: "Correct."

Sandack: "Thank you."

Bradley: "Better than I could've said it."



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

57th Legislative Day

5/28/2015

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Evans, Moffitt. Please take the record. There are 114 voting 'yes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1560, Representative Nekritz. Please read the Bill."

Clerk Hollman: "Senate Bill 1560, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. This legislation is designed to right size our population at the Department of Juvenile Justice and tar... better target our resources to those who can benefit from the most and to improve efficiencies as well. So, the Bill does four major things. One is it keeps those juveniles who've committed misdemeanors out of DJJ. They're identical to what we do within adult cases. And it also clarifies that for just status offenses, truants, and those kinds of things, that there is no commitment to DJJ as well. It suspends aftercare, which is essentially parole for those with... who have... are on aftercare but have committed another offense and that might send them to the Department of Corrections. Right now they're sent back to DJJ. We're trying to... we want to keep those individuals, because they tend to be older, out of DJJ. It limits the amount of time that a juvenile spends on aftercare to be proportional depending on the crime that they committed. And finally, it expands the documents which be... much... which must be provided by the courts upon commitment to DJJ."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you. A few questions of the Sponsor."

Speaker Lang: "Sponsor yields."

Sandack: "Representative Nekritz, would you say that this Bill is consistent with the Governor's goal of trying to reduce prison populations?"

Nekritz: "Very much so. This is a... this is an initiative of the Department of Juvenile Justice."

Sandack: "And it's an attempt to... to right size, if you will, where people are housed and keep as many people out of the prison system if possible if they... and because there's, you know, negative affects for minors particularly going into the... to the adult population."

Nekritz: "I would... yes. I would agree."

Sandack: "Thank you. To the Bill. I think this is a good initiative. It was vetted very carefully and it is consistent with some of the reform initiatives that... that I think both Parties are trying to undertake and that the Governor has sanctioned as good policy as well. So I urge an 'aye' vote."

Speaker Lang: "Mr. Ford."

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

Speaker Lang: "Sponsor yields."

Ford: "Representative, I would like to congratulate you on such a good piece of legislation. This is reform and I think that it's the right thing to do, but there's one question I have. Was there a study done on how much, if this Bill is signed into law, how much it will save the state and the county as a result of passing such a good measure like this?"

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

57th Legislative Day

5/28/2015

Nekritz: "Representative, I don't know. I don't think I have a dollar amount. I do have some of the numbers on the number of individuals... juveniles that it will keep out of DJJ. So, for example, the... give me just a minute here. So, it... current... on Mar... in March of 2015, there were 27 youths in DJJ who had committed misdemeanors and the... they estimate that this would reduce DJJ commitments by 110 youth annually. So that's keeping the amount for... for misdemeanors. I believe that... that DJJ would say of the... of the individuals who are on aftercare and then commit another crime, which currently sends them back to DJJ instead of having them be held in county jail, that there are 70 of those individuals at any given time."

Ford: "So with this passage of this Bill and if it's signed into law, will there still be services provided for individuals that are misdemeanants that's in the system?"

Nekritz: "Yes. They... I think... they would still get services for misdemeanors. They will not just be released, but they'll be... they'll get more appropriate services. And I believe the data shows that if they're not incarcerated, even if it's at the Department of Juvenile Justice, that the recidi... recidivism rate is lower."

Ford: "I appreciate the legislation. I urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bradley, Cavaletto. Mr. Clerk, please take the record. On this question, there are 79 voting 'yes', 35 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared

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

57th Legislative Day

5/28/2015

passed. Page 10 of the Calendar, Senate Bill 1564, Representative Gabel. Out of the record. Senate Bill 1590, Mr. Tryon. Mr. Tryon. Out of the record. Senate Bill 1591, Mr. Martwick. Please read the Bill."

Clerk Bolin: "Senate Bill 1591, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Martwick."

Martwick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1591 is an agreed Bill; there are no opponents. It amends the School Code. It adds a transparency. It requires applicants wishing to establish a new charter school to disclose in their proposal any civil or criminal investigation by law enforcement agency in... into the application. So if there's any current undergoing civil or criminal investigation only initiated by a law... federal, state or a local law enforcement agency that must be disclosed in the application for a new charter school. Happy to answer any questions. I ask for an 'aye' vote."

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

Sandack: "Thank you. Representative, just out of curiosity, do you have any charter schools in your district?"

Martwick: "I do not."

Sandack: "And how is it that this Bill came to you?"

Martwick: "I'm sorry. Say is that?"

Sandack: "How did you get the Bill that you're proposing today?"

Martwick: "It was a Senate Bill by Senator Collins. I was asked to carry it in the House."

Sandack: "And by whom were you asked, other than Senator Collins?"

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

57th Legislative Day

5/28/2015

Martwick: "I was asked by the Chicago Teacher's Union to carry the Bill."

Sandack: "Thank you. I just thought that was something noteworthy. Thanks."

Speaker Lang: "Mr. Dunkin. Mr. Davis."

Davis, W.: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, so when you talk about investigating you focus on civil or criminal. Does it also include, because charter schools are often backed by corporate interests that may be say under investigation by like the FCC or some federal... SEC, I'm sorry. Thank you. Something like that. So does this Bill include those kinds of investigations as well?"

Martwick: "It... it does and it... it simply says that any member of the governing body of the organization in investigation means a request for an interview by a law enforcement agency, a subpoena, an arrest, or an indictment. And this is by any federal, state, or local law enforcement agency."

Davis, W.: "Okay. Well, so I think you said yes to my question, more or less?"

Martwick: "Yes."

Davis, W.: "Thank you."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speacher, you... Speaker, you look amazing today. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Chapa LaVia: "Representative, who else is the Sponsor of this Bill, please?"

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

57th Legislative Day

5/28/2015

Martwick: "The Illinois Statewide School Management Alliance, the Large Unit School District Association, the Better Government Association, the Illinois AFL-CIO, Citizen Action Illinois, ED-Red, SCOPE, and LEND."

Chapa LaVia: "Thank you very much."

Martwick: "Thank you."

Speaker Lang: "Mr. Dunkin."

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

Speaker Lang: "Sponsor yields."

Dunkin: "Representative, does this currently exist for Chicago Public Schools or state schools that are public, this type of legislation or requirement?"

Martwick: "Well, this would... the law would apply to any new applicant for... wishing to establish a new charter school."

Dunkin: "So, you're saying yes."

Martwick: "Yes."

Dunkin: "It currently exists already with the exception of charter schools?"

Martwick: "No. No. I mean, there is... I mean, there's no application process for establishing a non-charter school. A charter school has to apply for their charter to be granted. This currently... this provision is not currently in that process, so this would add that transparency measure."

Dunkin: "Right. So, if... if they're under investigation or they've been indicted, is there a recommended... 'cause I'm not familiar with your Bill... is there a recommendation in the legislation that would prohibit them from pursuing employment or teaching at these particular schools?"

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

57th Legislative Day

5/28/2015

Martwick: "Yeah. This is... this is... this requires the disclosure. So obviously, if someone applies for a charter school, there is... for a new charter to be granted by the State of Illinois or a new charter school to be opened in a local school district, there is a whole process that has to be... that they have to go through in order to be granted that charter. This provides an additional disclosure so that the people making the decision about whether or not to grant that charter have that information at their hands. Does that make sense?"

Dunkin: "Yes, it does."

Martwick: "It helps the people who are going to decide whether or not to grant the charter school... charter. It gives them information to help them make their decision."

Dunkin: "So, a corporation with a poor business practice may not be qualified, correct?"

Martwick: "I'm sorry. I'm having a hard time hearing you, Representative. Can you say it one more time?"

Dunkin: "So, if a corporation had a record of bad practice, we may not want to give them a charter."

Martwick: "Well, that... that is... that's true and that would be up to the... the decision makers of that process. This merely creates the obligation of those people to disclose if they are currently under sort of any investigation or indictment, and again, only by federal, state, or local law enforcement agencies."

Dunkin: "Thank you so much, Representative."

Martwick: "Thank you."

Speaker Lang: "Mr. Durkin."

Durkin: "Sponsor yield?"

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

57th Legislative Day

5/28/2015

Speaker Lang: "Sponsor yields."

Durkin: "Representative, how much information must this... if an applicant is under... is being considered and there is a criminal investigation, how much information are they required to provide to that authorizing body?"

Martwick: "They must disclose any known active similar incre... investigation, active civil or cris... criminal investigation by a local, state, or federal law enforcement AG into the organization submitting their proposal or any member of the governing body of that organization. Investigation is defined as meaning a request for an interview by law enforcement agency, a subpoena, an arrest, or an indictment."

Durkin: "But none of that constitutes anybody who's been... even if they're not charged they have to disclose this, correct?"

Martwick: "That is correct."

Durkin: "How far back can this go? A lot of cases, you don't receive letters of exoneration from a prosecutor if you are under investigation or from the police department. How far back must, if an individual is part of this organization who may be subject to investigation, how far back would it have to... can they go?"

Martwick: "They only have to disclose any active investigation."

Durkin: "But I guess the question, again, what I said. How... how much information must this charter school provide? Do they have to give a narrative of what the investigation's about or do they just have to say that there is an active investigation by the county prosecutor, FBI, or the U.S. Attorney."



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

57th Legislative Day

5/28/2015

Martwick: "They... the Bill does not speak to that specifically. It just merely says that they must disclose any known active investigation. So they would..."

Durkin: "I think it's kind of important when investigations are generally are... particularly a Grand Jury investigation I think that the... those are secret proceedings and... and I'm not quite sure now that I think about it whether or not this would be in conflict with what some of our state statutes and federal statutes say about the privacy in those proceedings. But I think that would be helpful if we had a little more specificity... specificity in that situation of whether or not you have to give a long narrative about what the basis of the investigation is or they just have to disclose, we are currently under investigation from the Cook County State's Attorney's Office, without getting into anything further. Is that what... is that sufficient for purposes of your intent?"

Martwick: "So, Representative, I would suggest that what you mentioned, the short statement, would probably be sufficient for the law but then there would be nothing prohibiting them from explaining further. Again, in my view, this is a... a way of providing transparency so then that the board that is granting... making the decision, whether it's the local school board or the Charter School Commission, whatever... whoever is making the decision on whether or not to grant this charter has that information, they can then follow up, ask the questions they need to decide whether or not this should prohibit them or should be, you know, the... the..."

Durkin: "It does seem pretty open ended to me. Now, I need some further clarification about what you would consider a civil

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

57th Legislative Day

5/28/2015

investigation. I file a law suit and I have, just as it may... as a... as a lawyer, I have an obligation to investigate my claim and sometimes it continues beyond the good faith filing that you have. I just need some specificity of what you would consider a civil investigation, which would fall under this... this event."

Martwick: "Well, again, the... there is... in the Bill as it's written there is no specificity, it's open ended, but it does say that it is a civil investigation instituted by a law enforcement agency. So if the state's attorney or the Attorney General had instituted some sort of civil proceedings against a member of the organization or the organization itself, again, they would be required to disclose that and then they could explain that or as they see fit."

Durkin: "Okay. I just wanted to make that perfectly clear that civil investigation must be conducted by a public agency, whether it's an investigative arm, whether it's a state agency like the Department of Public Health or..."

Martwick: "Yes."

Durkin: "...Board of Education, that's... that's what constitutes a civil investigation."

Martwick: "Yes."

Durkin: "It would not be a private citizen suit against any member who's part of the organization or the board, correct?"

Martwick: "Let me just double-check. I'm pretty sure that's the case. That is correct."

Durkin: "All right. Thank you."

Martwick: "Thank you."

Speaker Lang: "Mr. Drury."

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

57th Legislative Day

5/28/2015

Drury: "Thank you, Mr. Speaker. To the Bill. I think this is a Bill that we all should be in support of. It's a transparency Bill that simply requires for a disclosure of information about someone seeking to teach our kids about whether they're under investigation. Now, there were some comments about whether or not disclosure of a Grand Jury investigation by the party being investigated is allowed. It absolutely is allowed. The prosecutors aren't allowed to disclose it, but certainly the individuals are allowed to say whatever they want and that's how we find out about a lot of investigations. People get out of the Grand Jury and they walk to the courthouse steps and they say, I was just in the Grand Jury. So that... that's a red herring. You know, I would think that anybody... I have charters in my neighborhood and certainly it's done very well in my district and so I'm not opposed to charters. But I think requiring them to disclose whether or not there's an investigation for criminal purposes or civil purposes which will only lead to further questions about it and people can explain what the investigation is. It's a good transparency Bill and I think we should be in support of it."

Speaker Lang: "Mr. Martwick to close."

Martwick: "Thank you, Ladies and Gentlemen. Thank you for the questions. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davidsmeyer, Gordon-Booth, Hernandez, Jesiel. Hernandez. Please take the record. On this question, there are 104 voting 'yes', 11 voting 'no'. And this Bill, having received the

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

57th Legislative Day

5/28/2015

Constitutional Majority, is hereby declared passed. Senate Bill 1595, Mr. McAuliffe. Please read the Bill. Excuse me. Before you proceed, Mr. Franks on a point of personal privilege."

Franks: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'd like to introduce our Pa... I have two Pages today. Special young men who are exchange students visiting us from... Finn is from Germany, and we have Fariz from Malaysia. They'll be going home to their host countries in about three weeks and they came down to see what the Illinois General Assembly does. So I wanted to give them a warm welcome and I also wanted to try out my high school German to see if it works. Finn, so tell me if this is right. Das Postamt ist geschlossen am Sonntag. Hope that's right. All right, got it. Thank you and just wanted to welcome them to Springfield."

Speaker Lang: "Wait, you might want to tell us what that was, Sir."

Franks: "I... it means that the post office is closed on Sunday. That's all I got."

Speaker Lang: "I'm sure you did quite well in that class. Mr. McAuliffe, I understand you have an Amendment. Mr. Clerk, please put the Bill on the Order of Second Reading and read the Bill."

Clerk Bolin: "Senate Bill 1595, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Representative McAuliffe."

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

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

57th Legislative Day

5/28/2015

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is an agreement with IDFPR. Just technical and about the... the terms of the board and reducing the members from 10 to 7. And I'd be happy to answer any questions and ask for the adoption."

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

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

Speaker Lang: "Third Reading. Senate Bill 1630, Mr. Wheeler. Please read the Bill."

Clerk Bolin: "Senate Bill 1630, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Wheeler."

Wheeler, K.: "Thank you, Mr. Speaker. Senate Bill 1630, as amended, affords the Kane County Board the authority to impose a judicial facility fee just as this Body authorized the Will County Board to do so last year. The Kane County Board has requested this in their efforts to hold their property tax levy down by using this option to pay for important renovations to a courthouse that is over 150 years old as well as to make preparations for future expansion. I'd appreciate an 'aye' vote."

Speaker Lang: "Representative Chapa LaVia."

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

Speaker Lang: "Sponsor yields."

Chapa LaVia: "Keith, I... I stand in support of this. Any time we can allow the county to do their job and impose different

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

57th Legislative Day

5/28/2015

vehicles to get funding to renovate the courthouse is a good idea. It is only for Kane County, right?"

Wheeler, K.: "This is only for Kane County, correct."

Chapa LaVia: "Okay. Thank you. I stand in support of the... the man's legislation. I hope for 'aye' votes. Thank you."

Speaker Lang: "Mr. Walsh."

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

Speaker Lang: "Sponsor yields."

Walsh: "Representative, do you have... does your Chief Judge have an estimate on how much they'd be able to raise off of this to help out your court facilities?"

Wheeler, K.: "The estimate that I received was 1 to 1.5 million dollars per year."

Walsh: "Thank you. To the Bill. This is the same exact language that I passed last year with strong support, bipartisan support. This has been very help for... helpful for Will County to where we're looking at raising anywhere between one and a half and 2 million dollars per year to help our courthouse. I'd urge a strong 'aye' vote."

Speaker Lang: "Representative McDermed."

McDermed: "Thank you, Mr. Speaker. I, too, rise in support of this Bill. When the Bill on behalf of Will County was passed last year, I was still a member of the Will County Board and I know how important it was to our planning for a new courthouse. We have a 1968 courthouse suitable for less than 200 thousand people, very similar to what's going on in Kane, and now we have nearly 700 thousand people, and need to move toward a new courthouse. It was so helpful to Will. I hope

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

57th Legislative Day

5/28/2015

this will be equally helpful for you at Kane. I urge an 'aye' vote for this Bill."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brown, Harris, Mitchell. Please take the record. On this question, there are 78 voting 'yes', 37 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1641, Mr. Dunkin. Please read the Bill."

Clerk Bolin: "Senate Bill 1641, a Bill for an Act concerning the Secretary of State. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Dunkin."

Dunkin: "Thank you, Ladies and Gentlemen of the House. Senate Bill 1641 is a Vehicle Services Department Bill and it simply amends the Secretary of State's Act to allow the Secretary of State to collect 100 percent of the revenue generated from the above and underground parking lots at the Capitol Complex. And I ask for an 'aye' vote."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Would the Sponsor yield?"

Speaker Lang: "Sponsor will yield."

Sullivan: "Representative, what you just said has nothing to do with what's on our analysis and so I don't want to say it's wrong on you or us, but can you kind of go through that again? We see this as a Secret... Secretary of State cleanup omnibus package. Okay, so there's more in the package than what you just said?"

Dunkin: "Yeah. The... the... correct."

Sullivan: "Okay."

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

57th Legislative Day

5/28/2015

Dunkin: "The... there was some omnibus language in here from the Comptroller's Office."

Sullivan: "Okay. And so, it also requires owners of manufactured homes to surrender Manufacturer's Statements of Origin to the Secretary of State?"

Dunkin: "Correct."

Sullivan: "And is this one where they're giving the original and they're going to get a copy or how are they going to have... what are they going to have in there? The owner, I mean."

Dunkin: "We'll get the original."

Sullivan: "They'll get the own... the... Okay. So, they're going to have a cop... the original and the copy is going to go to the Secretary of State?"

Dunkin: "That is correct."

Sullivan: "Okay. And this also eliminates transfer plate fee for vehicles owned by and operated to the counties and municipalities?"

Dunkin: "That is correct."

Sullivan: "And the reason for that is, why should we be paying a fee when you're government to government. Is that correct?"

Dunkin: "That is correct."

Sullivan: "Okay. I just wanted to get all that through. Thank you very much."

Dunkin: "Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Acevedo. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this



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

57th Legislative Day

5/28/2015

Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Guzzardi."

Guzzardi: "Thank you, Mr. Speaker. On Senate Bill 1630, please let the record reflect my intent to vote 'no' on that Bill. Must have been some sort of technical glitch with the switch."

Speaker Lang: "The record will reflect your intention and we will send an electrician over to your switch, Sir. Senate Bill 1645, Representative Wallace. Please read the Bill. We understand you have an Amendment. So, please put this Bill on the Order of Second Reading, Mr. Clerk and read the Bill."

Clerk Bolin: "Senate Bill 1645, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Representative Wallace."

Speaker Lang: "Representative Wallace on the Amendment."

Wallace: "Thank you. Floor Amendment 1 simply changes the word 'waive' to 'defer'. And it allows for domestic violence victims to defer their down payment on utilities."

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

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

Speaker Lang: "Third Reading. Senate Bill 1657, Mr. Cabello. Out of the record. Senate Bill 1665, Leader Durkin. Mr. Demmer on the Bill. Please read the Bill."

Clerk Bolin: "Senate Bill 1665, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Demmer."

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

57th Legislative Day

5/28/2015

Demmer: "Thank you, Mr. Speaker. Senate Bill 1665 updates a definition in the Nursing Home Care Act to bring into compliance the United States Department of Veterans Affairs. I know of no opposition. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Andrade, Brown, Mitchell, Reaves-Harris. Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1679, Mr. Dunkin. Mr. Dunkin. Out of the record. Senate Bill 1680, Mr. Reis. Mr. Reis. Please read the Bill."

Clerk Bolin: "Senate Bill 1680, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1680 is an initiative of the Illinois Insurance Association. Amends the Insurance Code to create electronic notices and documents section and provides for any notice to be delivered, stored, or presented by electronic means. I know of no opposition and ask for your support."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1683, Mr. Breen. Please read the Bill."

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

57th Legislative Day

5/28/2015

Clerk Bolin: "Senate Bill 1683, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Breen."

Breen: "Thank you, Mr. Speaker. This is a Bill that comes to us from Senator Tom Cullerton, Senator Pam Althoff from the Senate. It makes small changes to our Code about the Department of Labor, allowing the Department of Labor to issue subpoenas in investigations that it is already performing. The United States Department of Labor has requested these specific changes in order for us to continue receiving a \$5 million additional federal OSHA grant. I would appreciate an 'aye' vote."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Hoffman: "I'd just like to ask a few questions for the purpose of establishing legislative intent. The Director of Labor subpoena power under Senate Bill 1683 pertains only to inspections or investigations pursuant to OSHA. Is that correct?"

Breen: "That is my understanding."

Hoffman: "That subpoena power granted by... well, is it your understanding or is that correct? It's your Bill."

Breen: "Let's say it's correct."

Hoffman: "Okay. Thank you. That subpoena power granted by Senate Bill 1683 does not extend to other inspections or investigations outside of those authorized by OSHA. Is that right?"

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

57th Legislative Day

5/28/2015

Breen: "Correct."

Hoffman: "The subpoena power does not extend to inspections or investigations pertaining exclusively to other Acts?"

Breen: "Correct."

Hoffman: "So the Director of Labor cannot use the subpoena power to enforce Acts pertaining to the Department of Labor's Fair Labor Standards Division such as the Child Labor Law or the Day Temporary Labor Services Act or the One Day Rest in Seven Act. Is that right?"

Breen: "Correct."

Hoffman: "In addition, they can't... the Director of Labor cannot use subpoena power to enforce acts pertaining to the Department of Labor's Cons... Conciliation or Mediation Division such as Employee Classification Act, or the Prevailing Wage Act, or the Equal Pay Act, or Acts pertaining to the Department of Labor's Legal Division such as the Freedom of Information Act, Personal Records Review Act, or Jobs Opportunity for Qualified Act... Applica... Applicants Act. Is that right?"

Breen: "Correct."

Hoffman: "So again, to be absolutely clear, because I'm asked... I... I just want to make it absolutely clear 'cause I'm asked to ask you to make it absolutely clear, the Department of Labor subpoena power under Senate Bill 1683 pertains only and only to inspections or investigations pursuant to OSHA. Is that right?"

Breen: "Correct."

Hoffman: "Thank you, Representative."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady, Pritchard, Wheeler. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1684, Representative Conroy. Please read the Bill."

Clerk Bolin: "Senate Bill 1684, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Conroy."

Conroy: "Thank you, Speaker. Senate Bill 1684 creates two advisory committees about two serious medical conditions of which very little is known. The first comes from two brave moms, Kate Groby-Drury and Wendy Newara, who fought for a very long time to find treatment... diagnosis and treatment for their two sons, both of which are named Charlie. The condition is called PANDAS short, but what it means is Pediatric Autoimmune Neuropsychiatric Disorder associated with streptococcal infection which is strep throat. PANDAS can trigger and inflate symptoms of autism, ADHD, obsessive compulsive disorder, or even Tourette's syndrome. This study will help to get awareness out to parents so that they don't have to struggle as hard as these moms did to find the proper treatment for their... their children. The second is an advisory council to study Neural... Neu... Neonatal Abstinence Syndrome which is a condition that occurs in newborns due to exposure to addictive illegal or prescription drugs. I... there is no opposition and I would appreciate a 'yes' vote."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Costello. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1702, Representative Tabares. Please read the Bill."

Clerk Bolin: "Senate Bill 1702, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Tabares."

Tabares: "This Bill is an initiative of the Illinois Secretary of State and the Illinois Manufacturing Housing Association to set guidelines for the licensing of manufactured home dealers. The sales of these homes are regulated by the Secretary of State and this Bill just provides specific definitions, licensing standards, and business requirements for these manufacturing home dealers. I ask for an 'aye' vote."

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

Sandack: "Thank you. Representative, what about a private sale to sale. Is that within the confines of your Bill?"

Tabares: "These licensing standards and the business requirements are for the... for the manufactured homes. The solely manufactured homes are just asking the Secretary of State to apply for a license."

Sandack: "So someone that already... Okay, got it. So it would not apply to a private sale. It's only to a manufacturer this type of product."

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

57th Legislative Day

5/28/2015

Tabares: "That's correct. Only for the manufacturing home dealers."

Sandack: "Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Franks, Tryon. Please take the record. On this question, there are 113 voting 'yes', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1704, Representative Hammond. Please read the Bill."

Clerk Bolin: "Senate Bill 1704, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. I present this Bill... I present this Bill on behalf of myself and Representative Beiser and it simply clarifies how the 90-day time period for road closures can be measured whether they be consecutive or nonconsecutive. And I know of no opposition. Appreciate your 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Tryon. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1714, Mr. Brown. Please read the Bill."

Clerk Bolin: "Senate Bill 1714, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Brown."

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

57th Legislative Day

5/28/2015

Brown: "Thank you, Mr. Speaker. Senate Bill 1714 is a TIF district extension for the cities of Arcola and Paris. I know of no opposition. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevedo, Franks, Rita, Williams. Please take the record. There are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1726, Mr. Phelps. Please read the Bill."

Clerk Bolin: "Senate Bill 1726, a Bill for an Act concerning utilities. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of Senator Chapin Rose and Farm Bureau. It's an agreed Bill; there's no opposition. It just provides important improvements to the process of notifying landowners when electric transmission line construction projects are going across their land."

Speaker Lang: "Mr. Moffitt."

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

Speaker Lang: "Sponsor yields."

Moffitt: "Representative, do you think this helps landowners from the standpoint of the ones that are going to be impacted. It's... it's troubling when some of these lines go through and they have eminent domain and that's a permanent impact, negative impact on landowners. Does this... does this help their position any?"



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

57th Legislative Day

5/28/2015

Phelps: "It absolutely does. I know Representative Brown has done this for a while. But yeah, this is Farm Bureau's initiative, Representative Moffitt, to make sure the landowners are notified better than they had been in the past."

Moffitt: "And this does apply statewide, right?"

Phelps: "Absolutely."

Moffitt: "Okay. Well, thank you for doing this."

Phelps: "Thank you, Representative."

Moffitt: "I commend you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bennett, Currie, Demmer, Hays, Rita. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1728, Leader Currie. Please read the Bill. We understand there's an Amendment. Mr. Clerk, please put the Bill on the Order of Second Reading and please read the Bill."

Clerk Bolin: "Senate Bill 1728, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 is offered by Speaker Madigan."

Speaker Lang: "Leader Currie on the Amendment."

Currie: "Thank you, Speaker, Members of the House. This deals with the Histor... Historic Preservation Agency and the Abraham Lincoln Museum and Library. Why don't we adopt the Amendment and I'm happy to discuss the Bill on Third."

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

57th Legislative Day

5/28/2015

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

Clerk Bolin: "No further Amendments. But a state mandates note has been requested on the Bill as amended and has not been filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 1735, Mr. Franks. Please read the Bill."

Clerk Bolin: "Senate Bill 1735, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. Senate Bill 1735 is an initiative of the McHenry County State's Attorney due to a recent case involving animal hoarding at a horse farm and the local animal control facility lacking the means to house the horses during the court-ordered process. So, this Bill would clarify that on-site impoundment is permitted under the statute and that access is authorized for the limited purpose of providing treatment and ensuring the well-being of the animals. I'd be happy to answer any questions."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Flowers, Mautino, Riley. Please take the record. There are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1741, Leader Currie. Out of the record. Senate Bill 1745, Representative Chapa LaVia. Out of the record. Senate Bill 1747, Mr. Sims. Out of the record. Seven... Senate Bill 1751,

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

57th Legislative Day

5/28/2015

Representative Feigenholtz. Please read the Bill. Excuse me, Mr. Clerk. Out of the record. Next page, page 12 of the Calendar, Senate Bill 176... Excuse me. 1763, Representative Moeller. Please read the Bill."

Clerk Bolin: "Senate Bill 1763, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Lang: "Representative Moeller."

Moeller: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1763 is concerned primarily with the Department of Children and Family Services and ensuring that they are providing the best care for children who have been the most traumatized. The Bill combines several pieces of legislation into one and does the following four things. First, it creates a multidisciplinary work group to review treatment programs for children who've been a victim of the sex trafficking trade. Secondly, it requires DCFS to implement a five-year pilot program for children who have been particularly traumatized. Third, it requires the Department of Human Services to work with IDOT to promote awareness of the National Human Trafficking Hotline. And finally, it requires DCFS to adopt rules and regulations concerning the reporting of abuse and neglect by employees and foster parents in the DCFS system. This Bill has no opposition and I would be happy to take any questions. Ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Currie, Phelps, Verschoore. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received

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

57th Legislative Day

5/28/2015

the Constitutional Majority, is hereby declared passed. Senate Bill 1764, Representative Lilly. Please read the Bill."

Clerk Bolin: "Senate Bill 1764, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise to present SB1764. This Bill updates our infertility coverage mandates to reflect current practices. There's no opponents. It expands the definition of infertility to include the inability to conceive after one year of attempt to produce conception and the inability to conceive after an individual is diagnosed with a condition affecting infertility. If there's no questions, I ask for an 'aye' vote."

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

Sandack: "Thank you. Representative Lilly, I hate to ask you to do this, but it was almost impossible to hear you. Could you please explain what your Bill is and what it does?"

Lilly: "Yes, I apologize. I have a little headache so I appreciate it, thank you. This Bill updates... this Bill updates our infertility coverage mandates to reflect current medical practices. It expands the definition to include infertilities to include the inability to conceive after one year of attempt to produce conception and the inability to conceive after an individual is diagnosed with a condition affecting fertility. There is no opponents to this Bill and I ask for your 'aye' vote."

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

57th Legislative Day

5/28/2015

Sandack: "Just a quick follow up. As... as you understand it right now, this is not required coverage. Your Bill would mandate that such coverage be available for employees of more than 25 throughout the State of Illinois?"

Lilly: "That's the current law."

Sandack: "Oh, so this is simply codifying existing current law?"

Lilly: "We are really clarifying and defining the definition."

Sandack: "All right. So basically, you're telling me this is existing law and your Bill simply adds some language that clarifies what the law currently is?"

Lilly: "That is correct."

Sandack: "Thank you."

Lilly: "You're welcome."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bryant, Sosnowski. Please take the record. There are 109 voting 'yes', 7 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1775, Representative Flowers. Please read the Bill."

Clerk Hollman: "Senate Bill 1775, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1775 provides that any child or person in the care of DCFS who is placed in a residential facility under contract with DCFS must be reported missing to the local law enforcement if there is no contact between an employee of the residential facility and the child or person within 12 hours

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

57th Legislative Day

5/28/2015

and the person or the child is absent from the residential facility without prior approval. And I would appreciate an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ammons. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1781, Mr. Rita. Please read the Bill."

Clerk Hollman: "Senate Bill 1781, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1781 is an initiative of the Illinois Insurance Guaranty Fund. And what it basically does is clarifies a court decision... a Supreme Court decision in 2013 that applies a cap and allows that the Guaranty Fund could go after and recover funds."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Arroyo, Gordon-Booth, Sullivan. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1782, Mr. Rita. Going to press your luck, Sir? Please read the Bill."

Clerk Hollman: "Senate Bill 1782, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, this is another initiative of the Illinois Insurance Guaranty Fund and it also codifies another court decision in dealing with the statutory rights of recovery."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davis, Flowers, Nekritz, Pritchard, Wheeler, Willis. Please record yourselves. Mr. Clerk, please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1800, Representative Feigenholtz. Please read the Bill."

Clerk Hollman: "Senate Bill 1800, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. This is a Bill supported by the Illinois Department of Public Health, the Illinois Municipal League, and the City of Chicago. It states that local health departments can establish a self-inspection test. These are local, low risk entities that don't do cooking on-site. I'd be happy to answer any questions."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Sara, can you give me an example of a low-risk candidate that would be self... that would be a self-inspecting type of entity?"

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

57th Legislative Day

5/28/2015

Feigenholtz: "It... Representative, it's a... it's a place that probably sells food that is shrink-wrapped. It's got no cooking facilities on-site to be concerned about food handling. Low-risk."

Sandack: "Truly low-risk. So there... so it... again, I was looking for an example, but the idea of a shrink-wrapped sandwich place, that's in the Bill? Meaning, they're not actually handling food and cooking it at the place of business?"

Feigenholtz: "I'm not sure that the words 'shrink wrap' are in the Bill."

Sandack: "Well, I'm just using that as an exam... I'm using your example. I started out with a can you give me an example so that I could in my mind understand what type of entity is low risk and would be subject to self-inspection."

Feigenholtz: "When you walk into a building in downtown Chicago they have commissaries on the first floor, some of them have soda and sandwiches in their refrigerator. I would consider that low risk."

Sandack: "So would I. So it's not... a place where they're preparing food? It's not a restaurant, for instance?"

Feigenholtz: "Correct."

Sandack: "Okay. Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Manley, Nekritz. Please take the record. There are 81 voting 'yes', 35 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby



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

57th Legislative Day

5/28/2015

declared passed. Senate Bill 1803, Mr. Mautino. Please read the Bill."

Clerk Hollman: "Senate Bill 1803, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. Senate Bill 1803 is a transportation study up in the LaSalle County area where we have had a great influx of mining, sand mine, fracking, permitting along with some terminals which are going to be established for grain transportation. And so we have had an ex... we have a potential explosion of trucking which is a good thing for the area. But we also want to do an impact on our road... impact study on our roads and infrastructure. That's what this will do. So, it's not specifically just mining."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? McSweeney. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1806, Mr. Mautino. Please read the Bill."

Clerk Hollman: "Senate Bill 1806, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Yes. I was just preparing for 1805. 1806 is a date change from the Guaranty Fund. They request 30 more days to produce their report for us."

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

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

57th Legislative Day

5/28/2015

wish? Have all voted who wish? Have all voted who wish? Mayfield. Mayfield. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1818, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "Senate Bill 1818, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Hi there, Speaker. Thank you. Senate Bill 1818 is similar to House Bill 3707 that we didn't get out of Rules over here that I was carrying. But what it does it adds two military engagements and cuts the amount of scholarships given out by the counties by half. So it's an agreed Bill. I'll take any questions."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bourne, Brown, Jones, Mitchell, Moffitt. Please record yourselves. Please take the record, Mr. Clerk. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1820, Representative Lilly. Please read the Bill."

Clerk Hollman: "Senate Bill 1820, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise to spi... to present SB1820. This Bill changes the Pawnbroker Regulations Act. This Bill will

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

57th Legislative Day

5/28/2015

further give piece of mind to community members and businesses that own pawn shop... pawn shops and cannot deal the stolen merchandise. This Bill has no opponents."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. There are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1827, Mr. Franks. Please read the Bill."

Clerk Hollman: "Senate Bill 1827, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. Senate Bill 1827 is almost identical to House Bill 500 which we had passed unanimously on April 23. The difference is we also included the Illinois State Veterinary Medical Association. And this is an agreed Bill. I'd be happy to answer any questions."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Sullivan. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1833, Representative Williams. Please read the Bill."

Clerk Hollman: "Senate Bill 1833, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lang: "Representative Williams."

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

57th Legislative Day

5/28/2015

Williams: "Thank you, Mr. Speaker. In 2005, Illinois passed one of the first data breach notification laws in the country, the Personal Information Protection Act. That provided for notification of a breach of a Social Security number, credit card, or driver's license number. Interestingly, I staffed the AG at the time so I remember this Bill pretty well. Now 10 years later, we've gone back to the drawing board to update this law and update this sort of notification that must be required in the wake of the numerous data breaches that we've all been impacted by. The landscape has changed so much since 2005. We all walk around with smart phones in our pockets. The Internet is part of our everyday lives in a way we never could've imagined. The AG had been hearing from so many Illinois consumers about concerns with regard to data security that she hosted over 30 round tables throughout the State of Illinois, many of them with Members of the General Assembly here. The result was very, very clear. Illinois consumers want us to do much more to protect their data. In fact, a recent poll showed 76 percent of Americans believe their data online is not protected enough. This Bill does a couple of things. First, it requires companies to notify consumers that they are collecting sensitive information, to take reasonable steps to protect the information, and if there's a breach, let the consumers know or in some cases let the Attorney General know so she can track this information other than finding out in the newspaper. The world has changed so dramatically, we've also added additional categories that need to be monitored for... by companies when they're collected, compiled, sold, and shared about all of us. As I mentioned,

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

57th Legislative Day

5/28/2015

the world has changed so dramatically, we just need to update our law to keep up. This Bill has been extensively negotiated. We probably had four or five Amendments. The parties that are neutral include members of the business community including the Illinois Retail Merchants, the community bankers, the credit unions. The opposition, my friends, is pretty much the same as the opposition in 2005. Would be happy to answer a question... any questions you might have and would appreciate your support."

Speaker Lang: "Mr. Davis."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, I have a question."

Williams: "Yes."

Davis, W.: "While a number of trade associations either support the Bill or are neutral, I have heard industry representatives state that this Bill would add unnecessary costs because of the additional data breach notification requirements for consumers. Is that true?"

Williams: "The cost companies are pointing to stem from data breaches. The Bill is not causing data breaches, nor will it penalize companies when they are breached. Weak data security practices cause data breaches. We're passing this Bill to help ensure there are fewer data breaches. That's our goal."

Davis, W.: "Thank you very much, Representative."

Williams: "You're welcome, Rep."

Speaker Lang: "Mr. Sandack."

Sandack: "Sponsor yield?"

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

57th Legislative Day

5/28/2015

Speaker Lang: "Of course."

Sandack: "Ann, I don't have a sheet of paper to... to ask a question like the previous speaker. So mine will be a little more..."

Williams: "I can get you one."

Sandack: "...organic."

Williams: "We've got a lot of it."

Sandack: "Send one over. Mine will be a little more earnest and nonrhetorical. First of all, you were gracious enough to identify the parties that are neutral on your Bill, which is a little different, but you didn't get into the opposition. There's still substantial opposition, is there not?"

Williams: "Well, I think the opposition can be characterized. I'm not concerned so much about the quantity but the quality of the opposition. The opposition really has come down to that of a philosophical opposition to what constitutes sensitive data and what needs to be protected. So the opponents that are remaining I believe, and I believe they attested... or said this in committee as well, really just don't feel that it's necessary to protect information such as your biometric information, information as to where you are, what's tracked on your phone, things that might susc... make you susceptible to phishing attacks, et cetera. I would argue that the Illinois consumers feel very, very differently and want this information protected."

Sandack: "Well, let's talk about geolocation information. Is that... first of all, the Bill that you're proposing today, is there a geolocation equivalent in a different state?"

Williams: "Right now we are the first state to propose the monitoring... to hope to move the monitoring of geolocation

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

57th Legislative Day

5/28/2015

data. But let's be clear what that is. Geolocation data is anything that any device, map quest, google maps, your phone tracks where you are at any given time. Now everybody has an expectation when you use these devices that your location is monitored and tracked, that's fine. The problem comes in, is this data being properly protected, and if there is a breach, do you know that there's a breach and can you be made aware of it? We've actually scaled back on that component and provide notification to the Attorney General rather than individual notification of consumers. And I will add, on the federal level, some proposals, which incidentally have not been moving forward, do propose geolocations. So I expect to see a wave of states moving forward to protect this information very soon."

Sandack: "Okay. But as... as we stand here today there is no wave. It would just be us and we would be the first state that would track... would require reporting of a supposed geolocation information breach?"

Williams: "Yeah. And I would argue, this is all new information. I got a fancy new iPhone and it does a lot more than my old phone did, so there's a lot more information even available on me even since I had the old phone."

Sandack: "And you... you said you... there were not the quantity, the quality of the opposition. But some of the quantity is quality oppos... opposition including the Bankers Association. Obviously, they have sensitive information and they're relationships with their customers is sensitive. A breach, of course, is something they would immediately, any good

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

57th Legislative Day

5/28/2015

business would identify and talk to their clientele about.  
What are their oppositions to your Bill?"

Williams: "You know, again, I would characterize the remaining opposition for the most part as just having a philosophical disagreement with the proponents, including myself, as to what information should be protected. Much of the business community has said this is not difficult to protect. They're taking steps, they're able to do it. In fact, the Community Bankers are neutral, as I pointed out, as well as the credit unions. So I guess I'm really not sure what else we could do. We did work very hard but to accommodate their concerns basically would be to eliminate the provisions that make this Bill worthwhile."

Sandack: "And just the last question, Ann, and..."

Williams: "Sure."

Sandack: "...thank you for your answers. This is an initiative of the Attorney General herself, is it... is it not?"

Williams: "Correct."

Sandack: "And so, you mentioned in your opening statement that she has received a wave of complaints from consumers. How many complaints has she received?"

Williams: "I don't know if I have the exact number of complaints we have received."

Sandack: "How about an approximation?"

Williams: "...but I can give you... I can give you a few other stats. Well in Illinois, we've have extens... Okay, here we go. Data breach complaints. All right. We have had... I think the number of... okay. I have a lot of stats and a lot of figures, but let me read a couple to you."



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

57th Legislative Day

5/28/2015

Sandack: "Well, I just want one response to my question."

Williams: "All right. Give me a minute to add some stuff. Breach complaints, identity theft complaints, calls to identity theft hotline are all kind of totaled up together. So I would see among those categories, I'll take out the hotline calls. Between identity theft, breach, data security complaints I'm looking at about 42 thousand."

Sandack: "Forty two thousand complaints?"

Williams: "Yes. Calls, complaints to the AG's Office."

Sandack: "To the AG about data being dispersed?"

Williams: "I... I'm including identity theft and breach complaints because unfortunately they go hand in hand."

Sandack: "Okay. And obviously, the Target data breach is kind of a prime example of a break down at the... of the..."

Williams: "Yeah."

Sandack: "...employer level end?"

Williams: "Interestingly, Target data... data information breaches would not be covered under this Bill because it's a direct relationship. So obviously, Social Security numbers, credit cards, driver's license numbers, covered under the old law."

Sandack: "Right."

Williams: "But we wouldn't even be notified of those breaches but for the Illinois law. There is no federal protection except in specified categories like under HIPAA, et cetera. So, this really is the Wild West and as the data that's available and the data that's collected, sold, compiled about all of us increases, we... we need to do more and we need to take steps."

Sandack: "And you bring up a good point because obviously with the Internet and with everything being in smart phones

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

57th Legislative Day

5/28/2015

nowadays. What's the chances of state to state differentiations with their laws? Isn't this really one of those areas where a uniform provision and/or a federal provision would be easier and better lawmaking?"

Williams: "Well, I think what we've seen, there are some federal proposals but nothing has moved forward. And I will tell you, if we'd waited for Federal Laws on the subject of data breaches with Social Security numbers and driver's license, we wouldn't have anything on the books. So State Laws have really driven this discussion. And honestly, I don't anticipate the Federal Law moving backwards from what we've done in the states. California and some other states are ahead of us on this. We see states continually updating their data breach laws as there's more and more data as they see more and more breaches, unfortunately as we've seen here in Illinois. The stats I have how Illinois are... consumers are impacted by breaches are really stunning. We're talking about millions of consumers in all these categories."

Sandack: "All right. Thank you for the answers..."

Williams: "Thank you."

Sandack: "...to the questions. To the Bill, Mr. Speaker. This is something everyone should look at very carefully. I commend the Sponsor. She is a terrific Legislator. There's no question that this is an area that she describes as the wild, Wild West. That cuts both ways, and the idea that we're going to be the brave new, you know, soul into this area of law, we're going to do geolocation and other new items that will be part and parcel of a package of State Laws, needs to be done with great circumspect. So, I would look... I just caution everyone

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

57th Legislative Day

5/28/2015

to look at this. The list of... of opponents is not short; it's very long. And the idea that some have gone neutral is important, but the fact of the matter is this will impact business in a major way. And so I'd be very circumspect and judicious. Look at this Bill very carefully, people. Thanks."

Speaker Lang: "Representative Burke."

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

Speaker Lang: "Sponsor yields."

Burke, K.: "We've received a few questions about the legislative intent of a few of the Bill's provisions and I'd just like to address those questions now. Does Senate Bill 1833 require notification for potential hacking incidents where access to an online account is granted using legitimate credentials?"

Williams: "No. Data collectors are not required to notify consumers if the account is accessed using legitimate credentials. They are required to notify if there was a breach of the actual log in credentials."

Burke, K.: "Does the definition of unique biometric information in Section 5(1)(f) encompass photographs, audio, and videos?"

Williams: "This does not capture photographs, audio, or videos. The inclusion of the phrase measurements or technical analysis contemplates a process for identifying or authenticating an individual, such as a fingerprint, not for viewing a photograph or a video or listening to audio."

Burke, K.: "What happens if a data collector is not able to provide all of the required information in the notification to the Attorney General following a confirmed security breach?"

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

57th Legislative Day

5/28/2015

Williams: "If they are unable to provide information, they obviously are not required to do so."

Burke, K.: "Senate Bill 1833 requires data collectors suffering breaches to provide a notification to the Attorney General that includes the types of personal information 'compromised in the data breach'. How specific do data collectors have to be to meet this requirement?"

Williams: "Data collectors only have to provide the type of information that are listed within the definition of personal information, so not additional specificity. For example, if the breached data was a credit card number, a data collector would only have to state it was a credit card number lost. Geolocation data, which came up earlier, data collectors would only have to provide notice that geolocation data was lost, not the specifics of what data... geolocation data was lost."

Burke, K.: "How does Senate Bill 1833 affect current contracts between companies sharing data?"

Williams: "There's no impact on current contracts. It only affects contracts entered into after the effective date of this Act, which will hopefully be January 1, 2016."

Burke, K.: "Thank you for your answers, and I look forward to supporting your Bill."

Williams: "Thank you."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, I think you brought up some good points about all the new capabilities you have on your new phone and

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

57th Legislative Day

5/28/2015

how that's kind of evolving consistently. And so, I have a couple of questions about how some of these new aspects, new abilities would be interpreted. A lot of the discussion has been around geolocation and I think it's because, as you mentioned, many services use your location information consistently and use them in different ways. And so, I have a couple of questions. Would geolocation information include alerts that you would get on your... on your phone, let's say, when you go to an airport, when you go to a business that's offering a certain deal? That certainly could locate where you are to the city and street. Is that information considered to be private and personal information?"

Williams: "Well, in the Bill we define it as, and we can work together to determine if it falls under that, but it's information generated or derived from the operation or use of an electronic communication device stored insufficient to identify street name and name of the city or town in which the individual is located and information likely to enable someone to determine an individual's regular pattern of behavior. So there are a couple of..."

Demmer: "Right."

Williams: "...prongs that must be met."

Demmer: "And because there are a wide variety of services that use your information, some that you deliberately opt into, checking into locations, signing up for location-based alerts for things, all of that is geolocation information that could be used to determine a regular course of action, but really would bear no ability to be able to steal your identity, to

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

57th Legislative Day

5/28/2015

be able to provide any kind of financial harm or financial risk. Isn't that true?"

Williams: "Well, that kind of begs the question, you know, it's not so much the fact that the data's being collected, it's the data being breached? So, in order for a breach to happen, someone need to... needed to have broke into the system of Verizon, AT&T, whoever your phone provider is to get that information. So, if that's limited to that information, the consumer still should have a right to know someone has broken into what I believe..."

Demmer: "Even if that information..."

Williams: "...was a private and confidential..."

Demmer: "...really poses no risk."

Williams: "...information. Well, there is no harm analysis, actually, in the Illinois current Personal Information Protection statute..."

Demmer: "Because many of the factors..."

Williams: "...and this does not add it."

Demmer: "...that are currently in place carry a much higher risk of... of being able to compromise someone's identity. So..."

Williams: "So, you know, I'm going to disagree with you about harm because I think this is where we get to that philosophical disagreement. Many people... I think harm is in the eye of the beholder. Maybe it wouldn't bother someone for... you know, it wouldn't bother you to have someone hack into everywhere you were for the last 48 hours, but maybe you'd be concerned if your 15-year-old daughter's location was, you know, publically hacked into and available. So I think there's sensitive information, there's personal

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

57th Legislative Day

5/28/2015

information. You know, a data compiler, it's amazing what they collect. They collect and provide profiles, they know what you bought at the CVS..."

Demmer: "Sure."

Williams: "...they know everywhere you're at. If you're..."

Demmer: "So, in those cases..."

Williams: "...a psychiatrist, it's unlimited."

Demmer: "...the geolocation information only protected when it's tied directly to me and my identity or if... if they were tracking the geolocation and let's say, my phone had a... had some ID number that was assigned to the phone."

Williams: "It must..."

Demmer: "They couldn't tell whose phone it was. They could just tell, hey, the same phone has showed up at this location 10 times in the past month. 'Cause..."

Williams: "Yeah."

Demmer: "...businesses use that for loyalty programs, for, you know, checking traffic flows, traffic counts. Is that information..."

Williams: "It all is tied to the name. So your name has to be... everything we're talking about must be associated with the name, the personal name of the individual."

Demmer: "The other question I have is about biometric information. Does... does the storage of biometric information include photographs of an individual?"

Williams: "You know, as we read in the legislative intent, it does not. So this is stuff like fingerprints we're looking to impact. So not video, audio recordings, or photographs. They're not included. And that was a legislative intent we just read with Ms. Burke."

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

57th Legislative Day

5/28/2015

Demmer: "Sure. Yeah, I understand that. I think there is some uncertainty in the way the... the Bill is drafted on that. A digital representation of biometric information could be very personally identifiable. Could be very easy to see photographs or videos and identify an individual and to tie that with a geolocation and understand where they were at a specific time. You know, all it says is digital representation of biometric data."

Williams: "Well..."

Demmer: "Facial recognition can be used for biometric data, can be used to access certain areas, to unlock certain features, used in security settings for sure."

Williams: "Okay. Yeah, and just looking again, the definition of unique biometric data is 'data generated from measurements or technical analysis of human body characteristics'. That's much different."

Demmer: "Well, that's facial recognition."

Williams: "Well..."

Demmer: "I mean, that's... that's the component of what facial recognition is. People have phones where you can unlock the phone by looking at it using biometric data based on the photograph of you."

Williams: "Okay. And if someone broke into your phone company and hacked that data, you don't think that's important for people to know?"

Demmer: "I'm saying that the data can be stored in a variety of ways. And in many cases it wouldn't be... it wouldn't pose a direct financial risk or direct risk of privacy breach. The la..."



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

57th Legislative Day

5/28/2015

Williams: "Again, you know, there's no..."

Demmer: "...the last question I have..."

Williams: "...harm analysis."

Demmer: "Sure."

Williams: "There's no need to pose... prove some kind of risk.  
That's outside the scope of the Bill."

Demmer: "The last question I have is you mentioned that there's been a significant number of complaints to the Attorney General's Office. I'm curious if you have a financial estimate of how much this would cost the Attorney General's Office to set up and establish and maintain this website, ensure that, you know, questions from the website can be... can be responded to. What's the financial impact?"

Williams: "Well, the AG has a very capable staff and they have not expressed any concern about folding this into their already robust data security and identity theft unit."

Demmer: "So, 42 thousand additional cases could be rolled into the unit?"

Williams: "Well, if there's that many data breach, I would argue that the charge of the Attorney General would be to handle those on behalf of Illinois consumers. So, I think they could figure out a way to get it done."

Demmer: "Thank you. Mr. Speaker, to the Bill. I think there are just a lot of still grey area and what constitutes certain information and what risk that information provides, and also the cost of implementing this both in the Attorney General's Office and in businesses across the state. And for that reason, I urge a 'no' vote."

Speaker Lang: "Mr. Guzzardi."

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

57th Legislative Day

5/28/2015

Guzzardi: "Thank you, Mr. Speaker. To the Bill. I'd like to maybe try to make this personal for my colleagues, those of us here in the chamber. So if you all will just indulge me for one brief moment here. Everyone has an iPhone in this Body. Grab your iPhone, take your iPhone out for a second. Okay, Android folks, we'll figure something else out. But if you have an iPhone, get your iPhone out. In your iPhone, go into the settings and scroll down to privacy. It's got a little hand on it. Seriously, bear with me for just a second, y'all. Settings and then go to privacy. Okay? You'll see location services there. Hit location services. Okay? Scroll on down and you'll find system services. Still with me? Hit frequent locations and all of a sudden you'll see a list of everywhere you've been recently. Tap Springfield, Illinois. There's a map of every location you've been in Springfield, Illinois. It has addresses; it has the times you've been there. Tap on one of them. It'll say, from 3:28 to 5:26 p.m. yesterday I was at the State Capitol. It will tell you everywhere you've been and when. You guys have it, right? Everybody's iPhone has this data about them recorded on here. Now, this fine... Oh, and your Android phone does too, I promise. This fine Bill is not attempting to say that this kind of collection should be illegal. All it's saying is that if this information is lost and gets into the wrong hands, we ought to know about it. That seems awfully reasonable to me. And I urge an 'aye' vote on this fine piece of legislation. Thank you for your indulgence, Members."

Speaker Lang: "That was fascinating, Representative. Representative Mussman."

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

57th Legislative Day

5/28/2015

Mussman: "Thank you, Mr. Speaker."

Speaker Lang: "Top that."

Mussman: "I don't have any theatrics. But I did want to point out, you know, we're talking all this... about the geolocation and whether or not maybe there's going to be a financial risk, but one of the things that I've been thinking about is the idea that your geolocation information can be used to establish location or patterns of your behavior, so in the wrong hands, that could be a problem for acts of stalking, kidnapping, domestic violence. What if I had an order of protection? The idea that that information had been exposed would make me incredibly vulnerable and I would want to know about that. As a parent, I have a child leaving and going to college next year. Again, if his whereabouts have been exposed or it could leave him vulnerable that's something we would want to know. We would want to be able to take precautions. So I'd... I know that this is new territory and there's a lot of work to be done, but I think it's very impressive that the State of Illinois is taking groundbreaking action on this and I'm really excited to support this Bill."

Speaker Lang: "Representative Wallace."

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

Speaker Lang: "Sponsor yields."

Wallace: "So I would guess that Representative Williams is aware that the data sharing industry is worth over \$156 billion a year."

Williams: "Okay. I... I have no doubt."

Wallace: "All right. Are you aware of the May 2014 White House report on big data?"

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

57th Legislative Day

5/28/2015

Williams: "I've read numerous documents in preparation for this discussion, but please enlighten me."

Wallace: "Well, I just thought I would bring that particular report to light because I think it's very fitting that the State of Illinois would be leading in such a way. The White House report, commissioned of course by our former State Senator Barack Obama, has six recommendations including one that speaks to advance the Consumer Privacy Bill of Rights. There's an aspect of past national data breach legislation just trying to have a national registry for when these breaches occur. There's a look at making sure that the data that we collect on students isn't passed through or, you know, readily available to anyone who wants to see it. To the previous Representative's point, there's a recommendation to expand technical expertise to stop discrimination. And then there's the recommendation to amend the Electronic Communications Privacy Act. How do you see this Bill addressing some of those federal recommendations?"

Williams: "You know, I think it comes down to we are accommodating what the concerns are that we've heard on the ground from Illinois consumers, and in many of those areas that you mentioned the consumers have told us they want to do more, they need us to do more. It's amazing the scope of these... of the breaches. I mean, in Illinois alone, the Advocate breach, 3.7 million of 4 million impacted are Illinois residents. The Anthem breach we've heard so much about, 1.7 million Illinois consumers impacted. Target, we... I'm there every week. I was totally a victim of that 2.12 million Illinois consumers. This includes information in the breach that isn't even

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

57th Legislative Day

5/28/2015

covered in the current law but only would be covered in this Act. Home Depot, Nationwide, millions of customers in Illinois and millions more beyond. So again, I think you brought up some excellent points and I believe we will be able to move forward and continue to address this as... as the technology advances."

Wallace: "Thank you. To the Bill. I think that for some time over the last couple of weeks we've talked about how the State of Illinois measures up on any number of topics and we've actually started to paint ourselves as such a negative or mediocre state. However, we now have the opportunity to lead the nation in protecting our consumers and protecting the citizens of the State of Illinois. I am a mother of a fifth grader. He has an iPhone, I'm in the public sphere. The last thing I would want is for someone to have access to every single place my child has been, every place that he likes to frequent when he's surfing the web. All those pieces of information do not need to be public knowledge in any way. We also have seniors who, for any number of reasons, are starting to access the Internet at greater rates, but they may not always be aware of how to protect themselves and they are looking to... for health insurance, they're looking for whatever discounts they may need and this information is being stored and we need to protect all of our consumers in the State of Illinois. And so with that, I do ask that we do not look at the best interests of the private sector and whatever pop up ads they want to share with us to support their \$156 billion industry. We need to think about each and every one of our constituents and how they are all consumers just like

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

57th Legislative Day

5/28/2015

we are and seek to protect them. Thank you very much, Representative Williams, for this important legislation. I encourage an 'aye'..."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Representative Williams, does your Bill only deal with consumer-driven information or does it also deal with anything that the state's involved in in terms of data breaches? Does it... does it actually incorporate anything government data breaches?"

Williams: "It's impacted by the state and we did also receive a neutral from the Department of Central Management Services. Again, it's very basic..."

Ives: "No... no..."

Williams: "...whether the government or private sector's compiling it. We're just saying if you collect it, you've got to protect it."

Ives: "So, would the Department of Revenue be covered by this... this partic... this Bill?"

Williams: "Yes."

Ives: "Would the Illinois State Police be covered by this Bill?"

Williams: "Yes."

Ives: "So, all State Government is covered by this Bill?"

Williams: "Yes."

Ives: "Okay. And..."

Williams: "And also no... no one's mentioned opposition, of those entities."

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

57th Legislative Day

5/28/2015

Ives: "Okay. So are they... are they collecting also consumer marketing data or not?"

Williams: "I doubt that they would be."

Ives: "Are they not really covered by this Bill or is there other things... does it affect them at all?"

Williams: "Okay. So interestingly, I'm glad you brought up that point. Geolocation data and consumer marketing data probably are not compiled by the state, but just to be sure that they don't fall under those categories, we specifically exempted them from having to cover that sort of information. So they're not impacted by those two categories."

Ives: "So the state does not... if they collect any of this data, they don't have to... they're not covered by this Bill?"

Williams: "Well, there's numerous categories of data. But for geolocation and for consumer marketing, I can't imagine in what scenario they would collect and aggregate data on consumer habits, but just to ensure that they weren't impacted by these provisions they were specifically exempted. And therefore, we have no opposition from those state agencies."

Ives: "But we don't know if in the future they may collect some of this type of same data for their own reas... their own purposes."

Williams: "Well, if so, they are not impacted and perhaps a trailer Bill to cover them might be in order if that should occur."

Ives: "So..."

Williams: "But that's not something I would intend to do, but..."

Ives: "Well, we're not..."

Williams: "...if that's something you're interested in."

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

57th Legislative Day

5/28/2015

Ives: "...what we're doing is though we're exempting the government and what we learned this ye..."

Williams: "No, we're really not."

Ives: "Well..."

Williams: "I don't know what agency of government collects consumer marketing habits and profiles, but if you do, I'd..."

Ives: "Well, what we do know though is the government collects a lot of data about us that is far more concerning and maybe our efforts should be put to that more..."

Williams: "Absolutely, they're covered."

Ives: "...I mean... I agree."

Williams: "They're covered, as you asked in the very beginning of this conversation."

Ives: "Well, I mean that..."

Williams: "Government is covered, so we're good."

Ives: "...when you've got, you know, the previous Representative saying, you know, we've got this Washington, D.C., report about data breaches. I mean, the truth is the IRS just compromised a hundred thousand taxpayer's information hacked by the Russians."

Williams: "Thank you. Yes."

Ives: "So, I mean, it is a problem."

Williams: "You're... I agree."

Ives: "But your Bill's not actually... your Bill is working at odds... well, it's working on issues that I think are not as critical in terms of data breach that most people find very problematic like strengthening data breaches with real data that maybe the Department of Revenue is correcting."

Williams: "Okay. Well, they're impacted..."



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

57th Legislative Day

5/28/2015

Ives: "So, I just want... well..."

Williams: "...and I disagree with your assessment because we can't monitor Federal Law. We don't have the authority to require compliance by the Federal Government, but we do have authority to com... to require compliance by Illinois government, which is what we're doing."

Ives: "Well, what we're doing with this Bill though is we're basically defining things that almost no other state does. And I'm reading from an e-mail that I got from somebody who has actually vetted this Bill fairly well. And he essentially says that... let's see here... that no other state has defined consumer marketing data and geolocation as personal information and that this radical definition in your Bill would put Illinois far outside the mainstream of responsible and effective state breach notification laws while failing to help Illinois residents defend themselves against fraud. So, I mean, we're going to be with this Bill far outside the mainstream. He goes on to say that it's... it becomes a patchwork of privacy notification that any large corporation cannot then just say this is our privacy notification. We have to be specific to Illinois law now, which adds costs to businesses. Meanwhile, whether or not this type of information is really something that is going to lead to a breach of real important data to consumers is questionable. So, I understand what you're trying to do here. I think that, you know, we should have included government because, perhaps not now..."

Williams: "We are including government."

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

57th Legislative Day

5/28/2015

Ives: "...but in the future they will be collecting some of this data, this geolocation data that, you know, who knows if you sign up for a weather alert with the state if they're not going to be tracking your location as well. So, I think we've got a long ways to go on this thing. I think that right now, based on what I've been reading, that Illinois will be an outlier and this is going to be more harmful for our businesses. So, thank you."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. To the Bill. And I'll be brief, I know we've had a long debate. It's important to know, Illinois was the... will the Sponsor yield, Mr. Speaker?"

Speaker Lang: "Of course, Sir."

Zalewski: "Ann, isn't it accurate to suggest our statute was the first data breach statute in the United States?"

Williams: "In 2005, yes, it was."

Zalewski: "And there's been more model statutes based on our statute in other states as a result of our efforts in 2005, correct?"

Williams: "Yeah. And obviously, it's something that continually needs to be updated as more and more data is collected about all of us."

Zalewski: "So, to the Bill. Just take a moment to realize if we... if... if we're the... if Illinois is known as a model statute when it comes to data breach and we all recognize the need to protect data as we modernize technology and give these companies more of our information, it only makes sense for the General Assembly to actually keep Illinois at the head of the curve once in a while. I understand the concerns of the

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

57th Legislative Day

5/28/2015

opponents. Frankly, they don't wish to be blamed for a data breach. We all understand that. That being said, it's our responsibility to have statutes that reflect emerging technology. We've been doing that for the last three years and we should continue to do that. We should continue to modernize good Illinois statutes. This is a good Bill that reflects the hard work of the Sponsor and the Attorney General's Office and it deserves an 'aye' vote. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "Thank you, Mr. Speaker. To the Bill. With all due respect to one of the prior speakers who went through the technology lesson, I'm sure he knows a lot more about his iPhone than I do about mine, but if you go through the same process that he went through, go to settings, go to privacy, location service, and then click off. If my kids have a cell phone, I will make sure that they have that off and that they stop checking in everywhere they go for their protection and for ours. Thank you much."

Speaker Lang: "Can somebody please get that information to Mr. Guzzardi? Representative Williams to close."

Williams: "Thank you so much to everyone who's weighed in on this important issue. I really appreciated your... your perspective. Just wanted to say to the... to the companies. This is not designed to be punitive. This is designed with one goal in mind, and that is to protect Illinois consumers. And although the consumer... these companies are saying... some of the companies are saying this is too big of an expansion for data breach notification, I'll tell you what is expanding, and

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

57th Legislative Day

5/28/2015

that is the number of data breaches in Illinois, the amount and the sensitivity of the information that is collected on all of us. It's really, really stunning and if you want to read some articles I've got a big pile and they are disturbing. So, what we're saying here, we're not punishing the companies for collecting it, we're not saying you can't collect it, but if there's a breach, just let us know. Thank you and I appreciate your support."

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? Please record yourselves. Cabello, Stewart, Thapedi. Please take the record. There are 63 voting 'yes', 52 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 28, 2015: recommends be adopted, referred to the floor is Floor Amendment #2 to Senate Bill 274, Floor Amendment #4 to Senate Bill 788."

Speaker Lang: "Mr. Brown is recognized."

Brown: "Thank you, Mr. Speaker. I'd like to excuse Representative Cavaletto for the remainder of the afternoon. And also the..."

Speaker Lang: "The record will reflect his absence, Sir."

Brown: "...Republicans request an immediate caucus in Room 118 for one hour."

Speaker Lang: "The House will be in recess to the call of the Chair. Mr. Clerk, Supplemental Calendar #1, Senate Bills-Second Reading, Senate Bill 33. Please read the Bill."

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

57th Legislative Day

5/28/2015

Clerk Hollman: "Senate Bill 33, a Bill for an Act concerning health. Second Reading of this Senate Bill. No Committee Amendments were approved for consideration. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 507, Mr. DeLuca. Please read the Bill."

Clerk Hollman: "Senate Bill 507, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. On page 6 of the Calendar, under the Order of House Bills-Second Reading, there appears House Bill 3219, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "House Bill 3219, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #4, offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Mr. Zalewski on Amendment 4."

Zalewski: "Thank you, Mr. Speaker. Sorry to hold you up. We... Senate... House Floor Amendment #4 becomes the Bill. It deals with this issue of a pilot program for locking caps along with some continuing legal education for pharmacy technicians. I wish to adopt the Amendment and discuss the Bill on Third Reading."

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."

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

57th Legislative Day

5/28/2015

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

Clerk Hollman: "House Bill 3219, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 3219 is an initiative we've been trying to do as an addition to the Chair's herculean efforts on reducing opioid abuse. This is a way for the free market to assist with that by allowing for a pilot program to see if retailers are interested in rebating the purchase of opioid abuse deterrents. This is purely a pilot program designed to be purely voluntary. There's no mandates here. It also deals with pharmacy continuing education for pharmacy technicians. I know the department's concerned about the issue of how we're going to pay for this. Our expectation is the Senate will address some of these issues with respect to either subject to appropriation language or something along those lines. I would ask for an 'aye' vote."

Speaker Lang: "Mr. McAuliffe."

McAuliffe: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

McAuliffe: "Okay. Thank you, Representative Zalewski. I mean, you already answered the question I was going to ask. You are going to work with the Senate to try and get them to come up with an Amendment for IDFPR, correct?"

Zalewski: "Correct."

McAuliffe: "Okay. And also, the Illinois Pharmacists Association is a proponent of this Bill, correct?"

Zalewski: "Correct."

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

57th Legislative Day

5/28/2015

McAuliffe: "Okay. Thank you. To the Bill. I think this is a good Bill and I urge all my colleagues vote 'aye'."

Speaker Lang: "Leader Currie."

Currie: "Question of the Sponsor."

Speaker Lang: "Sponsor yields."

Currie: "So, in earlier versions, both Medicaid clients and Medicare clients were left out of the provisions of this Bill. Is that still true?"

Zalewski: "Yes."

Currie: "I guess my... my concern is this. If it's good to protect people who are not recipients of Medicaid or Medicare, how can we say to those who are on Medicaid or Medicare, we're not going to protect you? I think this Bill is flawed and I think that it is a mistake to say that some classes of patient deserve special safety considerations and the rest do not."

Zalewski: "Barbara, I truly wish we could address that concern. As you know, Medicaid and Medicare are not programs... well, Medicaid more than Medicare are not programs flush with cash right now. So we're... the line item for opiate abuse back in the budget, we're... the Medicaid program running on full cylinders, I'm certain that we could get more of these population that you rightfully are concerned about. I think my response to you is, given it's a pilot program and given the need to see if the market will respond to these deterrents, I'd like to just try to see if will work out."

Currie: "Well I just... I feel very uncomfortable about us saying as a Body that these kinds of patients can be protected and the other kind can't, particularly as the other kind include the people, the Medicaid clients that we have particular

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

57th Legislative Day

5/28/2015

responsibility for. So for that reason, I will not support this Bill."

Zalewski: "Thank you, Leader."

Speaker Lang: "Mr. Sandack."

Sandack: "Mr. Speaker, first will the record reflect that Representative Sullivan is excused for the remainder of the day?"

Speaker Lang: "Certainly will do that, Sir."

Sandack: "Thank you. And now, will the Sponsor yield?"

Speaker Lang: "Yes, Sir."

Sandack: "Mike, I want to get to the cost 'cause I want to make sure I heard you right. We're going to let the Senate figure out how to pay for this program?"

Zalewski: "No, we're going to let the Senate address the concerns of the department. My... my confidence lies with the department coming up with a solution that makes them more comfortable with the current language."

Sandack: "Okay. Is it... is this pilot program sub... essentially subject to appropriation?"

Zalewski: "I mean, respectfully, Ron, if the... if the department chooses to not... I don't... I don't feel comfortable telling you that the department is going to... is... be compelled to fund this if we don't address their concerns in the Senate, is the way I would say that."

Sandack: "Certainly I agree with that and the term compelled to fund would make it a mandate and you were clear in your opening..."

Zalewski: "Correct."



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

57th Legislative Day

5/28/2015

Sandack: "...that it's not a mandate. So has the depart... have you have conversations with the department representatives as to how funding would occur?"

Zalewski: "I have had conversations with them expressing their concerns on funding. My commitment to them was, given the time constraints and given that I'm a little nervous that we're not going to finish on May 31, that we will resolve this in short order one way or the other."

Sandack: "All right. Thank you for your answers to the questions. To the Bill, Mr. Speaker. My... I'm uncomfortable. The previous speaker was talking about her discomfort with respect to some of the programs who's in and who's out. My discomfort is frankly financial in this respect because we're going to pass a budget, apparently, it's going to be a partisan budget, it's going to be an out of balance budget, and it's likely to be vetoed. And so, the idea that we're going to be adding on and/or having the Senate determine, with its involvement with the department, how to fund this, I think raises some red flags and some questions. And so obviously, I'll continue listening to other speakers, perhaps this will be flushed out more. Thank you, Mr. Speaker."

Speaker Lang: "Representative Flowers."

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

Speaker Lang: "Gentleman yields."

Flowers: "Now, Representative, how are you?"

Zalewski: "I'm good, Mary."

Flowers: "Great. So now, what is this Bill..."

Zalewski: "Thank you for asking."

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

57th Legislative Day

5/28/2015

Flowers: "...well, right. Thank you for answering. What does this Bill do?"

Zalewski: "What we want to do, Mary, is create a pilot program where retailers can do a rebate program so that if a person chooses to purchase what's called a locking cap, which is a... it's a device where you can protect your prescription from someone else opening it, that you can fund... they get a coupon for a separate dollar rebate and we try to incentivize the market to produce more abuse deterrents."

Flowers: "Well, Representative, we are trying to protect the prescription?"

Zalewski: "And the person who's taking the prescription and the person who may be addicted to opioids."

Flowers: "So, are we... are we discriminating against the person if they're... if they're on Medicaid, do they not need the protection?"

Zalewski: "Mary, I mentioned this to the Majority Leader. I would love for this to be covered by Medicaid. I think you'd frankly, respectfully see my colleagues on the other side of the aisle tell you that the Medicaid program, right now, as it exists, can't absorb additional costs. We just heard the esteemed Floor Leader tell us he's worried about the budget. So to add the Medicaid component to it is, frankly, for a pilot program, gives me great discomfort."

Flowers: "Well... no. Representative, you refer to the previous speaker. I'm not worried about the budget because I know if we really want to fix this budget we would do a financial transaction tax, we would put a period right there. And so until such time we have that discussion, the rest of it is

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

57th Legislative Day

5/28/2015

just a whole lot of hot air. But let's get back to this prescription and this safety cap."

Zalewski: "Yes, Ma'am."

Flowers: "I'm talking about the elderly, I'm talking about the poor people that have children who need these caps on their prescription drugs as well. Now, you're not asking me and you don't want me to support discrimination, do you?"

Zalewski: "No, Ma'am."

Flowers: "Okay. So I will not be supporting this Bill, not unless you're going to change it."

Zalewski: "I think we're going to change it in the Senate, Mary. But I... I'd love to..."

Flowers: "You think?"

Zalewski: "I'd love for you... we are going to change it in the Senate, but..."

Flowers: "Oh, so..."

Zalewski: "...I'd love for you to support my Bill."

Flowers: "Okay. So you are giving me your word that this Bill will be changed in the Senate..."

Zalewski: "Absolutely."

Flowers: "...to do what?"

Zalewski: "One hundred percent."

Flowers: "Tell me what it's going to do so I can have a good understanding of the..."

Zalewski: "We want to make sure... wait, one moment, Mary. I want to get this right."

Flowers: "Okay."

Zalewski: "So, if the... so, what I'm told, the way to address your concern, Mary, is to say this in the Senate, that if the

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

57th Legislative Day

5/28/2015

doctor doesn't feel that the cap will benefit the patient or that their senior citizen on Medicaid or Medicare, the doctor can write the script to make sure that the cap is not on the bottle."

Flowers: "I'm sorry. Explain that again."

Zalewski: "Is your concern that we want to have more people use the caps? I'm not sure... I want to make sure I understand what you want done in the Senate."

Flowers: "Let... let me explain to you what I want."

Zalewski: "Okay."

Flowers: "What I want is for a family member who may have teenagers or young people in their home and they want to... since they cannot put a lock on the medicine cabinet, they have a lock on the prescription. So the person that's purchasing that prescription knows better than the pharmacists or the doctor what he or she need in their home. So if I go to pick up my prescription and I'll tell the pharmacists, by the way, give me one of those lock caps."

Zalewski: "You have to buy one right now. And what this does is it lets you get a \$10 coupon."

Flowers: "Well, if I'm on Medicaid, my insurance is buying it. Insurance, Affordable Care Act, everybody's insured, you remember."

Zalewski: "I do, but I... Mary, I'm not trying to be disrespectful. I'm not sure what you want me to say."

Flowers: "Oh, this... I'll tell you. Listen. Listen."

Zalewski: "Okay."

Flowers: "I'm the customer... I'm the customer..."

Zalewski: "Okay."

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

57th Legislative Day

5/28/2015

Flowers: "...and I know the children that I have in my house and so I am going to request the lock cap. Because if this is a pilot program, who do you want... who are you piloting it for? People that..."

Zalewski: "The people..."

Flowers: "...don't need it?"

Zalewski: "...the people that... we want the market... we want the market to incentivize the use of the cap. So we want... what happened at Mar... I'll tell..."

Flowers: "But if you..."

Zalewski: "...you what happened at... I'll tell you what happened at Mariano's. At Mariano's, when you went to buy this cap they gave you a \$10 rebate coupon and you got \$10 off the price of the cap, which was... they were \$8. You got \$8 off the price of the \$8 cap, so you basically got the cap for free."

Flowers: "And..."

Zalewski: "That's the goal of the pilot program to have more stores like Mariano's do that."

Flowers: "So, are you saying that Mariano's will discriminate against me because I'm picking up my prescription from Mariano's with my Medicaid card?"

Zalewski: "No."

Flowers: "Will you say that Mariano's is discriminating against me because I don't have the silver or the gold, I just have the bronze?"

Zalewski: "No."

Flowers: "So, why is it that when I take my Medicaid card to Mariano's and say I want the cap with the lock on it. If it's

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

57th Legislative Day

5/28/2015

a pilot program we do want to know if this lock is going to work, right?"

Zalewski: "Right."

Flowers: "And if you never have anyone to challenge it and you just have people buying the cap with the lock on it and, you know, they know to lock it and unlock it, but we want to make sure that the kids and the teenagers do not have access to the prescription drugs, right?"

Zalewski: "Right."

Flowers: "So that's how we're going to know if the pilot program is working, not because we got the prescription and we're sitting it on the shelf and we're just going to lock it and unlock it when we need it. It's when someone else that shouldn't be getting it is trying to get it. We'll know if it's successful or not, right?"

Zalewski: "Right."

Flowers: "So now, what I would like to do is be able to take my Medicaid card to Mariano's or any other drug store or grocery store that's selling drugs and they cannot discriminate, again, because of the Affordable Care Act..."

Zalewski: "So you... you would like language dealing with antidiscriminatory policies regarding patients with Medicaid and Medicare cards?"

Flowers: "According to the... according to the Affordable Care Act, you cannot discriminate."

Zalewski: "You have my word we'll... that we'll pass that along to the Senate."

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

57th Legislative Day

5/28/2015

Flowers: "According to the Affordable Care Act, you cannot discriminate. So, you... and I... can you just repeat that again, please?"

Zalewski: "You have my word we will pass that request along to the Senate and ask that they put that in the Bill."

Flowers: "And so, but what if... what if the Senate..."

Zalewski: "I won't concur if it's not in the Bill."

Flowers: "Oh, okay. Well, you have my vote. Thank you, Sir."

Zalewski: "Thank you, Mary."

Speaker Lang: "We done thanking each other? Mr. Hays."

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

Speaker Lang: "Sponsor yields."

Hays: "Mike, I certainly understand, you know, your... the sincerity and your earnest concern about safety. One of the questions that I have, as we go forward, do you see this in the future being mandated in some way? And the reason I ask that question is, I... when I saw this Bill, I thought there was some attractive parts of it, particularly the safety aspect as it relates to children or grandchildren. So I literally... I called two or three home health nurses that I... that I know and I asked them to walk me through their process when they're visiting a patient at home, generally, an elderly patient at home. We have a large VA, for example, so we have a lot of veterans that home health personnel go to see in eastern Illinois and western Indiana. And the feedback that I got is almost without exception a lot of the visit is spent on ensuring that medications are organized. You've probably seen the plastic containers, et cetera. It's a really... it's a big issue with some people are taking 8 or 10 or 15 different

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

57th Legislative Day

5/28/2015

medication pills a day. Sometimes they have to be organized, you know, by time of day, et cetera. And my question to you is, from a pragmatic standpoint, leaving the financial alone, how does this... how does this intersect with that very challenging dynamic with seniors and their loved ones and maybe their home health nurse to begin with?"

Zalewski: "We would... we would suggest, Chad, that the goal here is to... for a prototypical patient that wishes to see their opioids in this bottle not be abused that they have the option to advan... make themselves... make these caps available to us through a rebate program. So we want the markets to address opioid abuse. You know, again, the Chair had a Bill yesterday that was the... was sort of the... our way of cracking down on heroin abuse and opioid abuse. What I think is like a chaser to his Bill is the market saying, we want to fix this problem too. We want... we want innovation in our technology to deal with these issues. So we're going to create new models for this and one way to create a new model and to sustain it is for retailers to want to use it. And the way retailers will want to use it is for us to try to get a rebate program going, ergo the pilot program."

Hays: "And I appreciate that and..."

Zalewski: "Pray... pray thee... pray thee the pilot program."

Hays: "I appreciate that. Like I said, my line of questioning is really more related to, with all due respect, the confusion factor that already exists."

Zalewski: "If they're confused about their combination?"



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

57th Legislative Day

5/28/2015

Hays: "Well, I'm... yeah, I mean, I'm... in a dynamic that's described to me as being maybe the Tier I thing that literally takes 45 minutes to an hour on really each home health visit making..."

Zalewski: "Sure."

Hays: "...you know, organizing those medications, working with loved ones, et cetera, to make sure people are safe when they're taking the right..."

Zalewski: "Mr. Speaker, I'm having a hard time hearing, Chad."

Speaker Lang: "Please hold the noise down. Mr. Hays, please talk louder."

Hays: "Thank you. I... my line of questioning is really related to that confusion factor that already exists with many of our folks who..."

Zalewski: "Yeah."

Hays: "...the good news is they're at home, but the home health care provider and the family members are spending a pretty significant amount of time making sure that that dynamic is in order on every visit and... and not exacerbating what is maybe unfortunately a confusion factor to begin with, with something that is... that is fairly complex. I'm not... I'm not saying I'm against your notion in any..."

Zalewski: "No, no, no."

Hays: "...way, shape, or form. That... you know, I just wanted to make sure that... and maybe the market will take care of that as well. Thank you."

Zalewski: "Okay."

Speaker Lang: "Mr. Harris."

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

Speaker Lang: "Sponsor yields."

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

57th Legislative Day

5/28/2015

Harris, D.: "Representative, should I take any offense that you called our Floor Leader esteemed?"

Zalewski: "I... I can't assign his offense taken."

Harris, D.: "Okay. Thank you. A question on the Bill. Are these locking bottle caps, are they readily available? I mean, are they... I've never seen one. Are they readily available in the marketplace by different manufacturers?"

Zalewski: "I used to have... I used to have one at my desk. Yes, they're readily available. They were sold at Mariano's. They were successful. So what..."

Harris, D.: "Well..."

Zalewski: "...we said was, let's expand the reach of this technology to different retailers."

Harris, D.: "So the... so an individual can buy one for private use now. What you're recommending here with this Bill that there be a pilot project that the pharm..."

Zalewski: "Rebate... would rebate the use so that we could expand existing... a new opioid deterrent technology to a broader market. 'Cause Mariano's isn't in every market. Let's face it, not everybody has a Mariano's."

Harris, D.: "No. No. I understand."

Zalewski: "We want Jewel, we want Target, we want Sam's to use these caps."

Harris, D.: "I'm not so much concerned with the... with the retail end as I am the... the company or companies that make them, if there's enough competition that there could be multiple suppliers of these bottles?"

Zalewski: "That's a good question. What I would say to you is, I think as we see successful opioid deterrent products like

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

57th Legislative Day

5/28/2015

this, maybe, just maybe, different companies will say, hey, look, there's a real market here for this."

Harris, D.: "Okay."

Zalewski: "Let's enter the market and let the market deter opioid abuse."

Harris, D.: "And... and I'm unfamiliar with the medications. Would it be unusual for a patient to get multiple types of opioids at the same time?"

Zalewski: "I don't think so, David. My assumption is an opioid is a pain killer or antidepressant, something that's high octane and I don't think you get more than one type when you have this prescription."

Harris, D.: "Okay. The reason I ask is because if there were multiple ones that a person who was fumbling with medication, needing medication might not remember combinations or how to get into the bottle or something."

Zalewski: "No, that... well, that's a... not remembering the combination is a legitimate concern. What I would say to you is, the pharmacists... we've tried to work extensively with the pharmacists and as it exists, they're... they don't have any opposition to the Bill. So, if... our hope is... and then in the Senate we're going to deal with the concerns of the doctors who will say let's not... let's make sure if I don't want my patient worrying about this, then I'm going to write it over the script and say don't let them have a cap."

Harris, D.: "Understand, you can handle that on the script. But let me finish with that one last question. What happens if a... a patient, a person who has received this prescription, what happens if they forget the combination? What..."

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

57th Legislative Day

5/28/2015

Zalewski: "My understanding is they can call the pharmacist and the pharmacist will have the combination."

Harris, D.: "So they have to call the pharmacist and track down that prescription? Thank you very much."

Speaker Lang: "Representative Willis."

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

Speaker Lang: "Sponsor yields."

Willis: "Mike, so the person that gets the prescription, they can say they don't want it or they do want the locking?"

Zalewski: "Yeah, there is no mandate here, Kathy."

Willis: "Okay."

Zalewski: "It's totally... it's a rebate program. You can... you..."

Willis: "And currently..."

Zalewski: "...you go and you get a coupon. It's like going to Menards and they have those rebate cards. The goal here is to say, you get the prescription, you buy the cap, and if you apply for a rebate you get it."

Willis: "So basically, we're looking to have no additional cost to get your prescription filled."

Zalewski: "Yeah. There shouldn't... there shouldn't..."

Willis: "That's what we're hoping to have happen."

Zalewski: "This will... this will not affect prescr... prescription prices."

Willis: "Okay. And hopefully with having more manufacturers take this on getting more locking caps that might be able to even decrease the price for the locking caps so that maybe, in an ideal world, that rebate would go down lower than, like you said, currently at Mariano's it's \$8 if you choose to get a

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

57th Legislative Day

5/28/2015

locking cap on. We're looking at a rough price of about \$10 on the rebate, is that correct?"

Zalewski: "Yeah. It's my... that's my... I think it's... I think it's about one off. I think it's \$8, \$8."

Willis: "Okay."

Zalewski: "That's the way it's designed for."

Willis: "Great. And then, the final thing. We're looking at this to be a pilot program for one year?"

Zalewski: "Yes."

Willis: "And the maximum cost to it, I believe I saw on the Bill..."

Zalewski: "A hundred and fifty thousand."

Willis: "...is a hundred and fifty thousand? So if we do have a huge kick off that \$180 thousand would be... we'd stop the rebates at a hundred and fifty thousand?"

Zalewski: "Yeah. That would be the intent of myself."

Willis: "Okay, great. I think this is, you know, as you stated... to the Bill. This follows very much along what our intent is with House Bill 1. We need to do something to protect our young people from getting a hold of medications that are not meant for them. Oftentimes, we do have family members that know that there's a problem in the household and a good way to help secure that, but not have to be afraid of taking their own medication that is rightly prescribed for them. So I would strongly urge an 'aye' vote on this pilot program. Let's see how it goes and give it its best shot. Thank you."

Speaker Lang: "Mr. Batinick."

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

Speaker Lang: "Sponsor yields."

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

57th Legislative Day

5/28/2015

Batinick: "I'll be quick, Representative. You've been peppered pretty good here. Who is Safer Lock? On... our analysis shows that's the only real proponent. Who is Safer Lock?"

Zalewski: "They're the manufacturer of the device."

Batinick: "Okay. How many... how many other companies make this locking device?"

Zalewski: "Not... I don't know enough to answer that question."

Batinick: "Okay, so you don't know if any other..."

Zalewski: "I don't know... I don't know if they're the exclusive marketer of it or not."

Batinick: "All right. Is your... does your Bill write it where it's only for their device that they get the rebate?"

Zalewski: "Well, that would probably run afoul of special legislation. The Bill says... I'm pulling up the language here. It says a... a medical locking closure package means any alphanumeric combination locking closure mechanism that can only be unlocked with a user-generated code. So, any manufacturer is free to make this device."

Batinick: "All right. But as of right now, we only know of Safer Lock. And they're..."

Zalewski: "I believe so, but I don't know... I don't want to say that for sure because they may have a competitor that..."

Batinick: "Okay. All right. That's it. Thank you."

Speaker Lang: "Mr. Martwick."

Martwick: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, you know, this is an ongoing... I mean, I'm probably not telling anyone anything they don't already know. This is to address a problem that we currently have. Is this the perfect solution? I don't know. That's why it's a pilot

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

57th Legislative Day

5/28/2015

program. What I do know is that Representative Zalewski worked very, very hard with all of the interested parties, constantly meeting with them trying to address their concerns. There was a companion Bill to this. It was my Bill and it would have been an outright requirement of the use of these devices. This is a far better solution. He has worked hard to remove the opponents to the Bill, to find a way that we can begin to look as a pilot program to see if this is a possible solution to a problem that's going on in our society. We need to curb the abuse of prescription medications, of hydrocodones, and opioids to try and stem the use of heroin in our state. This is a good Bill; it's a good pilot program. Please vote 'yes'."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, we've had plenty of debate about the substance of the Bill. I'm just..."

Zalewski: "No, we have not. I want more debate, Tom."

Demmer: "I'm just curious about... we're looking at a House Bill that you said it needs to be amended in the Senate."

Zalewski: "I... I make no... Tom, I'm fully aware of your concern. As I told the Floor Leader, I'd love to... I'd love to think we're going to be done here Saturday or Sunday. I'm not naive enough to think that's true. So, my sense is, I'd like to see progress on this issue one way or the other. You have my word that I won't move to concur in an Amendment in the Senate unless we have some sort of agreement here. So, there's a lot of moving parts in this Bill. My feeling is, this is an important issue. We have momentum with opioid deterrents, so

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

57th Legislative Day

5/28/2015

I want to move a Bill and try to get it out of the House at least."

Demmer: "Okay, I understand that. Just, you know, that House Bill three days before..."

Zalewski: "I get it."

Demmer: "...adjournment. We hardly have any time left to act on it, so I..."

Zalewski: "I understand, Tom."

Demmer: "I appreciate that. Thank you."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Will the... will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Chapa LaVia: "Z, what's the bottle made out of? Is... can somebody..."

Zalewski: "It looks like a... it looks like a regular pill... I wish I had it. It's in my office."

Chapa LaVia: "Right, but can somebody run over it? I mean, if somebody really wants to get to the drugs, they're going to get to the drugs..."

Zalewski: "Staff's going to..."

Chapa LaVia: "...regardless of what the cap has."

Zalewski: "...staff's going to go get you a... staff's going to go get me one."

Chapa LaVia: "Right, but you understand my issue there, right?"

Zalewski: "Hopefully there's some Tylenol in there."

Chapa LaVia: "And then being me, and I'm part of the... one of the caucuses that Ms. Wheeler over there started, you know, I forget stuff. So me forgetting what the lock number is on it is highly likely, okay?"

Zalewski: "Yeah."



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

57th Legislative Day

5/28/2015

Chapa LaVia: "And nowadays, everybody, the pharmaceutical companies right now are working really hard on R&D and providing opiates and other very addictive prescriptions on how you can't break them up, how you can't shoot them up in your veins, how you can't snort them, how they're time released. You can have it, but there's no instant gratification. There's so much stuff going on today that I think that, I... although I understand, you know, the task force that you guys have worked on, I think this needs just a little bit more vetting. I understand what you're trying to do, but if someone really wants to get into that bottle, they're going to get into that bottle. So, I'll listen to the rest of debate, but I'll probably be a 'present' or a 'no'."

Speaker Lang: "You've heard all the debate. Mr. Zalewski to close."

Zalewski: "I... I think that you've heard a healthy debate. This is just a pilot program to incentivize use. It's an individual choice. Please vote 'aye'."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Evans, Wehrli. Please take the record. On this question, there are 69 voting 'yes', 42 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Brady is recognized."

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

Speaker Lang: "Proceed, please."

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

57th Legislative Day

5/28/2015

Brady: "Ladies and Gentlemen of the House, please join me in giving a fond farewell to my longtime secretary, Mary Westfall, who retired the first part of this year after being with me for some 20 years in the county government, in my district office and now in my Springfield office. So, let's give her a nice round of applause as she enjoys her retirement."

Speaker Lang: "Congratulations. Thank you for your service to the State of Illinois."

Brady: "There you go."

Speaker Lang: "Mr. Sandack."

Brady: "And now..."

Speaker Lang: "Oh, excuse me."

Brady: "...if I may."

Speaker Lang: "Sorry, Sir."

Brady: "I'm very tough on secretaries because I now get to tell you another loss, Tiffanie, Ms. Tiffanie Hanson, who has been with me a whole 4 months and couldn't take it any longer. But she had served a number of Legislators. She is going to step away from this position, but the good news for all of us, she will be in Legislative Affairs with the Illinois State Police. So a nice round of applause for Tiffanie and best wishes to her."

Speaker Lang: "Congratulations. Mr. Brady, have you posted the two job openings?"

Brady: "Officially tomorrow."

Speaker Lang: "Resumes will be delivered to Mr. Brady's desk. Mr. Sandack."

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

57th Legislative Day

5/28/2015

Sandack: "Thank you. And kind of following along the lines of State Police, up in the gallery, that follicly liberated dude, is one of my younger brothers, Dave. Dave he's a State Police Officer watching the affairs of government today and he... no, he didn't win the award, the other cop won the award. But he'll win an award soon too. If we could give my brother Dave a round of applause and a nice greeting, I'd be appreciative."

Speaker Lang: "Welcome. Chair recognizes Leader Currie for a Motion."

Currie: "Thank you, Speaker and Members of the House. I move to suspend the posting requirements so that Senate Bill 2034 can be heard in the Appropriations-General Services Committee. The same with Senate Bill 2035. Again, Senate Bills 2029 and 2030 to be heard in Appropriations-Higher Education. Senate Bills 2036 and 37 in the Appropriations-Human Services Committee. Senate Bill 2031 and Senate Bill 2032 and Senate Bill 2033 in Appropriations-Public Safety. And in Environment Committee, Senate Bill 1672. And in the House Human Services Committee, Senate Joint Resolution 27. I know of no opposition. I'd be grateful for your support."

Speaker Lang: "Mr. Sandack."

Sandack: "Yeah, hi. Thank you. I oppose the Lady's Motion and ask for a Roll Call Vote."

Speaker Lang: "Those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Franks. Please take the record, Mr. Clerk. On this question, there are 69 voting 'yes', 45 voting 'no'. And the Lady's Motion prevails. The posting notices are

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

57th Legislative Day

5/28/2015

waived. Under the Order of Resolutions, on Supplemental Calendar #1, there appears House Resolution 540, Leader Currie."

Currie: "Thank you, Speaker and Members of the House. It has been the practice in this establishment for... if someone were to file a Motion to reconsider a vote that that Motion, generally, if they decide they want to withdraw it that they would just go to the Clerk and say so, write it down, and they're all finished. But in fact, what our Rules say is you're supposed to make the Motion to Table the Motion to reconsider from the House Floor. So this proposed change would say, no, you don't have to make the Motion on the House Floor. You can fill in the paperwork and that will accomplish your purpose. So I think that we ought to adopt this Rule because it actually comports with past practices. It's only lately we realized that past practices didn't comport with the House Rules."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you. A few questions of the Sponsor, please."

Speaker Lang: "Lady yields."

Sandack: "Leader, I agree with the sentiment because we... and I've talked to your very capable counsel on this issue, because some issues popped up this Session on this Rule and I think I, unfortunately, learned more about the Rule than I wanted to and was..."

Currie: "This often happens with House Rules."

Sandack: "...and... Yes, Ma'am. And when I was thinking through the consequences, the way the Rule's written right now actually could be badly abused and cause some real congestion of

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

57th Legislative Day

5/28/2015

legislation and... and could be abused. So while I agree with the sentiment getting to where it should be comported with, I'm suspicious of the timing. So I... here's my question for you. We've passed some Budget Bills and I think there's some more Budget Bills to come. Is it your intention to file a Motion to reconsider on any of those Budget Bills?"

Currie: "I certainly have no such intention, today."

Sandack: "Well, okay. And therein lies the rub because I'm aware... and I'm certainly a newbie in comparison to your experience in this august chamber. Have you ever proposed a Rule change two, three, four days before Session ends?"

Currie: "Yes. Oh, this is not unusual. And really..."

Sandack: "Yeah, well, tell me when."

Currie: "...and truly what it is is figuring out that the Clerk's Office was not following the Rule that brought this to our attention."

Sandack: "Well, because you know I... I..."

Currie: "So, I have no intention... I have no intention of filing Motions to reconsider on any of the Bills that I'm sponsoring."

Sandack: "Are you aware of anyone on your side of the aisle that intends to file a Motion to reconsider with any of the Budget Bills?"

Currie: "No."

Sandack: "And Leader, you obviously know why I'm inquiring. We're doing an 11th hour Rule change, whether it's a good Rule change or not. And as you know, the Rules are your Rules, not our Rules. And I just don't..."

Currie: "Well..."

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

57th Legislative Day

5/28/2015

Sandack: "...I'm suspicious of an 11th hour Rule change."

Currie: "...well, I... I don't..."

Sandack: "And I'm sus... hold on."

Currie: "...I don't... yeah, I..."

Sandack: "And I'm suspicious..."

Currie: "...I don't think..."

Sandack: "...given the circumstances of the budget that's been jammed down our throat that we know it will be vetoed, I'm suspicious. So I'd like..."

Currie: "Well, I'd wish you..."

Sandack: "...your assurances that this is genuine and not more games being played."

Currie: "Well, I wish you had a brighter sunnier disposition and didn't go around with that suspicious scowl on your forehead."

Sandack: "Me too."

Currie: "But let me just say that this is a Rules change."

Sandack: "But I'm a Member of the Legislature so I'm suspicious."

Currie: "This is... this is a Rule..."

Sandack: "The Minority Party is suspicious."

Currie: "This is a Rules change to empower the Members, to make life easier for the Members, and certainly on behalf of the Members on my side of the aisle..."

Sandack: "Well then, you know what..."

Currie: "...I'm going to vote 'yes'..."

Sandack: "...I will se..."

Currie: "...and I hope you'll do the same for yours."

Sandack: "I won't because I will... I would love to be the Sponsor of this Motion when we come back in November, or maybe we're

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

57th Legislative Day

5/28/2015

never going to come back. Maybe we'll be in one stream of Session, but let's do it..."

Currie: "In which case, this is a really important Rule change."

Sandack: "...let's... let's get past May 31 is my suggestion, Leader. To the... to the proposed Rule change, Mr. Speaker. I'm sure this will be a partisan Roll Call, hardly a surprise. But let's be clear what this is. The timing is not a coincidence. I suspect everyone here knows what's going to be done because we've seen some funny Bills, we've seen some funny Amendments, we've seen Members stand up and say vote 'no' on my Bill. I suspect this will be used in an untoward manner. So I'm saying vote 'no'. Thank you."

Speaker Lang: "Mr. Franks."

Franks: "Yeah. Yeah, first of all, parliamentary inquiry. Can we switch one Sandack for the other? I'm just wondering if we could do that, 'cause he's a nice guy up there. But..."

Speaker Lang: "What happened to your voice, Mr. Franks?"

Franks: "I don't know."

Speaker Lang: "We're all pleased."

Franks: "I bet. I bet. Thank you. Thank you. To the Lady's Motion. I understand what the previous speaker had said and certainly I've been skeptical of the Rules and have criticized the Rules. But this is a Rule change that I believe is necessary. I can tell you, last week, I had utilized this Rule improperly because we had not changed the Rule as the Lady suggests we do today. I had filed a Motion to reconsider and I had pulled it... done it just by a voice Motion. This would codify that procedure so... procedure so we could do that. I don't see any nefarious intentions. I know that we've had a number of

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

57th Legislative Day

5/28/2015

Motions to reconsider already this year and I think it's appropriate that we follow the Rules properly. And that's why I'd encourage everyone to vote 'aye'."

Speaker Lang: "Leader Currie to close."

Currie: "Thank you. It's a good change. It is a change that will help each and every Member in this chamber. And I urge an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? DeLuca. Please take the record. On this question, there are 69 voting 'yes', 45 voting 'no'. And the Resolution is adopted. Members, we're moving to page 14 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 51, Mr... Excuse me. Leader Currie."

Currie: "Thank you, Speaker. I move that we adopt the Amendment and then debate the Bill on Third Reading."

Speaker Lang: "I didn't ask the Clerk to read the Bill. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 51, a Bill for an Act concerning State Government. This Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Currie and has been approved for consideration."

Speaker Lang: "The Lady already made her comments on the Amendment. 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."



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

57th Legislative Day

5/28/2015

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

Clerk Hollman: "Senate Bill 51, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you. This is a budget implementation Bill. We have four of them today. And what this does is as we always do with the budget is make statutory changes so that the budget that we have adopted can be spent in the ways we've asked agencies to do so. So the Bill, among other things, extends the sunset on the Renewable Energy, Energy Efficiency, and Coal Resources Development Law until December 2020 from where it is today, December 12, 2015. We also create a Coal Mining Land Conservation and Reclamation Fund which would mean a transfer of money monthly from the Coal Technology Development Assistance Fund to the new fund, it's about \$4 million annually. The oil and gas people are of the view that they would be better served by quicker permitting, quicker implementation of their requests for permits than they would be under the current program which may provide them grants. We're transferring \$10 million from general revenue to the Abraham Lincoln Presidential Library and Museum Operating Fund. That's exactly what we did in fiscal '15, the current fiscal year. We're authorizing the Criminal Justice Information Authority to issue grants under the Illinois Youthbuild Act. Currently, it's the Department of Human Service that does that, but what this change will do will mean that you'll have a very clear, straightforward 17 point application process so money that we earlier spent through DHS will be spent through ICJIA and we'll have a really strong

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

57th Legislative Day

5/28/2015

handle on accountability and transparency. We're giving the State's Attorney Appellate Prosecutor Office greater transferability because with flat funding there is a concern about their ability to pay for professional services. We also make changes, as we do every year, from various state funds to the Professional Services Fund. Agencies owe CMS, this means that the CMS totals can be paid. The same thing with respect to the Workers' Compensation Revolving Fund. There's also a transfer from a variety of funds within the Secretary of State's Office to go to their security and theft prevention fund. We're setting the personal income tax refund rate at 10 percent, exactly what it is in the current year. And for the corporate tax, we go to 16 and a half percent, which is actually up 2 and a half percent from what we do now. We did major changes in grant accountability and transparency. The agencies have been slow to make that program operable and what this does is transfer money from the fund for Illinois future so that we're ready to develop the program and make it work in a year's time. And then finally, we make sure that the people in Cook County who perform similar functions to the regional superintendents will be paid from that line, as the regional superintendents and their assistants are paid today. I'd be happy to answer your questions."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this budget implementation Bill seeks to implement a budget that's 400... 4 billion out of whack. There's no sense in voting for this because it won't be implemented as set forth in the Lady's Bill. I urge a 'no' vote."

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

57th Legislative Day

5/28/2015

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? Bourne, Bryant, Drury, Sente. Mr. Clerk, please take the record. On this question, there are 66 voting 'yes', 44 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 274. Please read the Bill."

Clerk Hollman: "Senate Bill 274, a Bill for an Act concerning finance. This Bill was read a second time on a previous day. Committee Amend... Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Currie and has been approved for consideration."

Speaker Lang: "Leader Currie."

Currie: "Thank you. I move adoption of Amendment 2. And again, I hope we can adopt the Amendment and then discuss the Bill on Third Reading."

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. Please read the Bill."

Clerk Hollman: "Senate Bill 274, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. The... the Bill would... would create a Veteran... Veteran's Home Fund. All the money for the individual funds would be in one central location. We would also codify stat... make statutory a current regulation that provides that

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

57th Legislative Day

5/28/2015

the rate pay to health care employees is at least a \$1.61. If the agency employer actually provides health care, as we do every year for cash flow reasons, we're transferring \$80 million from general revenues to the Tobacco Settlement Recovery Fund. That money will be paid back, but the schedule is different. We also establish what kind of eligibility there is for the state's child care program. Again, I'd be happy to answer your questions."

Speaker Lang: "Mr. Sandack."

Sandack: "Will the Lady yield?"

Speaker Lang: "Lady yields."

Sandack: "Leader, in your opening comments about this 'bimp' I noticed that there's enhanced rate paid. I'm wondering why we don't... why we're paying that enhanced rate and why don't we afford eligibility under the Affordable Care Act so we wouldn't have to pay an enhanced rate?"

Currie: "All this says is that if the employer is providing health care that the worker will have an enhanced rate because they'll be being charged for the health care."

Sandack: "Okay. Then why don't we say if they're employing heal... if they have health care they should put them on the ACA?"

Currie: "Well, we didn't do that in this Bill. You're welcome to introduce legislation along that lines if you'd like."

Sandack: "I might. Next question, Leader. Do you expect the Speaker of the House to vote on this Bill?"

Currie: "I have no idea."

Sandack: "I guess we'll wait and see."

Currie: "But he... his office is right over there if you might want to go knock on his door and ask. Or you..."

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

57th Legislative Day

5/28/2015

Sandack: "I'm sure..."

Currie: "...could just wait and see."

Sandack: "...I'm sure I'll be entertained. To the Bill. Again, this 'bimp' will not be implementing any budget because there is no budget. The Governor will veto it because it's horribly out of balance, \$4 billion out of whack. And this is a Bill we should all vote 'no' on because it ain't going anywhere."

Speaker Lang: "Representative Wallace."

Wallace: "Thank you. I just have a general question, but I guess I'll ask it of the Sponsor."

Speaker Lang: "Sponsor yields."

Wallace: "Sponsor yield? My general question is this. I continue to hear about this \$4 billion hole in the spending plan that we've put forth. And so I'm wondering what... what would have been the revenue should our income tax not roll... should it have not rolled back to 3.75 percent? What would be the amount of revenue raised by that?"

Currie: "Something more than 2 billion. But we will have, I'm sure, discussions about revenue. Many of us believe that the budget that was proposed at the beginning of the year is not adequate to meet the needs of the people and that the only responsible budget would be one that includes cuts, but also new sources of revenue."

Wallace: "And I thank you for that. Encourage an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sente, Thapedi. Please take the record. On this question, there are 65 voting 'yes', 46 voting 'no', 1 voting 'present'. And this Bill,

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

57th Legislative Day

5/28/2015

having received the Constitutional Majority, is hereby declared passed. Senate Bill 842. Please read the Bill."

Clerk Hollman: "Senate Bill 842, a Bill for an Act concerning public employee benefits. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Lang: "Leader Currie."

Currie: "Thank you. I move adoption of the Amendment and I hope we can discuss the Bill on Third."

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. Please read the Bill."

Clerk Hollman: "Senate Bill 842, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. There are three pension provisions in this Bill and what they do is that... that GRF contributions in 2011 were shifted from individual agencies to a lump sum continuing appropriation. We would continue that practice so it doesn't look as if all of a sudden all the agencies have a whole lot more money. Second, there was a requirement in 2011 that State Pensions Fund be... that the contributions from the State Pensions Fund should be in addition to certified contributions, but the 'bimps' in the last several years delayed this provision until fiscal year 2016. If we continue the practice, it means that

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

57th Legislative Day

5/28/2015

we can avoid \$190 million pressure on General Revenue Funds. And finally, there is some lack of clarity over whether when a local pension... public pension... pension have... has not been properly met whether the state has the ability to divert state funds to local employers if the employer doesn't make the required pension payment. So this has been historically in place, but the Comptroller said that she's not sure that the provision is enforceable. So we clarify that IMRF, downstate police and fire, Cook County Pension Fund, Cook County Forest Preserve, Chicago Park District, Metropolitan Water Reclamation District and the Chicago Transit Authority would all be subject to the same... the same interference. Happy to ans..."

Speaker Lang: "Mr. Sandack."

Sandack: "Will the Leader yield?"

Speaker Lang: "Leader yields."

Sandack: "Leader, you were explaining the intercept language that permits the Comptroller to offset for missed pension payments. I noticed that it... the Bill... the bimp excludes Chicago police, fire, and teachers. Why is that?"

Currie: "My understanding is that as the city was just recently downgraded to junk bond status..."

Sandack: "Yeah."

Currie: "...there would be a concern if we added new language that might put pressure on the city's pension funds."

Sandack: "Shouldn't we want to put pressure on making sure payments are made?"

Currie: "Representative, this is the Bill that I am presenting."

Sandack: "Okay."

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

57th Legislative Day

5/28/2015

Currie: "And as I understand it, there was a concern expressed by the good people who run the City of Chicago and we exceeded to their request."

Sandack: "No surprise. Ladies and Gentlemen, again, this bimp is an imple... implementation Bill with respect to a budget that's out of balance by \$4 billion, but notice the intercept language missing. So the... the pension funds that need the money the most are going to be excluded from an intercept that's applicable to everyone else's pension funds to the benefit of Chicago police, fire, and teachers and we wonder why those funds are so wildly underfunded. We won't even apply the same rules to those funds. Vote 'no'."

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? Ammons, Hurley. Please take the record. There are 65 voting 'yes', 48 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1334. Please read the Bill."

Clerk Hollman: "Senate Bill 1334, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2 was adopted previously. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Turner."

Speaker Lang: "Mr. Turner."

Turner: "Thank you, Mr. Speaker. I'd like to adopt Floor Amendment... hold on one second. Okay, Floor Amendment #3. And



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

57th Legislative Day

5/28/2015

Floor Amendment #3, I believe, specifically deals with... Out of the record, please, Mr..."

Speaker Lang: "All right. The Bill will be out of the record. Mr. Clerk, Senate Bill 1354. Please read the Bill."

Clerk Hollman: "Senate Bill 1354, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Lang: "Leader Currie."

Currie: "Thank you. I move adoption of the Amendment and discussion on Third Reading."

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 were approved for consideration. No Motions are filed."

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

Clerk Hollman: "Senate Bill 1354, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. This would provide that there is a transfer of \$6 million to the State Crime Laboratory Fund in order to clean out the more than 14 thousand case backlog within the crime lab. This is really important information. We've got to make sure that rape kits and all of the other things that come to the crime lab are properly analyzed. In addition to giving the crime lab more resources, we are requiring very extensive reporting from the

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

57th Legislative Day

5/28/2015

crime lab to us as... with respect to the number of cases, where they are with them, the number of new samples, and so forth. This provision expires in two years, but it's important that we get to the bottom of the backlog. Secondly, we're transferring money, as we always do, from the Motor Fuel Tax Fund to the Vehicle Inspection Fund for those counties and portions of counties that are under federal Clean Air Act requirements to do vehicle emissions inspections. This is how we pay for it. We also permit the State Depart... Department of State Police to spend from their Traffic and Criminal Conviction Surcharge Fund on any legitimate lawful State Police function, not just those that have to do with law enforcement training. And then finally, we transfer some money from the Law Enforcement Camera Grant Fund to another fund within the... the LETSB appropriation line to give them the appropriation authority that they need. And finally, it authorizes IDOT to provide Amtrak with rail subsidies for up to 42 million in fiscal year 16, same amount that we provided for in fiscal '15. I'd be happy to answer your questions. I need your support for this Bill."

Speaker Lang: "Mr. Sandack."

Sandack: "To the Bill, Mr. Speaker. If someone were just watching our proceedings at home or listening they would... they would know that on the board right now is Senate Bill 1354, ostensibly a neonatal advisory committee, and they'd be shocked to find out it's actually a budget implementation Bill on a budget that's totally out of whack. For folks that like subsidies, this bimp is for you because we're moving road funds to Amtrak. So this has got a little bit of

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

57th Legislative Day

5/28/2015

everything that's wrong with State Government right in here.  
Vote 'no'."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Ammons. Please take the record. There are 66 voting 'yes', 45 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1304. Please read the Bill, Mr. Clerk."

Clerk Hollman: "Senate Bill 1304, 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 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Sims."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Floor Amendment #1 includes the provisions of the comprehensive police reform and police body camera Bill. I'd like to adopt the Amendment and debate it on Third."

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

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."

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

57th Legislative Day

5/28/2015

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

Clerk Hollman: "Senate Bill 1304, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker. What you have before you is a historic piece of legislation. This piece of legislation allows Illinois to be the first in the nation to state... have a statewide implementation of body cameras. You also have before you a piece of legislation that does a number of things to deal with police reform and police accountability. What we'd like... what we're trying to do in this piece of legislation is increase the... the trust that the customers, i.e., the citizens of our state, have in our government. What we have are individuals out there on... patrolling our streets. Police officers who are doing a wonderful job. And we are trying to make sure that we recognize the work that they do while at the same time ensuring that the public feels safe. This Bill is a result of bipartisan negotiations, bipartisan discussions with both... both the House and the Senate to put together a comprehensive piece of legislation that does a number of things. One, put in place a set of protocols for when you can and cannot turn the camera on and off. Two, establish the reporting requirements for when... for what... what the... what individual departments are going to put into place and turn into the State Depa... State Department of Public Police. Independent investigations of police reform... or police officer involved shootings and on, and on, and on. Mr. Speaker, this is a great piece of legislation. I ask for its favorable acceptance and answer any questions."

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

57th Legislative Day

5/28/2015

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, first of all, I want to congratulate you. This is a great piece of legislation..."

Sims: "Thank you, Representative."

Franks: "...and I know you've worked very hard on it. The one question I had, I got a call from my state's... state's attorney yesterday and he was concerned.. I was just trying to read the language in the Bill dealing with who would have standing to ask for a special prosecutor. 'Cause it says in our analysis that it would be an interested party, but I'm not sure what that means. Can you please, for legislative intent, tell us your idea of the special prosecutors and who would have standing to ask for it?"

Sims: "Well, what that provision allows for, Representative, is any interested party, whether that is the court on its own motion or an individual who is the subject of the... of the investigation or the subject of the proceeding, whether it be civil or criminal, to then... to seek to have the court appoint a special prosecutor. If there's an... what we... what we generally, at the request of Leader Durkin and some of the Members on the other side of the aisle, what we put into the language we adopted and made a change that the state's attorneys were looking for to address actual conflicts. So, what we... what we're try... if there is... any individual can petition the court if they believe there's an actual conflict between the state's... with another state's attorney."

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

57th Legislative Day

5/28/2015

Franks: "Would the individual have to have been the victim, or could it be any... anybody who's a resident of the State of Illinois?"

Sims: "Anyone who is a party to the proceeding. So, if you are... if you are a party to the proceeding, i.e., if the... if there is an allegation made by... by an individual against the department, they have standing."

Franks: "Okay. Well, I appreciate the answers and perhaps we'll see how this works and if we need to tweak it later, we can. But I wanted to... to figure out what you were going with. And again, I applaud you for your efforts."

Sims: "Thank you, Representative. We appreciate that."

Speaker Lang: "Representative Flowers."

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

Speaker Lang: "Sponsor yields."

Flowers: "Representative, I, too, would like to commend you on doing such a fantastic job in bringing forth this legislation. And quite frankly, the Bill has more than just body camera involved in the legislation, am I correct?"

Sims: "Yes, you are."

Flowers: "So, just as a point of clarification, can you help me, please? Can you elaborate on some of the eavesdropping clarification that's in the legislation?"

Sims: "Thank you so much for that question, Representative. There were... after we passed our historic landmark eavesdropping law recently, there were questions raised by the general public about when they could and could not record police officers. We specifically put into this Bill that no law enforcement officer could prohibit nor could they confiscate a recording

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

57th Legislative Day

5/28/2015

medium that an individual uses to record a police officer during the course of their on duty activities. Now, that is different from if the police officer is on his personal time or has a reasonable expectation of privacy. But if he is on duty, he has no reasonable expectation of privacy, and we put that clarification into this law."

Flowers: "Thank you very much. And to another point, there was a couple articles in the *Chicago Tribune* in regards to the random stops by the Chicago Police officer and how the stops were on the south side of the City of Chicago and the high number of DUIs was on the northwest side. And in your Bill you talk of the traffic stops and the tickets. Can you elaborate on that, please?"

Sims: "Yes, Ma'am."

Flowers: "And... and are the traffic stops a violation of the Fourth Amendment in the Constitution?"

Sims: "Well, I don't belie... let me start with the last one first. I don't believe traffic stops are a violation of the Fourth Amendment of the Constitution."

Flowers: "If it's discriminatory and if they don't have probable cause?"

Sims: "Well, I think... I think that... I think that's a question of fact..."

Flowers: "Okay."

Sims: "...not a question of circumstance. But I would say what we have included, we have included an extension of our racial profiling study to include pedestrian stops. Currently, under current law, we have a traffic stop study that tracks individuals and the demographic information of individuals

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

57th Legislative Day

5/28/2015

who are stopped for traffic tickets. We have expanded that study to include pedestrian stops and we've also added a requirement, if an individual is detained. So, if you are frisked, if you are searched, if you are arrested, then you are entitled to have information about that pros... about why you were stopped, and the name of the officer who stopped you, and his... copy of his badge number and a receipt is then given to the individual, that citizen."

Flowers: "Now, what if I don't want to wait around until the police finish doing his paperwork on the reason why he stopped me?"

Sims: "If... we built into this language, if the officer... or if the citizen does not wish to accept the ticket, then he is free to go if... as long as he is not under arrest."

Flowers: "What about the Section dealing with the officer conduct database?"

Sims: "Again, another wonderful question, Representative. What we've tried to do is put into place, the first of its kind, a database where officers who have engaged in activities that have led to their dismissal or if they have resigned und... during the pendency of an investigation of a Class 2 Felony or higher, we have... we are going to place those... the names of those individuals into a database. So if they wish to look for employment in another department, the Chief Administrative Officer, i.e., the Chief or the highest ranking official or his designee, would have the ability to seek... to go to this database and look at the employee's history. So if he was dismissed or if he just really resigned while during the pendency of investigation."



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

57th Legislative Day

5/28/2015

Flowers: "Also, under that Section, are we also looking for a pattern of practice in regards to the number of stops that the police officer have made or the indications or complaints? Would we be able to gather that information from this particular Section?"

Sims: "No, it... in the... from the traffic stop and pedestrian stop study, yes. If you... if you looked at the current studies, the studies on a monthly basis, individual departments are reporting those statistics to the Department of Transportation currently. So we are expanding those requirements to include pedestrian stops."

Flowers: "Now, we've heard a lot about the training. Can you elaborate on how the training is going to be carried out? And I notice in the Bill what's missing is the recruitment, because in the consent decree in Cleveland it was more... it was spelled out more clearly that the recruitment had to reflect the diversity of the community in which was being represented. So can... and I know our Bill does not address the recruitment, but can you tell me what you... how you feel that the commission will be addressing this issue, please?"

Sims: "Sure. First of all, our... the steps we are taking here today are... we are being proactive, not reactive. I think the decision in Cleveland was... it was a reaction and it was forced upon them by agreement with the U.S. Department of Justice. What we are doing here is we are taking a proactive step to ensure that we have a set of protocols in place and guidelines to ensure that things that are happening around the country do not happen within the borders of the State of Illinois. Then the second question that you raised was about the... was

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

57th Legislative Day

5/28/2015

about the training... about the commission. The commission is going to look at issues of police professionalism, and as part of that, we... you'd also have the ability to look at items of part-time police officers, auxiliary police officers, and also issues of recruitment. That commission will be looking at those... at those items. You've got police officers and law enforcement officers from around the state, members of management and labor, Chiefs of Police, the sheriff's departments, local law enforcement officers all who will be able to come together, discuss these issues, including the issues that you raised about issues of recruitment."

Flowers: "There was an article in today's newspaper about a police officer who's trying to get his job back because of something that he had done. And the last paragraph I found was rather interesting. He was asked to join in this particular photo and did so without exercising proper judgment. And he was quoted to say, and I made a mistake as a young impressionable police officer who was trying to fit in. So how do you think that the commission and... and the... and the police professionalism will address these young recruits or do you think that we should increase the age limit because this officer is admitting that he was young and he was trying to fit in and so a mistake was made?"

Sims: "Well, I think that's... again, that's a fact-based question germane to that officer and I'm certainly not going to paint all officers with the same brush. And I think that's part of what we're doing here today is making sure that we are... we are protecting all officers and making sure that the work that the good officers are doing is shining through and making

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

57th Legislative Day

5/28/2015

sure that we shine a light on the one... the things that the bad officers are doing. I'm a firm believer that transparency breeds confidence. And what we are trying to do is put transparency and build transparency into this process so that the citizens that we represent will have confidence in that system."

Flowers: "Thank you very much. I appreciate it. Mr. Speaker, to the Bill. Again, I want to thank Representative for carrying this legislation and to thank him for putting the public safety at ease and moving forward in the right direction because, unfortunately, we have been silent for way too long allowing some of these misdeeds to go on. And in the process, I am reminded of an article that was in the *New York Times* dated May 7 that reported that we spent over \$5 million to set aside for victims of Commander Burge, the things that he had done to numerous people. And since then, we have spent... there's another 500 lawsuits that's pending. And from 2003 to 2012, Chicago has paid out over \$63.9 million to private firms to defend the civil right abuse by the police officers. This legislation is not a be all to the end all, but it is a beginning. Again, according to the BGA, they found a total of \$521 million has been spent to handle police misconduct. That's education, that's health care, that's infrastructure, that's a whole lot of things that we could have been doing other than spending it on police misconduct. There is no one out here that's perfect. But again, as I said earlier, we have been too silent for way too long allowing too many people's lives to be disrupted and hurt by what has been going

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

57th Legislative Day

5/28/2015

on. And I would appreciate an 'aye' vote. And once again, I want to thank you."

Speaker Lang: "Mr. Walsh."

Walsh: "Mr. Speaker, I move to the previous question."

Speaker Lang: "Gentleman moves that the previous question be put. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the previous question is put. Mr. Sims to close."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Before I close, let me... let me again thank the Members on both sides of the aisle for the work that they've done to... the work they've done to get us to this point. I want to thank in particular Representative Cabello, our Minority Spokesperson on the House Judiciary-Criminal Law Committee, Representative Anthony, who sat in many of those meetings, and the staff, Ashley, on the Republican side who sat in those meetings and did diligent work. But I could not stand here and present this piece of legislation without the young woman who has been here... who's been there through thick and thin with me on drafting, redrafting, and making this... making this possible, making... Kalyn Hill, who's our staff person on this side of the aisle. I must publicly thank her for all of her hard work, her countless hours... yes, please. Give her a round of applause because she deserves it. As late as this morning, Kalyn was still working through Amendments and drafting and cleaning this up and I... I must thank her for her work. But I've also got to thank law enforcement. The law enforcement community came to the table. They had an open mind. They understood that we needed to get... we need to get reform done, and they participated, and they participated in an open

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

57th Legislative Day

5/28/2015

fashion. And also, the community groups. Community groups participated in this discussion. We had them there. They wanted to make sure that the victims, witnesses, and the public was protected. This... a previous speaker mentioned it. This is not the end all be all. This is not... this is not the end. This... no... all of the items in this Bill are not the silver bullet to create and to fix all ills, but Illinois is taking this step that no other state in the union has. And I think the Illinois House of Representatives and the Illinois Senate can be proud of that. We are taking a historic step with this piece of legislation and we are moving this state forward and this is going to be a model for the nation. So I want to publicly thank all of the parties who had a hand in making sure that we got to this point. It... no... no piece... the hallmark of good legislation is that it is never perfect, no one is always... always happy, but we make sure we move the ball forward. And we... that's what we have here, a good Bill. Please vote 'aye'."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Andrade, Cabello, Morrison, Mr. Clerk, please take the record. On this question, there are 102 voting 'yes', 7 voting 'no', 3 voting 'present', And this Bill, having received the Constitutional Majority, is hereby declared passed. Leader Turner in the Chair."

Speaker Turner: "Chair recognizes Representative Reis for a point of per..."

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

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

57th Legislative Day

5/28/2015

Speaker Turner: "Please proceed, Representative."

Reis: "Ladies and Gentlemen of the House and Mr. Speaker, that last Motion was uncalled-for. Absolutely uncalled-for by the Gentleman from Will. There was legitimate questions that we still had on that Bill, mainly fines on truckers. The Farm Bureau and Mid-West Truckers were not at those negotiations, they had legitimate concerns. And we had two Members that worked very hard on that Bill that didn't even get to close. We've dithered around here on the silliest Bills for the last month for hours and we couldn't even have enough people speak on something that people have been negotiating on for weeks and weeks and weeks. That was uncalled-for by the Gentleman that made the Motion, it was uncalled-for the Speaker that did not allow the debate to go on."

Speaker Turner: "Chair recognizes Representative Sandack."

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

Speaker Turner: "Please proceed, Sir."

Sandack: "I'm going to take a different aspect on this. That was a historic piece of legislation that Members of this side of the aisle wanted to speak on. And for a Gentleman to undertake someone else's request and cut off debate I think is actually very sad, and frankly, unprofessional and uncalled for. The two Gentlemen that are in front of me right here and my Leader worked diligently with Representative Sims and others, Senator Raoul and others, on a good piece of legislation. They should have had the opportunity on the record to talk to the Bill, to even make inquiries and/or just speak to the Bill. The idea that that type of Bill would be truncated after three Democratic speakers is absolutely shameful, shameful."

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

57th Legislative Day

5/28/2015

You want bipartisanship and then you cut off the opportunity to talk to the Bill. That is really embarrassing and I hope some level of introspection hits because it's just patently unfair and it's actually shameful."

Speaker Turner: "Chair recognizes Representative Kay."

Kay: "So, here we go again. Point of personal privilege or whatever you want to call it. But I want to compliment Representative Sims for his work. The unfortunate thing is the shine kind of comes off the apple, the polish is kind of gone because this deliberative Body has decided we don't want to deliberate. And one person who got it goofy, or went goofy has said we can't have any input on a major piece of legislation. I... I would remind the Chair that yesterday we talked about a hostile Bill longer than we talked about this Bill. A hostile Amendment. This is serious legislation and we had serious questions, and those questions should be heard and answered. Since when does the Chair cut off serious conversation? I can't recall it. Now, I... you know, I'm sort of a newbie here too, but I don't recall it in the past five years. I've seen it cut off when the conversation was kind of silly. This wasn't silly, this wasn't goofy, this wasn't ridiculous. This was a very important piece of legislation to both sides of the aisle. And to disrespect the people on this side of the aisle who had questions is just wrong."

Speaker Turner: "Chair recognizes Representative Anthony."

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

Speaker Turner: "Please proceed, Sir."

Anthony: "Mr. Speaker, I'm disappointed. I've worked on this legislation with the other side of the aisle from day one

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

57th Legislative Day

5/28/2015

from when we first started. I had tons of questions here that I wanted to... to make known on the record. And I'm... I've have my Leaders talk about those issues. I want to talk to the law enforcement community who were out... who... you have the chiefs, and the sheriffs, and Sean Smoot with PBPA, and you had all these institutions at the table trying to come up with a compromised Bill. I thought we did that and I'm disappointed that I stuck my neck on the line to work and to try to get these bodies together for a compromise. That's not how this place should work. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Cabello."

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

Speaker Turner: "Please proceed, Representative."

Cabello: "Elgie, congratulations. I was going to get a little upset with the process, but there's no need because the legislation speaks for itself. I can't wait to get home so I can wash the stench of this place off of me."

Speaker Turner: "Mr. Clerk, Senate Bill 788, Representative Greg Harris. Please read the Bill."

Clerk Hollman: "Senate Bill 788, a Bill for an Act concerning public aid. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments 2, 3, and 4 have been approved for consideration. Floor Amendment #2 is offered by Representative Greg Harris."

Speaker Turner: "Representative Harris."

Harris, G.: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to move to adopt numbers 2 and 4 and then I'll describe what the Bills does."



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

57th Legislative Day

5/28/2015

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

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

Speaker Turner: "Representative Harris."

Harris, G.: "No. I... just 2 and 4."

Speaker Turner: "Gentleman moves to withdrawal Floor Amendment #3. Mr. Clerk."

Clerk Hollman: "Floor Amendment #4 is offered by Representative Greg Harris and has been approved for consideration."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #4 to Senate Bill 788. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Mr. Clerk, Third Reading. Senate Bill 788. Please read that Bill."

Clerk Hollman: "Senate Bill 788, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Turner: "Representative Greg Harris."

Harris, G.: "Ladies and Gentlemen of the House, this would be the Medicaid omnibus or Medicaid efficiencies package legislation. There are numerous pieces of it, which I will go through as quickly as I can, and I'd be happy to answer any questions. Some of these were initiatives of the Governor's Office and the department. Some were initiatives that came out of other legislation from other Members in the House and

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

57th Legislative Day

5/28/2015

the Senate. They've been combined into this one legislation. I would say that, taken together, they would bring in new revenue and pr... and present savings to the people of the State of Illinois of over \$400 million within the Medicaid line items. So I'll just quickly go through what is included in this legislation. The first two items were requests of the Governor which is the authority for the Department of Healthcare and Family Services to enter into durable metal... medical equipment supplies contracts. This is essentially competitive bidding to get the best prices and the lowest prices on certain medical commodities which are regularly purchased and utilized by Medicaid patients. The second is a request of the Governor to prioritize, within the Office of the Inspector General, fraud prevention... fraud prevention within the Medicaid program."

Speaker Turner: "Excuse me, Representative. Members, can we please bring the noise level down in the chamber as well as in the gallery? Shhh. Thank you very much. Representative Greg Harris."

Harris, G.: "The next provision is the authorization for one and one... only one freestanding emergency center to take the place of the recently closed Sacred Heart Hospital. The next provision allows auditing of nursing homes under the transition to the RUG methodology to be sure that the State of Illinois is not overpaying, you know, any nursing home vendor and that we're recouping any overpayments that have been made. The next provision is assessments and rate reductions. This is the legislative language... the language that would be required to codify the 2.25 percent reduction

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

57th Legislative Day

5/28/2015

in rates that were envisioned in the appropriation Bill for the Department of Healthcare and Family Services. This results in \$160 million worth of savings. There are certain lines that are, you know, prohibited by Federal Law from taking reductions. They are not included in this, but all other Medicaid lines would be included. And I would point out that the Hospital Association has proposed and this legislation includes an increase in the hospital assessment that would result in the same savings to the state but would prevent unfortunate cuts to our local hospitals. This Bill reiterates the codification of the deadline period for movement to full capitation for Accountable Care Entities and Coordinated Care Entities, which are more commonly called ACEs and CCEs. It asks the department to file a state plan amendment to fully maximize the additional federal revenue approaching potentially \$200 million that could be achieved under the Affordable Care Act. It also requires on... by January 1 of 2017 the department to include quality in the algorithm for auto-enrollment of participants in Medicaid Managed Care. This legislation would require wards of the state to be enrolled in Coordinated Care to maximize savings and reduce costs for the state further within the Department of Children and Family Services. This Bill would provide a mechanism to enhance federal match for those persons who are a resident of SMHRF facilities. It would require the department to publish an easily accessible and publically available managed care policy manual so that its policies and procedures regarding managed care are clear. It would require the department to appeal the denial of the supportive living assessment from

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

57th Legislative Day

5/28/2015

the federal CMS. This would allow additional federal dollars to be brought into the state. It would allow nursing home new admit... new residents who are newly admitted to nursing homes to have a Medicaid card. This would ease cash flow problems for Medicaid-based nursing homes. It would be a great boon to them especially those who are... have extended their lines of credit because of the issues in processing long-term care applications in the Department of Human Services. It also has a clawback provision so that, you know, any overpayments that are made or any unauthorized payments that are made are recouped from the nursing homes. It establishes a bipartisan bicameral working group to work on the 1115 waiver process. It also encourages the department to seek further program efficiencies and enhance federal match. The last two provisions are a provision for Bolingbrook Hospital, which is the Illinois Poison Control Center and it gives emergency rule-making to the department to implement these rules. And there is... in the Amendment, as I said in committee, there is an addition that would also address dispensing fees for 340B public health drugs. I'd be happy to answer any questions."

Speaker Turner: "Chair recognizes Representative Sandack."

Sandack: "Thank you, Mr. Speaker. To the Bill. You know what's interesting about this? No one's paying attention and that's a shame. This is a budget Bill and no one's paying attention because everyone here knows it's not a real budget. And it's a shame because typically when we sit here at the end of Session, we discuss the most important thing we do, which is try and fix the fiscal situation we're confronted with. No one... everyone knows how they're going to vote, no one's

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

57th Legislative Day

5/28/2015

listening and paying attention, and no one will ask any substantive questions because we all know what we're going to do. And we know we're going to be back and we know we're going to be back probably for a long period of time. And it's a shame that we'll continue to go through this façade."

Speaker Turner: "Chair recognizes Representative Feigenholtz."

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

Speaker Turner: "He indicates that he will."

Feigenholtz: "Representative Harris, for purposes of legislative intent I would like to ask a question about the ACEs and their 18-month period. Does the Bill extend the original 18-month period for ACEs before they have to move to risk-based payments?"

Harris, G.: "Representative, for purposes of legislative intent this Bill simply codifies the initial time period for ACEs that was announced by the Department of Healthcare and Family Services in the fall of 2014 and that the ACEs relied upon in developing their business plans. The original legislation establishing the ACEs provided that the ACEs would be paid a care coordination fee for 'the first 18 months of operations' since HA... since HFS dates to this 18-month period. Since... I'm sorry. Since HFS implemented the program with different start dates around the state, there would have been different dates to this 18-month period. To avoid confusion and to make the administration more uniform, HFS announced in the fall of 2014 as the implementation details were being finalized that the first 18-month period would begin on January 1, 2015 and end on January 30, 2016. Since the administration has announced its intent to terminate the ACE agreements this

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

57th Legislative Day

5/28/2015

summer, this Bill simply codifies the time frame as the program is agreed to by HFS last fall. Most importantly, we believe that the care for the 450 thousand people already being served by the ACEs should not be disrupted."

Feigenholtz: "Thank you. Also, for purposes of legislative intent, what about the rate reduction and the issue with the MCOs and the rate..."

Harris, G.: "Representative Feigenholtz, for purposes of legislative intent, rate reductions outlined in Section 5-5b.2 in the amount not to exceed 2.25 percent that is calculated and applied to capitation rates to managed care plans. It's intended to include administrative services. It is not the intent of this Section to calculate and apply a separate insect... second rate reduction of 2.25 percent for the administrative portion of that rate."

Feigenholtz: "Thank you. And finally, on the nursing home portion of this legislation, nursing homes receive funding from both the General Revenue Fund and the Long-term Care Provider Fund. How will the 2.25 percent cut to their GRF line effect how the nursing home rate is calculated?"

Harris, G.: "Representative Feigenholtz, for purposes of legislative intent, the rate calculation will still take into account of both funding sources. In calculating this blended rate, the department will establish a rate that produces a savings to the state of an amount no greater than the product of 2.25 percent multiplied by the originally enacted state fiscal 2015 appropriations from the General Revenue Fund."

Feigenholtz: "When managed care contracts with nursing homes require the facility to receive no less than a nonmanaged

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

57th Legislative Day

5/28/2015

care rate in effect at the time the services are provided, how will these changes affect these reimbursement agreements?"

Harris, G.: "Representative, for the purpose of legislative intent, changes in the reimbursement schedule for nursing home services should have no affect on managed care contracts. What will change is the floor below which a managed care company cannot reimburse a nursing home."

Feigenholtz: "Thank you very much, Representative Harris."

Speaker Turner: "Chair recognizes Representative Bellock."

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

Speaker Turner: "Sponsor will yield."

Bellock: "Thank you, Representative Harris. And we went over this yesterday, a lot of it in the Human Service Committee and I appreciate all of your information that you gave us. But I just want to point out, again, that the process is too hurried and when you were going forward with the budget of the State of Illinois that we feel is \$3 billion over what we have as the general revenue in this state, I think that we wanted to ask more questions in the process of bringing this budget forward because this budget is so important to the lives of all the people in the State of Illinois who have issues with health care. Medicaid is the number one insurer in the State of Illinois and the head of the Department of Healthcare and Family Services did not have time in the open to make comments on this Bill. Isn't that correct?"

Harris, G.: "I received a... as a matter of fact, as you guys were coming back from caucus, I received a communication from the

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

57th Legislative Day

5/28/2015

department that they were in opposition to the Bill and that they would be sending the opposition papers stating their reasons. I've not gotten it yet, so I'm not sure what their particular reasons are."

Bellock: "Well, I'm going to go over a couple of those because I just got some of them right now. But again, the bottom line is, when they... when an agency of the State of Illinois that is one of the most impacted in our budget because it involves the health care of the most, you know, the population in the Medicaid that is so important to us that we wish we would have had more time to go over a few of these things. But anyways, I'm going to go over a few that you pointed out and just say what some of our concerns are regarding them. Regarding the specialized mental health services, we think that this is a disregard for the federal process which we pointed out yesterday in the meeting because we're not sure that the Federal Government will let Medicaid cover those services. Isn't that correct?"

Harris, G.: "I think what we're attempting to do here, Representative, is maximize all opportunities for federal match and claiming. And I... as we did discuss in committee, there is, at the federal level, an impediment to some of these and we just have to be very careful in how we would craft our application to receive additional federal money into our system."

Bellock: "Well, we're very open to that too, of course. We want to get as much federal match as we can on these programs. But there's another program in there too when we talk about the specialized mental health services and the MCOs. You have



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

57th Legislative Day

5/28/2015

that in here, but we're not sure that that's federally matched either. So, that's another one that we don't know but that it's being put in here that it will be federally funded, but we don't know that, correct?"

Harris, G.: "I'm sorry. Could you repeat the last part of your question?"

Bellock: "I'm talking about the issue with the specialized mental health services and the MCOs."

Harris, G.: "Oh. We're providing services now. You know, we're paying them out of GRF and I think it'd be very good for all of us if we could find a way to obtain additional federal match. And I, you know, think all of us would say, we need to, you know, look at all the different ways we can to achieve that end."

Bellock: "I mean, we're looking for that too, but I just don't see that that... you can't just say something's going to be federally matched when it's not federally matched now in the federal Medicaid program. That requires a waiver."

Harris, G.: "And I think that is the process that we are asking the department to engage in is the appropriate waiver processes for the managed care, for DCFS youth, for SMHRFs to file the necessary state plan amendments to get that ball rolling."

Bellock: "Well, again, I think that especially with our new director, Director Norwood, who has done an outstanding job so far. I mean, she's answered questions when anybody has called her to come to their office to sit down and talk with her. So I think that she was anxious to be a part of this... of this budget. And I think, again, not saying it's your fault,

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

57th Legislative Day

5/28/2015

but the responsibility lies in the budget process to take the time that there's input from not only both sides of the aisle, but from the agency itself. Wouldn't you say?"

Harris, G.: "I've met with Director Norwood. She's not come and met with me recently, but I certainly look forward to working with her. I think she's a, you know, excellent choice to run that department."

Bellock: "We think so too. So one of the other issues that we wanted to talk about that was just mentioned was the Accountable Care Entities, the ACEs, of which we are in full support of. We encouraged, with Director Hamos, to have the ACEs created because we thought that was a way to support the hospitals and other har... well, the ACEs, the hospitals, to move forward into the managed care and we're all in support of that. So, but in this I think that Director Norwood had wanted some time to look at those dates. She had discussed that before I think with the ACEs themselves of maybe moving that time period up to January of '16. I don't think that that was set in stone, but in here you are putting it into law what was the original date that they wanted, HFS wanted more discussion on and the Governor's Office. But now, under what you have in this 'bimp' Bill, the Accountable Care Entities, their... shall be paid their coordination fee for 18 months starting January 1, 2015. So this will be in law, which allows the agency and Director Norwood to have no more input on that, correct?"

Harris, G.: "Representative, you know, in SB741 which was passed in the last Session, the CCE had a definitive time frame. The ACE time frame was less definitive in statute, but the

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

57th Legislative Day

5/28/2015

previous administration did make representations that were in record to the CCE entities giving them these dates in which to move to full risk. And so I think, you know, when entities base their business decisions on, you know, good faith representations by the State of Illinois, you know, we should be sure that we follow-through on those representations. I think that, you know, all of us would say that the answer to controlling health care costs would be moving folks to full risk. But to risk, you know, potentially collapsing the system because we moved systems before they have the full capability to move to full risk would also be a problem."

Bellock: "Well, I'm just saying, Representative, that as far as we're concerned, we were the ones that fully supported the ACEs. We all went to bat when there was talk about termination of the ACEs recently within the last couple of months and we all went to bat on that because we made the contra... I mean, you know, we made the decisions with the hospitals to create the ACEs which we think are a great way of moving forward for them to support them going on into managed care. I'm ju... my point is, is that the new head of the agency is here. She had no input on those dates, and that by moving forward on this you are disallowing the head agency on this Bill to have input within our committee structure or within us individually before this Bill is being put forward, the 'bimp' Bill. So I thank you for all your answers, Representative Harris. And again, I thank you for all your work. You've done an outstanding job and you did an outstanding job on this too. We have issues with this. To the Bill, Mr. Speaker. This is a Bill that's one of the most important Bills in the State of

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

57th Legislative Day

5/28/2015

Illinois. These are services that take care of the most fragile people in the State of Illinois. They help pay the providers of which we want to look out for; the hospitals, the doctors, the nursing homes, medical equipment. These are all people that are \$6 billion behind in being paid. So what we were trying to do, and some of these are very good ideas in this Bill, we just have concerns over some of the others that we would like to have had more input on to have made this a better Bill to make sure that the transition in managed care is done well and that the federal programs that we want the match services on that we have time for those waivers to pursue those. So, I'm just saying that, again, this falls in line with the problems we're having of the hurried process and the \$3 billion that we feel we do not have the revenue right now to support a lot of the budget in all the areas that's being put before us. Thank you very much, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Demmer."

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

Speaker Turner: "He indicates that he will."

Demmer: "Thank you. Representative, just a handful of questions here. I know we talked about some of these in committee yesterday, but just to... just to get a little bit further clarification on this. The first thing I'm interested in is the... the expansion of the hospital assessment tax. I know that's in there to offset the need for rate cuts to hospitals, but I'm curious, does that require any federal approval in order to extend that assessment?"

Harris, G.: "Yes, it does."

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

57th Legislative Day

5/28/2015

Demmer: "Is there any indication that the Federal Government will approve that?"

Harris, G.: "They have in other states. I believe we're, you know, stand a very good chance of being approved. And I think, you know, what our challenge here is, is to move back the markers so that we can do retrospective claiming to obtain as much federal match as we should to reimburse hospitals for services they've already delivered."

Demmer: "Sure. Right. But it does require federal approval? If..."

Harris, G.: "It does. It does."

Demmer: "...if for some reason a federal approval would not come, what would happen to the... to that Section of the Bill? Would the state be... would we apply a rate cut or we..."

Harris, G.: "Would we be liable for GRF?"

Demmer: "We would be liable in GRF to that if the assessment pro... panel wasn't approved?"

Harris, G.: "Representative, this is a federal program. This is not GRF dollars."

Demmer: "But if it... if the federal program was not approved, it simply wouldn't exist? There would be no GRF liability?"

Harris, G.: "As far as I know, no."

Demmer: "Okay. Looking at GRF and at the budget that we've at least passed this chamber, regarding HFS's projection of what liability... what overall liability would be for the upcoming year, I believe that the appropriation that was granted was maybe \$600 million less than what that kind of full funding projection was from HFS. I know this Bill you had... when we debated a budget you had indicated that a followup Bill would come and that it would address that gap. I think that the

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

57th Legislative Day

5/28/2015

assumption is that this Bill would only save in the neighborhood of 100 to 120 million dollars. How... how is that... the rest of that gap addressed?"

Harris, G.: "Are you referring to Healthcare Provider Relief Fund deposit, Representative?"

Demmer: "No, I'm saying that we... we made an appropriation of..."

Harris, G.: "About 7..."

Demmer: "...approximately \$7.2 billion."

Harris, G.: "...7.101, something like that, yeah."

Demmer: "Right. And that HFS had indicated that fully meeting their obligations under statu... under statute would require \$7.7 billion for the upcoming fiscal year. When we talked about that in committee, you said we'll have a followup Bill to address that and I think this may... this may address a portion of that, but we still are, I think, facing a half a billion dollar shortfall."

Harris, G.: "So, Representative, this brings in revenue and match. I think, you know, we're going to find at the end of the day there may be some small discrepancy, but it's not going to be the magnitude either way that you're talking about."

Demmer: "I know there are some..."

Harris, G.: "And again, these are..."

Demmer: "...there is some income, yeah, from some programs. But even that wasn't in the neighborhood of a half a billion dollars. I'm worried that..."

Harris, G.: "It's about... it's about 400 million and some..."

Demmer: "In new?"

Harris, G.: "...in savings and new revenues, yes."

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

57th Legislative Day

5/28/2015

Demmer: "So we may still be 1 to 200 million dollars off... off balance here. I mean, is that going to result in another elongated payment cycle pushing Bills..."

Harris, G.: "Representative, again, these are..."

Demmer: "...into future fiscal years?"

Harris, G.: "...these are projections. There could be a difference up, there could be a slight difference down and up, you know, a program that is over, you know, \$12 billion. Could it be off by a percent? Yes."

Demmer: "Well, yeah. We could be in a situation again where we have to come and try and make a supplemental next year or address the situation with a hun... over \$100 million and..."

Harris, G.: "Or we could end up with \$100 million extra as we..."

Demmer: "If we get lucky, I guess, right?"

Harris, G.: "Well, this year we ended up..."

Demmer: "So let's... let's bank on luck."

Harris, G.: "...with about 300 to 500 million extra. So I would hope for that outcome."

Demmer: "The last thing is I... as we talked in committee yesterday, I know you mentioned this requires an increase in the capitation rates paid by MCOs which then has a corresponding effect on the MCO tax. Under the terms of our current agreement with MCO providers, the state pays for that portion of the MCO tax. Does this Bill increase the state's obligation in the MCO tax?"

Harris, G.: "So, for the newly eligible population I think is what we were talking about yesterday since they are fully funded, a hundred percent paid for by the Federal Government, the Federal Government pays the tax, and actually the state

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

57th Legislative Day

5/28/2015

would get a little bit of benefit out of it because then the MCOs would pay corporate income tax on all that amount. So actually, you know, we could end up a few dollars ahead on that deal."

Demmer: "But... but not all the... not all individuals are newly eligible, so the Federal Government would not be paying a hundred percent of those individuals, right?"

Harris, G.: "In this Bill, yes, they are. They are the ACA400. These are all newly eligible."

Demmer: "All newly eligible, so the Federal..."

Harris, G.: "Yes."

Demmer: "...at least for this year, is still a hundred percent."

Harris, G.: "Yes. Now, in a couple years down the road this is a discussion that is a policy issue we're going to have to confront should the Federal Law change."

Demmer: "So looking at how this Bill was put together, I... you know, I apologize for some of these questions. Folks on our side of the aisle have been talking about it's only been a couple of days we've had to look at this. I'm also concerned though, HFS is an agency that is charged with administering the lion's share of this Bill. I'm wondering, when was HFS consulted during the creation of this Bill?"

Harris, G.: "I've had a couple conversations with members of HFS staff along the line. I've had conversations with different provider groups and, you know, we've had some conversations in committee."

Demmer: "Right. So I see HFS is opposed and I have several pages here of concerns detailing every individual page and line where HFS sees problems with the Bill, where HF see... HFS sees



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

57th Legislative Day

5/28/2015

issues with the way it's going to be implemented, with the interaction with Federal Law, with agreements we have with providers and with the Federal Government. I mean, what are we going to do to address all these issues that still remain?"

Harris, G.: "Representative, as I said to the earlier speaker, as you guys were coming back from caucus I got a call from HFS saying that document was coming to me. I've not seen it yet. It may be in my email now, but you know, certainly we would work..."

Demmer: "So you can sympathize with documents coming to you at the last minute, right?"

Harris, G.: "...and then we would get right on it and do our best to address concerns as they come forward to us."

Demmer: "Thank you. Mr. Speaker, to the Bill. Again, I think this is... this is indicative of a flawed process. This is what happens when we don't work together in a bipartisan way. Our side of the aisle, the folks on the Human Service Appropriation Committee have always been eager to work with the Sponsor, work with other Members of the committee to hear testimony, put together Bills like this. Good legislation comes out of bipartisan compromise. This isn't bipartisan compromise. This is a huge Bill being dropped at the last minute. It's going to lead to problems. The problems are avoidable though, and that's why I'm going to vote 'no' today."

Speaker Turner: "Chair recognizes Representative Ford."

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

Speaker Turner: "The Sponsor will yield."

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

57th Legislative Day

5/28/2015

Ford: "Thank you. Representative Harris, I have a few questions about the redetermination. So this Bill takes the redetermination duties away from HFS and requires the department to contract with a third party vendor. Is that correct?"

Harris, G.: "No, Representative. You're looking at an Amendment that is not included in this legislation."

Ford: "So now, how... what happens now?"

Harris, G.: "The status quo prevails. Nothing has changed regarding the redetermination process in this legislation. There is a process that would prioritize, on the back end, a fraud investigation by the Office of Inspector General, but it does not address redetermination."

Ford: "So, who... how would HFS contract or will HFS be responsible for redeterminations?"

Harris, G.: "The Department of Human Services processes the redeterminations."

Ford: "So they will be in charge of the redetermination process?"

Harris, G.: "And that would be the process as it is today. Nothing has changed in this legislation."

Ford: "So management... the vendors... the management companies will have no influence over the redetermination process? Therefore, we... if I vote for this I don't have to worry about the vendors putting profits over the individual's health?"

Harris, G.: "Representative, the process would remain what it is today. And I believe the answer to the question is that while there are third party vendors involved in providing some data software to the redetermination process and also some mailroom operations, only the State of Illinois, only workers

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

57th Legislative Day

5/28/2015

of the Department of Healthcare and Family Services can make the actual determinations about the eligibility or ineligibility of a Medicaid recipient."

Ford: "Well, since HFS is the only one that could make a determination about the... a recipient's benefit... I asked some questions in committee and I'm still very concerned about the homeless population. The story goes like this. If you're homeless and you are in a shelter or you are living with a relative and your last known address was a place that you no longer live or lay your head, the redetermination letter will go to that address and the patient will no longer receive the mail; therefore, that patient would be discontinued from Medicaid because they never got the letter. Has there been any talk with HFS to reconsider how they deal with the homeless population?"

Harris, G.: "If you recall, Representative, a couple weeks ago, probably a couple months ago now, we did have a hearing on the redetermination process and that was a concern that was brought up. And this would be what some people would call Medicaid churn where, you know, people who are eligible to receive Medicaid services for reasons that have to do with, you know, whether they get the mail delivered to the right place, whether they get their documents submitted on time are taken off the rolls and put back on. That's something I think that Director Norwood has said that she and her staff are really going to work hard on. I think the managed care organizations have said they would be willing to accept some of the burden of going out into the community to help outreach to people when their redetermination date comes up once a

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

57th Legislative Day

5/28/2015

year and be sure they get their forms in. It's a real problem. And it costs the state money and it's unfair to the people, so I totally agree with you. We need to solve this problem."

Ford: "And I would like to say for the record also that... to the Bill. I'd like to say for the record that individuals that are homeless, they are automatically switched to other providers that are not their providers. Therefore, they no longer know where they should go to the doctor because they never received notice that they have been switched and it causes problems. And I urge HFS to do something about the homeless population and the redetermination process for this group of people in our state. Thank you for the Bill, Greg Harris. And I look forward to voting for it."

Speaker Turner: "Representative Harris to close."

Harris, G.: "Thank you, Ladies and Gentlemen, for a very good debate. And just to, you know, recapitulate some concepts that came up. This would result in cost savings, it would result in revenue increases, it would help us be sure that we are garnering as much federal match as we could for these programs, it would be a real benefit to nursing homes who have had to wait so long for our bureaucracy to get their residents payments processed, it would maintain the ACEs and the CCEs through the period that was agreed to, and it would be sure that the ACE coordinated care fees are in place from January 2015 through January 30 of 2016. It's a good Bill. It helps us save money. It helps us bring new revenue into the system. I would ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 788 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting

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

57th Legislative Day

5/28/2015

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Franks. Mr. Clerk, please take the record. On a count of 67 voting 'yes', 44 voting 'no', 1 voting 'present', Senate Bill 788, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Hollman: "Introduction and First Reading of Senate Bills. Senate Bill 455, offered by Representative Acevedo, a Bill for an Act concerning regulation. First Reading of this Senate Bill."

Speaker Turner: "Leader Currie."

Currie: "Thank you, Speaker. I move to suspend the posting requirements so that Senate Bill 455 can be heard in Health Care Licensing Committee."

Speaker Turner: "Chair recognizes Representative Sandack."

Sandack: "Yes, Mr. Speaker, I object to the Lady's Motion and request a Roll Call vote on it."

Speaker Turner: "You've heard the Gentleman's request on the Lady's Motion. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 69 voting 'yes', 45 voting 'no', 0 voting 'present', the Motion carries and the posting requirements are suspended. Representative Williams, for what reason do you seek recognition?"

Williams: "Thank you, Mr. Speaker. I'd just like to correct the record on Senate Bill 398. I inadvertently pressed 'no', but it meant to be 'yes' on Senate Bill 398."

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

57th Legislative Day

5/28/2015

Speaker Turner: "Thank you, Representative. The Journal will reflect your request. Representative Martwick, for what reason do you seek recognition?"

Martwick: "Thank you, Mr. Speaker. I just wanted the record to reflect that on Senate Bill 788 I was paying attention."

Speaker Turner: "On page 7 of the Calendar, we have Senate Bill 23, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 23, a Bill for an Act concerning courts. Third Reading of this Senate Bill."

Speaker Turner: "Leader Currie."

Currie: "Thank you, Speaker, Members of the House. In the early 1970s the United States Supreme Court said that the states could not make participation as a citizen of the United States, could not make citizenry a requirement for admission to the bar. That is to say lawyers could not be required actually to have citizenship. What this measure does, it comes from Senate President Cullerton, is to clarify under Illinois law that... that the fact that one is not a citizen should not be a barrier to becoming a lawyer. I would be happy to answer your questions. And I'd appreciate your support for making sure that we're not out of line with Federal Court decisions."

Speaker Turner: "Chair recognizes Representative Sandack."

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

Speaker Turner: "The Lady will yield."

Sandack: "Thank you. Representative, I'm... we had a nice discussion in committee about this Bill. Can you regale the Assembly here with respect to the state of the law right now? Because you said the..."

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

57th Legislative Day

5/28/2015

Currie: "Right. And my understanding is that, in fact, whatever happens here would ultimately be done by the Illinois Supreme Court. So we are not able to supersede them or to tell them what to do."

Sandack: "All right. So..."

Currie: "But what this would do is to clarify that citizenship should not be a requirement that they would impose as required in order to become a member of the bar. So it... it's really almost like, hello, Supremes. We think that we shouldn't make citizenship a requirement. So it changes our statute so that we no longer say that citizenship is a requirement."

Sandack: "Well are... are we saying citizenship is a requirement now?"

Currie: "My understanding is that that's what the statute says."

Sandack: "Where would I find that and in what statute?"

Currie: "Just a minute, I'm checking."

Sandack: "Thank you."

Currie: "Yeah, I don't ha... I don't have the direct reference, but I may have the language. Yeah. The... I don't have the reference, but I'll get it for you later. But our statute provides no person is entitled to receive a license unless they have... they are a citizen, have declared an intention, or have filed a petition for naturalization."

Sandack: "Well, Representative, I... would you mind taking this out of the record for now and finding that statutory language? Because it's kind of important. You're seeking to pass a Bill that says the court shouldn't use national ethnicity... citizenship as a basis to deny a membership to the bar and be a tru... to be a lawyer. And of course, it's in their... it's in

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

57th Legislative Day

5/28/2015

the ken of the court to determine what requirements will be permitted."

Currie: "Yeah. But..."

Sandack: "I... so I'm just saying, is there really a prohibition or not?"

Currie: "Okay. If you look at 705 ILCS 205/2 I think you'll find the language I just read to you."

Sandack: "So, it's right now prohibited for a noncitizen to pra... to practice law in Illinois?"

Currie: "Right."

Sandack: "So could the Supreme Court on its own rule in rulemaking with... "

Currie: "I... Yeah, I..."

Sandack: "...without... let me finish the question, Leader, please. Without us doing what we do, and we do a lot of ancillary unnecessary stuff, but if we didn't do anything, tomorrow could the Supreme Court, by rule, change its determination as to who can practice law in the State of Illinois?"

Currie: "I believe the court could, but if I were the court and I saw a statute that was very limiting in terms of citizenship and practicing at the bar, I might be reluctant to do that. I might be more likely to be expansive in my interpretation if the Legislature were to have adopted Senate Bill 23."

Sandack: "Well, you know, it's interesting because we've had some rulings from the State Supreme Court recently that some would say were very expansive. Very, very expansive, indeed. And so whether we need to encourage the court to be more expansive or not, I don't know that it makes a... a distinction or a difference, they're going to do what they're going to do. Do



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

57th Legislative Day

5/28/2015

you... would you argue that point with me? Do they really need to be encouraged to be expansive?"

Currie: "I... I believe they do, especially given that we have language that is somewhat limiting in our current state statute. And I agree that the court could act upon its own, but I think sometimes it's helpful to remind the court that it has that authority."

Sandack: "Thank you for your answers, Leader Currie. To the Bill. Some cynic may say that this is simply an opportunity to seize a political moment and maybe engender themselves to a certain segment of society, because if it's in the purview of the Supreme Court to determine who can get a law license and who can practice law, and I submit it's always been in their purview, it is in the ken of the court to determine its rules, to determine bar requirements. The members of the bar in this room know that. This is a needless law being put here. I think it's kind of gotcha politics trying to trick bag some people. It's entirely unnecessary. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Breen."

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

Speaker Turner: "She indicates that she will."

Breen: "Thank you. And Leader, we had talked about this during our committee. I want to make clear that what we're voting on is to remove the requirement that an attorney... that someone licensed in the practice of law in Illinois, we're removing from statute the requirement that they be a citizen or that they have an intention to be natural... naturalized?"

Currie: "That's exactly right."

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

57th Legislative Day

5/28/2015

Breen: "Okay. Now, there is no... once we do this, there will be no restriction on someone even being a legal resident of the State of Illinois?"

Currie: "No, I don't think that's right because, again, I think the court would finally have to make that determination, Representative."

Breen: "Well, but there would be... there would be no such restriction in the statute any longer."

Currie: "Well, I... actually there's some dispute over how the statute is worded, but I thought when I picked up this Bill that it was worded in such fashion that it would apply to a limited set of people who are here in this country and who are not able to apply for citizenship."

Breen: "And then, just so that the Body understands what they're doing, there is a Section in this statute that would allow those who are, call them the... I believe they've been colloquially called the dreamers. So this is..."

Currie: "That's exactly right."

Breen: "Right. So this is a version, some sort of an implementing... further implementation of the Dream Act, the federal... well, I guess it'd be dreamer proposal..."

Currie: "Right. Right."

Breen: "...at the federal level that we are attempting to allow those folks who are, at least currently under statute, not legally in the country, but who are being allowed in on a temporary basis by the President that they would then be able to receive law licenses?"

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

57th Legislative Day

5/28/2015

Currie: "Well, these are people who came here as children, they did not come to this country of their own volition. They may have come as... as early as when they were six months old."

Breen: "True."

Currie: "So these are people who are now coming into adulthood. They have no country but this country. Given that the United States Supreme Court said that we can't make citizenship a prerequisite for occupations including practice as a lawyer, it seems to me important for us to say to these young people, yeah, if you were to go to the trouble, the time and expense of law school, at the end of the day, maybe you get to be one."

Breen: "Well..."

Currie: "And that's all this does. It encourages the Supreme Court to look upon this population and say let's clarify that should they go to law school, should they take the Bar Exam and succeed, their citizenship status would not preclude them from a lawyer's license."

Breen: "Right. Now, and certainly the... the process of going to law school, getting that license is at least a three year process under our current practice of the ABA. Are you aware that, you know, the Fifth Circuit Court of Appeals, United States Court of Appeals has enjoined the... the Obam... the President Obama policy to allow those folks to stay in the country?"

Currie: "Yeah. But I don't think that has anything to do with this Bill. This Bill really is a suggestion to the Illinois Supreme Court that they look again at the 19... early 1970s United States Supreme Court opinion and they begin to consider

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

57th Legislative Day

5/28/2015

the question, who ought to be allowed to apply for membership in the Illinois Bar."

Breen: "Right. And again, though, but we're... we're drafting a Bill and we want to pass a law on a program that has been enjoined and we don't... we don't know if it will..."

Currie: "No, no, no."

Breen: "...be upheld by the U.S. Supreme Court or not, and that as soon as the President leaves office the program could be repealed by his successor."

Currie: "We have done a number of things in this Legislature to help these young people called dreamers, the ones who came not of their own volition who have known no country but this one. We have done things like driver's license, we have enabled them to get certain other kinds of privileges, and this it seems to me is absolutely in keeping with the responsiveness and the... the good graces of this Assembly, this government in terms of responding to their legitimate needs."

Breen: "And I don't... I don't question the sincerity. I'm... my worry is, is that we're inviting them to undertake a \$200 thousand debt to begin a process that may end with them not being able to practice law..."

Currie: "Okay..."

Breen: "...in the state because they're not able to remain in the country."

Currie: "And that could happen to anybody. Somebody can go to law school, spend all the money, spend the three years and fail the bar, you know, time after time. But I think here the issue..."

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

57th Legislative Day

5/28/2015

Breen: "I believe some prominent politicians..."

Currie: "...here the issue..."

Breen: "...have done that in this state, yes."

Currie: "...here the issue is that under existing State Law and under Supreme Court rules there is no certainty that a person going through law school would have the chance to apply to the bar."

Breen: "Right."

Currie: "So, and remember, Congress passed legislation before the President's action with respect to the so-called dreamers that enables the states to do things like the driver's license program and I would argue like this."

Breen: "Sure. And thank you, Leader. I'll go to the Bill. Ladies and Gentlemen, I certainly don't question the sincerity of the Sponsor and those who want to undertake this. It just... it seems like we should not be leading folks into applying for our law schools, going to law school, getting licensed when they may not necessarily be able to take advantage of the program, the... the program of the Obama Administration having already been of questionable constitutionality and legality. So from that perspective as well the requirement in the statute it certainly gives the right to... the current statute is the right way, which says if you're here in the country legally, certainly that you want to be a citizen, that we certainly encourage you then to go to law school if you so desire. And so, for that reason, I would just... I'll be voting 'no' and certainly it doesn't seem like we should be doing this today. Thank you."

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

57th Legislative Day

5/28/2015

Speaker Turner: "Chair recognizes Representative Soto. Can we check on Representative Soto's mic?"

Soto: "Check. Check. Okay. Thank you, Mr. Speaker and Members of the House. To the Leader that spoke about this Bill. Yes. I just want to say that I'm very offended to hear what was mentioned on the other side. We're all the same. We might come from a different country, but we're no different than anybody else that sits in this General Assembly. And if someone wants to go to law school and they were brought here against their will when they were born or even when they were young at two, three, four, five, they didn't know they were coming here. They didn't... they didn't know that this is where they were going to be raised. But now they are. They want that opportunity like your children want opportunities. I think that it's only fair that we support the things that you do and I think that you should be supporting the things that we're doing. I understand that there's immigration issues, but those are immigration issues that we're going to work through. We're a growing population. Whether you like it or not, we're going to be here forever and we're only going to get... grow the population even bigger. So I just urge an 'aye' vote. I think this is a very important Bill. And the children that we're talking about, they're very bright students and they work very hard to make sure that they would fit into the United States. So I think that we should give them that opportunity like we... the opportunities that we want for our children. Again, I just want to thank everybody and I just ask you to find it in your heart to vote 'yes' on this Bill."

Speaker Turner: "Chair recognizes Representative Ives."

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

57th Legislative Day

5/28/2015

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

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

Ives: "Leader Currie, I'm just looking at this from a little bit of different of a standpoint, I guess, and that's my concern for American jobs. Do you see the potential... the potential that you would have somebody go ahead, get a license like this, and then maybe export law business to a foreign country, to another country where they are now legally authorized to practice law in Illinois, but they don't reside in Illinois anymore, that they maybe exported that business outside the United States, maybe to China, maybe to India, where they've come in still under what ostensibly would be this program, but then understanding that they can maybe get a market advantage by working in a country that doesn't pay as much. And so we... basically they would have a local counsel but would be doing Illinois legal work in a foreign country. And I guess that's my concern when I look at this Bill."

Currie: "Well, I'll tell you, I know a lot of people, citizens of the United States who've become lawyers and then they decided to go practice in London, England, or maybe in Chile. And I think the point about the dreamers is they know no other country. This is their country; it's the only one they know. And I would venture to suggest that should the Illinois Supreme Court change the rules, the vast majority of any dreamer who became a lawyer would be very likely to stay right here in Illinois."

Ives: "But..."

Currie: "I'm not the least bit worried about the export problem. And I think this is good legislation that recognizes where

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

57th Legislative Day

5/28/2015

people are and what their needs and responsibilities should be."

Ives: "Okay. To the Bill. I guess my concern is that there are probably... there's... I think unintended consequences here and loopholes where you could actually have particular folks come in, noncitizens come in, receive this law license from Illinois, move back to their foreign country, to their other country, start practicing law in Illinois as a noncitizen, but really residing in a foreign country. And that's nothing more than an export of good American paying jobs to a foreign entity without the requirement that you actually be a citizen here and operating. I just... I just have looked at this Bill in a totally different light and I think it's an export of good American jobs. So, please vote 'no'."

Speaker Turner: "Chair recognizes Representative Franks."

Franks: "Thank you, Mr. Speaker. I'm going to go to the Bill. I'm going to use a different perspective."

Speaker Turner: "Shhh. Franks has not much of a voice..."

Franks: "Thank you."

Speaker Turner: "...today. Representative, go ahead."

Franks: "I stand here as the grandchild of an illegal immigrant. I am so glad my grandfather didn't miss the boat. This is the land of opportunity. He came here illegally and he stayed. He got deported and he had to come back legally. These children who we're talking about have done nothing wrong. They were brought here, they had no choice. And then what you're going to say if you vote 'no' is you're going to punish them for something they had nothing to do with. I've gone to the schools in my district where we have a large Hispanic



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

57th Legislative Day

5/28/2015

population in Harvard, Illinois, for instance, and kids can't get driver's licenses or couldn't until recently because they didn't have Social Security numbers and that wasn't their fault. In here, we have people who have followed the rules by applying for their deferred action for childhood arrivals and those that have gone through the U.S. Immigration Service. And all we're saying is give them a fair chance. Just give them a fair chance, level the playing field. Why do we want to keep people down? This is the land of opportunity. All of us are immigrants, let's not forget that. Please vote 'aye'."

Speaker Turner: "Chair recognizes Representative Anthony."

Anthony: "Thank you, Mr. Speaker. I yield my time to Representative Sandack."

Speaker Turner: "Chair recognizes Representative Sandack."

Sandack: "Thank you. To the Bill. A... a fine colleague of mine made a couple of comments that I want to make sure we're clear on. My objections to the Bill had nothing to do with anything other than the fact that we're telling the Supreme Court that they now have to change and/or consider changing the eligibility for licensing lawyers. Let's be clear, that is exclusively in the purview of the Illinois Sup... Supreme Court. They make rules on eligibility. Period. What we're doing here is attempting to suggest what the rules should be. Would you please consider doing that? We keep doing that the court is going to obviously start dis... start disregarding our positions even further. As I told the Leader during our conversation, we could ask them to be as expansive or as limiting as we... as we want. They're going to do what they're doing to do under the rule of law. That's their charge. Our

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

57th Legislative Day

5/28/2015

charge is to pass legislation. Eligibility for practicing law is in the ken, exclusive ken of the Supreme Court. No more, no less. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Hernandez."

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

Speaker Turner: "The Representative indicates that she will yield."

Hernandez: "Representative, can I ask you what caused you to bring this for... this Bill forward?"

Currie: "Well, in fact, it was Senator Cullerton who discovered that the current statute would preclude the dreamers from being able to be members of the bar, and that's where this Bill came from. He said, that isn't right. And I agreed, that isn't right. And while it is fair to say that ultimately the decision is likely to come from the Illinois Supreme Court, our current statute doesn't give them the leeway to make it clear that Illinois, as Representative Franks said, is the land of opportunity. So we want to make it clear to the Supreme Court and to anybody else who'd like to listen that these dreamers, these people who came here not because they wanted to violate the law, but because mom or dad brought them here, that they have an opportunity to live the American dream."

Hernandez: "To the Bill. I just want to thank the... Leader Currie for bringing forward this Bill. Or... I appreciate that this particular population of, in particular doctorate students, are just making efforts for an opportunity based on the career they led finishing law school. Law school gives a proven record. Why wouldn't we want to support individuals like this

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

57th Legislative Day

5/28/2015

into our society by giving them a chance? If this means just simply reminding the courts of some possibilities of bringing good citizens, possible citizens into our country, into this good nation, why not support a measure like this? Thank you, Leader Currie, for bringing this forward. And I ask for an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Flowers."

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

Speaker Turner: "She indicates that she will."

Flowers: "Representative, can you please define for me who is the Illinois Coalition for Immigrants and Refugee Rights?"

Currie: "It is an organization that does citizenship classes. It helps people who are new in the United States, new in Illinois to learn English if it is a second language for them. It also does citizenship and other classes. So it provides many services to recent arrivals in Illinois and in the United States."

Flowers: "Recent arrivals?"

Currie: "Yes."

Flowers: "Recent arrivals from all over the world..."

Currie: "From all over the world."

Flowers: "...not just... not one particular."

Currie: "Absolutely."

Flowers: "Thank you very much, Representative. I think this is a fantastic piece of legislation and I would urge an 'aye' vote."

Currie: "And it's not only the... the Immigration and Civil Rights Coalition, but also the Illinois State Bar Association welcomes this Bill. The lawyers we have here in the State of

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

57th Legislative Day

5/28/2015

Illinois aren't afraid to welcome the dreamers to join their ranks."

Flowers: "I'm not a lawyer, Representative, but I too welcome the dreamers, all the dreamers. Thank you."

Speaker Turner: "Chair reco... recognizes Representative Guzzardi."

Guzzardi: "Thank you, Mr. Speaker. To the Bill. I rise for a brief moment to take issue with the characterization of this Bill from the gentle Lady from Wheaton. She suggested that she looks at this Bill in a different light. I would suggest that it's simply an incorrect light. First of all, to suggest that these children aren't Americans when they came over at such a young age, as has been said already on this floor, these people know no other country. They are as American as you or I. And then the suggestion that somehow they'll be sneaking back to their home countries to take away Illinois jobs, that suggestion simply boggles the mind. And to the Leader from Downers Grove who suggested that we're attempting to put the op... the other Party in a box with this legislation, there's an easy way out of the box, vote 'yes'. This Bill is compassionate, it's common sense. And yes, the Supreme Court will ultimately make the decision, but we have passed legislation that would keep dreamers from becoming lawyers. Let's pass legislation that changes that and let the Supreme Court make up their mind. If they decide that the U.S. Supreme Court was wrong and they reach that ruling, I don't know how they would, but if they should so be it. But let it be said that we stood here today and stood with the dreamers and allowed them to pursue a future in this country. I urge an 'aye' vote. Thank you."

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

57th Legislative Day

5/28/2015

Speaker Turner: "Leader Currie to close."

Currie: "Thank you, Speaker. Let's do the right thing for these youngsters who did nothing wrong themselves, should not be punished. Let us... let us extend our hand to them. Let us help them up the ladder of opportunity right here in the State of Illinois. I urge your 'aye' votes."

Speaker Turner: "The question is, 'Shall Senate Bill 23 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? Members, please record yourselves. Mr. Clerk, please take the record. On a count of 67 voting 'yes', 39 voting 'no', 2 voting 'present', Senate Bill 23, having received the Constitutional Majority, is hereby declared passed. On page 15 on the... of the Calendar, under Senate Bills on Second Reading, we have Senate Bill 368, Representative McAuliffe. Out of the record, Mr. Clerk. Representative McAuliffe on Floor Amendment #1 to Senate Bill 368."

McAuliffe: "Flo... yes. Thank you, Mr. Speaker. Floor Amendment #1 has to do with Granite City. And I'd ask for its approval. It would extend a TIF District another 12 years."

Speaker Turner: "Gentleman moves... Gentleman moves that the House adopt Floor Amendment #1 to Senate Bill 368. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 368. Please read the Bill."

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

57th Legislative Day

5/28/2015

Clerk Bolin: "Senate Bill 368, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 368 would extend the TIF District for Rosemont, which is in my district, and also for Granite City, which is in Representative Hoffman's district. I'd be happy to answer any questions."

Speaker Turner: "Chair recognizes Representative David Harris."

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

Speaker Turner: "He indicates that he will yield."

Harris, D.: "Representative, this Bill extends a TIF District for Rosemont. Is that correct?"

McAuliffe: "That's correct."

Harris, D.: "When was the TIF District established?"

McAuliffe: "Two years ago."

Harris, D.: "So the TIF District was established 2 years ago and we're asking now for an extension of 12 years?"

McAuliffe: "That's correct."

Harris, D.: "So we're... where most TIF Districts last 23 years before they get an extension... or 20, 21 years before they get an extension to the 30... additional 12 to the 35, we're extending this after only 2 years. Is there any particular reason why we're extending the TIF District after only 2 years of existence?"

McAuliffe: "I believe they've got some... there's some property on Higgins Road that they wanted to use for a future development. I'm not at liberty to explain what that is right now, but I think the village wants the opportunity to be able to have

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

57th Legislative Day

5/28/2015

the TIF District extended so they can go in negotiations and get that development on Higgins Road further developed."

Harris, D.: "So a 20 year.. I mean, the TIF is in existence for another 20 years before it goes out of existence, but you think that they need that additional 12 right now, right?"

McAuliffe: "Correct."

Harris, D.: "Okay. I will simply say, and to address the Bill, Speaker, I'd simply say that I'd venture to say that if any of.. any of the rest of us brought a TIF extension to this floor after only 2 years it probably wouldn't be approved. Thank you."

Speaker Turner: "Chair recognizes Representative Franks."

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

Speaker Turner: "He indicates that he will."

Franks: "I'm trying to understand the area in which you're trying to extend the TIF. Is it a blighted area?"

McAuliffe: "Right now, there's... there's older buildings there. There's like a bank there across the street. There's no development there at all. So some of it is blighted, yes."

Franks: "Well, I think that the definition of a TIF is to eradicate blight or to develop vacant land, which apparently this is. But I think the extra portion of that is that the land would not be developed without public financial assistance. Is that correct?"

McAuliffe: "Correct."

Franks: "Okay. I find it hard to believe that any part of Rosemont is blighted. But I don't understand why you're coming right now after 2 years, as the previous speaker said, to ask for

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

57th Legislative Day

5/28/2015

an extension when you have so many years left. Why are you doing this?"

McAuliffe: "Well, the Village of Rosemont asked me to do this, so I'm just doing this on their behalf."

Franks: "I understand they asked you to, but I don't understand why. There's something here and I don't know what it is, and I'd like to know because you're asking us to do something that I've never seen done in my time here and you can't tell me why."

McAuliffe: "Representative, I don't know how I can explain how a town of 4500 people send \$65 million back here to Illinois in tax revenue. So, obviously they know what they're doing and I'm putting my full trust in them."

Franks: "But wouldn't you agree that a TIF that was started 2 years ago that has many, many years left on it to ask for an extension 2 years into it is curious?"

McAuliffe: "Again, I'd go back to my last statement. I don't know how many towns can say they have a population of 4400 and they're bringing \$65 million back down here to Springfield in taxes."

Franks: "But... but the problem then, when you mar... when you make that argument is then you're really saying that they're not blighted. You're also saying then that they would probably develop this without state financial assistance, because if they're that rich people are going to want to be there. And I've seen the development in Rosemont and I would... I don't think anyone here could argue with a straight face that it's blighted. They do a great job. Mayor Stephens is a magician. He is terrific and he does a wonderful job. But what my



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

57th Legislative Day

5/28/2015

concern is... and to the Bill, is our... is that our definition for TIFs need to be tightened up, 'cause I don't believe that the TIF definition was ever intended for something like this. And when the Sponsor can't tell us why he wants to extend it, my antenna go up. And I'm just very cautious about this because I don't understand it, and as a result, I can't support it."

Speaker Turner: "Chair recognizes Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would just like to thank the Sponsor of the legislation for allowing me to amend this Bill. First of all, I asked people on our side of the aisle to vote for this TIF extension. It is going to create jobs in Rosemont, but it's also going to save and create jobs in Granite City, Illinois, by extending a TIF in Granite City, Illinois. Right now... right now, Granite City Steel is facing enormous layoffs. Luckily, it was announced today that these layoffs aren't all going to happen and only 80 people, not 2 thousand people, are going to be laid off at this time. But I've been told by U.S. Steel that they are still going to be at risk and those jobs still may be at risk. This TIF has created over 700 jobs and saved 24 hundred... 2414 jobs. We need to extend that TIF. I'm asking you on this side of the aisle, let's help create jobs and keep jobs in Granite City, Illinois, manufacturing jobs, and let's help create jobs in Rosemont. I urge an 'aye' vote on this side of the aisle."

Speaker Turner: "Representative McAuliffe to close."

McAuliffe: "Thank you. I'd ask for a favorable vote."

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

57th Legislative Day

5/28/2015

Speaker Turner: "The question is, 'Shall Senate Bill 368 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bourne, Brown, Mitchell. Mr. Clerk, please take the record. On a count of 97 voting 'yes', 13 voting 'no', and 0 voting 'present', Senate Bill 368, having received the Constitutional Majority, is hereby declared passed. The Chair is in receipt of a Motion to reconsider Senate Bill 1304 filed by Representative Sandack. Representative Sandack."

Sandack: "Thank you, Mr. Speaker. Obviously, the intention of my Motion is to give some Members on my side of the aisle the opportunity to speak to a very important Bill. Representative Sims and I had a conversation offline after debate was frankly truncated and he advised me that that was a surprise to him because he understood that it truly was a bipartisan Bill and that there were many Members on my side of the aisle that had helped get the Bill to where it was. So the intention of my Motion is simply to allow people involved in the process to speak to the Bill because a Bill of that import ought to have more than three speakers, again, in very abbreviated style. It's a historic Bill, as Representative Sims had said. And I agree with him, it's a historic Bill. So I'm asking my friends on the other side of the aisle to permit folks that were integral in getting that Bill through the process who believe in the propriety of the Bill, their minute or two to speak to it, because I think they deserve that. So, I'm asking for your reconsideration and I'm asking that you vote 'yes'. I think that's fair and proper. Thank you."

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

57th Legislative Day

5/28/2015

Speaker Turner: "You all heard the Gentleman's Motion. 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? Golar, Jesiel, Lang. Mr. Clerk, please take the record. On a count of 112 voting 'yes', 1 voting 'no', and 0 voting 'present', the Motion carries. Senate Bill 1304, Representative Sims. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1304, the Bill was read for a third time previously."

Speaker Turner: "Representative Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is so historic we get to do it twice. As I mentioned before, this is the omnibus Bill creating the body cam protocols and police reform package. I ask for a... I ask for an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Reis."

Reis: "Thank you, Mr. Speaker. Will Representative Walsh yield? Oh, no. no, no, no. Representative Sims. I'm sorry."

Speaker Turner: "Representative Sims will yield for a question."

Reis: "To the Bill, Ladies and Gentlemen of the House, and I jokingly said that because there were parts in that Bill that I'm not sure everyone knew about. And I'm glad that the repre... or the Sponsor of the Bill came over. He's a fine man, he's a fine Gentleman. And we're going to have a trailer Bill because there's some fines in here that are so egregious that they're going to take it up over in the Senate. And that's all we wanted to talk about. So, Representative Sims, you're a fine man and I know you'll take care of this over in the Senate. And thank you for allowing us to do this again."

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

57th Legislative Day

5/28/2015

Speaker Turner: "Chair recognizes Representative Anthony."

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

Speaker Turner: "He indicates that he will."

Anthony: "Representative Sims, thank you for allowing this to happen. I had a couple of questions for you because I think what I want to show is just how much of a compromise this Bill was. How many Bills were filed on police reforms this year?"

Sims: "Approximately 200."

Anthony: "Two hundred? How many did we finally come to a conclusion of that was included in this legislation?"

Sims: "Somewhere in the neighborhood of 15."

Anthony: "So 200 and we allowed 15 into this Bill?"

Sims: "That's correct."

Anthony: "That sounds like a good compromise to me, what about you?"

Sims: "I think it's a great piece of legislation, Representative."

Anthony: "Did law enforcement have a seat at the table?"

Sims: "They did."

Anthony: "Do we have any law enforcement that is opposed to this legislation?"

Sims: "No, we do not."

Anthony: "When it comes to the use of chokeholds, is there a criminal component still attached to that Bill?"

Sims: "There is not."

Anthony: "Will the chiefs and sheriffs determine what the policy of the receipt would look like when it comes to the pedestrian stop?"

Sims: "They will."

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

57th Legislative Day

5/28/2015

Anthony: "In your opinion, what is... when it comes to the pedestrian stop, how awful was it originally?"

Sims: "I... Representative, I couldn't hear the... I couldn't hear the question. I'm sorry."

Anthony: "When it comes to the pedestrian stop, the initial pedestrian language that was involved in there, is that in the Bill right now?"

Sims: "It is not."

Anthony: "What's in the Bill right now when it comes to the pedestrian stop?"

Sims: "As I referenced to a former speaker on the Bill, what you have in the Bill is when the Bill... or when a pedestrian is detained, i.e., frisked, searched or arrested..."

Anthony: "Can I stop you right there?"

Sims: "...then there is a... then there is a copy of an arrest card or contact card given to them."

Anthony: "Correct. That's a new definition of what it means to be detained, correct?"

Sims: "That's correct."

Anthony: "To the Bill. Ladies and Gentlemen of the Body, I'm really grateful that Chairman Sims was... allowed this to happen. I really felt that I put my neck on the line for this piece of legislation. I've had many of my own law enforcement brothers, who which I actually served with, called me and told me to vote 'no'. The reason why I asked Chairman Sims how many Bills were filed, that's key, that's crucial. There were 200 Bills filed that dealt with criminal... I mean, police reform, and only 15 of those Bills were added into this legislation. One of the reasons why is because law enforcement

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

57th Legislative Day

5/28/2015

was at the table, they had a voice, and they came to an agreement that this was good legislation. I am proud of this state. I am proud of the law enforcement brothers, of which I was a former member of, who took the liberty to get ahead of this issue. Because if you look around Baltimore, you look around New York, you look around all these issues in Missouri and St. Louis, Illinois has stood up to say, we will not allow that to happen in our backyard. And I am proud to be a part as a Chief Cosponsor of this legislation. It's not the greatest Bill. There's... there are elements of this Bill that I still do not agree with to this day, but it was a good compromise. This is what this Body should be comp... should be focused on, good bipartisanship, good Bills, solution oriented. That's why we're here as a Body. And Ladies and Gentlemen, and Chairman Sims, I guarantee you this Bill will light up with green now. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Brady."

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

Speaker Turner: "Sponsor will yield."

Brady: "Representative Sims, just a brief question. I saw somewhere in the Bill that there is a fee involving \$2 to the... what's referred to as the police training board. Can you explain that a little bit?"

Sims: "What we have tried to do, Representative, is ensure that for all the additional requirements on training that we've added to the Law Enforcement Trainings and Standards Board, as I mentioned in earlier debate, we've tried to make sure there were adequate resources for the Training and Standards

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

57th Legislative Day

5/28/2015

Board to employ individuals around the state who are capable of doing the training to engage in establishing new training modules. So we've got the resources available to do that."

Brady: "And so this is something that comes off of tickets that are issued then?"

Sims: "Correct."

Brady: "Okay. Has that been part of the package overall..."

Sims: "Correct."

Brady: "...or is it a recent add on?"

Sims: "That's been... that's been part of the package since the very beginning. Part of the fines will go towards funding the grant program, the other part will go toward the additional training requirements."

Brady: "Okay. Thank you very much. To the Bill, Ladies and Gentlemen. I just simply want to applaud all those who have worked so hard on this piece of legislation and thank them for what they've done and move forward with any adjustments or tweaks that need to be done in the Senate. Thank you very much."

Speaker Turner: "Chair recognizes Representative Christian Mitchell."

Mitchell, C.: "Okay. Art... Oh, there we go. Okay. Now it works. Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Turner: "The Sponsor will yield."

Mitchell, C.: "Representative Sims, I've got a couple of questions for the purpose of legislative intent from a couple different organizations. So let me start with a concern by some of our friends in the domestic violence community. Section 10-20(A)(5) 1020 A5 appears as though it only requires a police

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

57th Legislative Day

5/28/2015

officer to provide notice that he or she is wearing a body camera and that is recording when the person being recorded has a reasonable expectation of privacy. The concern is, in the subsection of the previous page, this Bill mandates that an officer must turn off his or her camera at the request of a victim or crime witness. In cases where a victim is being recorded is in a place where he or she has reasonable expectation of privacy, who will notify the victim of his or her right to have those cameras turned off?"

Sims: "The officer under departmental policy will have the notice be given whether that is whatever the manner of there is something on the camera or if there is a light on the camera, but we've allowed the individual departments to determine that. But the officer will notify the victim of their right to not have... to not have the camera on. So then, when... if and when they come into the situation, when they engage them and as soon as practical thereafter turn the camera off."

Mitchell, C.: "Okay. And so to be..."

Sims: "If requested."

Mitchell, C.: "...so to be clear, they are... the officer is required to notify the victim or witness of this right?"

Sims: "The officer... the officer may... may recor... may... again, we've allowed the departments to determine that by policy, but the officer will... will then... will talk to each individual victim and or witness and the witness has to... has the ability to have the camera turned off and that has to be on the record."

Mitchell, C.: "Thank you, Representative. Couple more questions. The Bill provides that the recordings made with officer worn



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

57th Legislative Day

5/28/2015

cameras are subject to the Freedom of Information Act in specific circumstances. Is that correct?"

Sims: "Yes, it is."

Mitchell, C.: "Okay. Couple more. Do the guidelines in this Bill apply to covert cameras used by undercover officers?"

Sims: "No, they do not."

Mitchell, C.: "Okay. Do officers have to issue a stop receipt in every encounter with a member of the public?"

Sims: "No, they do not."

Mitchell, C.: "Okay."

Sims: "As we... as I mentioned previously, we've defined it as the stop receipt only applies to detentions. If an individual is searched, frisked, or arrested, that is the only time that the stop receipt must be issued."

Mitchell, C.: "Okay. Does this Bill allow the recording officer access or... to access or review the recordings made by body cameras?"

Sims: "Yes, it does. We follow best practices as established by the PERF report to allow for individuals to review the tape as they are then making their reports. That has been the best practice that've been... that's established and recommended by the Police Enforcement Review Committee."

Mitchell, C.: "Okay. And one final question for legislative intent. Are Conservation Police officers going to have to issue a receipt to each boat or snowmobile operator even though they are merely carrying out the basic tenets of enforcing these Acts for compliance?"

Sims: "As with the basic tenets of enforcing the Fish and Aquatic Life Code, the Wildlife Code, and the Herptile and Herps Act

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

57th Legislative Day

5/28/2015

where compliance checks are a routine and integral part of enforcing the Acts, it is the intent that receipts will not need to be issued for compliance inspections under the Boat and Snowmobile Registration and Safety Acts."

Mitchell, C.: "Thank you, Representative. Briefly to the Bill. I want to thank Chairman Sims for his extraordinary work on this measure. There were a lot of Bills that came in, as Representative Anthony noted, and he did an excellent job distilling it down to its core principle of what needed to get done. I want to thank him as well as Representatives Anthony and Cabello for the great work they've done. This is a very important Bill. We now will have independent review of police involved shootings, something that I deeply cared about. And that kind of closure, ensuring the communities know that law is not just to be imposed upon them but it's to be acted on for and with them will help us proactively avoid the kind of situations we've seen in Baltimore and in Ferguson. This is a great piece of legislation. I'm honored to have been a part of it. And I'd ask for your 'aye' vote."

Speaker Turner: "Chair recognizes Representative Kay."

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

Speaker Turner: "He indicates that he will."

Kay: "Thank you. Elgie, again, a fine piece of work. Echo the previous... or one of the previous speakers who said you're a fine guy. I think you're a great guy, did a more than a credible job on this piece of legislation. I just have one question. In our analysis it says that this particular Bill amends the Use Tax Act, the Service Use Tax Act, and the

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

57th Legislative Day

5/28/2015

Service Occupation Tax Act, and the Retailers Occupational Tax Act. Is that correct?"

Sims: "That's correct."

Kay: "And that money then will be used in some form or fashion for deposits to be made up to \$500 thousand to the State Crime Laboratory Fund?"

Sims: "That's correct."

Kay: "What's that money to be used for?"

Sims: "What we... what we have right now, Representative, is a backlog in our state's crime lab. Again, what we are trying to do is make sure that we are reducing the backlog in those... in the... at the crime lab and giving the... giving the crime lab the resources to do that. But what you also see in the Bill are reporting requirements where the crime lab has to report to us on the backlog for DNA cases, rape kits, and the like so that we know on an ongoing basis how they are doing and the progress they are making to reduce the backlog."

Kay: "Could moneys from this fund be used to build a crime lab?"

Sims: "No."

Kay: "Okay. Thank you."

Sims: "They are specific to reducing the backlog."

Kay: "Very good. And again, my compliments to you. Great piece of work and my... other Gentleman likewise who are sitting in front of me. But you spearheaded it. Thank you very much for what you've done."

Sims: "Thank you so much, Representative."

Kay: "Thank you, Speaker."

Speaker Turner: "Chair recognizes Representative Ives."

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

57th Legislative Day

5/28/2015

Ives: "Thank you, Mr. Speaker. To the Bill. When... before debate was cut off, I did have my speak button on because I thought it was important for people to understand that this is a Bill, and thank you for bringing this Bill, that is widely accepted around the state. And in fact, I e-mailed specifically my Chief of Police in Wheaton to find out his perspective on this and he said this was a priority for the DuPage Chief's Association this year and I am pleased to see the Legislature advance this Bill. The use of body cameras is good for law enforcement and good for the public. It provides another means of accountability and transparency. So thank you very much for putting this all together and the hard work that you've done. And I just want people to know that this is something that I think throughout the state we see as a good thing."

Speaker Turner: "Chair recognizes Representative Sandack."

Sandack: "Thank you, Mr. Speaker. To the Bill. I want to commend the Gentleman, the Sponsor of this Bill for two reasons now. I always thought he was a gentleman, I always knew he was a quality Legislator. It's been perfectly confirmed what a decent, kind, smart guy he is. It's a good Bill. We had a great discussion in committee yesterday. I wasn't going to speak to it because I figured I'd let my law enforcement friends on my side of the aisle do so, but I want to use my 20 seconds here to say thank you, Elgie, for being a gentleman, again. Vote 'yes'."

Speaker Turner: "Chair recognizes Representative Wallace."

Wallace: "Thank you, Mr. Speaker. I rise with one question. Will the Sponsor yield?"

Speaker Turner: "He indicates that he will."

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

57th Legislative Day

5/28/2015

Wallace: "My question is, can you share a little bit more about the independent investigation of officer-involved shootings?"

Sims: "Absolutely. So what we've put into the Bill, if there is an officer-involved shooting, there must be two outside... two outside investigators who come in, one of which will be the lead investigator. They must not be from the department where the officer-involved shooting occurred. One of the... one of the shooters... one of the investigators must be trained in homicide investi... homicide investigation by the Illinois Law Enforcement Training and Standards Board. We've also made sure that... what we really, as I mentioned earlier, what we are trying to do is bring transparency to the process because transparency brings confidence. And if you... if the... once the investigation is done, a report is then submitted to the state's attorney. Once the state's attorney gets the... gets the report, if they choose not to indict under the... after the... after reading the report, the report is then made public so that citizens get the opportunity to see the evidence that was brought to bear and they get to make the decision for themselves on why the... why the decision was not. But in keeping with that, if the... if individuals who are involved in the situation then in turn believe that the state's attorney made the wrong call, there is a process in this legislation where an individual can then seek the appointment of a special prosecutor. The special prosecutor will then in turn... the court will then make a determination based on an actual conflict that exists and the appointment of a special prosecutor can occur."

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

57th Legislative Day

5/28/2015

Wallace: "Thank you very much. To the Bill. I appreciate all of the hard work of the Members on both sides of the aisle. I represent a city that in the last several years has suffered the loss of several unarmed citizens due to officer-involved shootings. And so to the families of Mark Anthony Barmore, Demetrius Bennett, and Logan Bell, I am so happy to stand here as a Sponsor of this piece of legislation that while it may not comfort them and bring the results that they wanted to their individual situations, I hope that it will moving forward impact the decisions that our officers make, impact the relationship between Rockford Police Department and its citizens. And just a heartfelt thank you to every single person who worked on this piece of legislation on behalf of those families and the entire City of Rockford. Thank you."

Speaker Turner: "Chair recognizes Representative Unes."

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

Speaker Turner: "He indicates that he will."

Unes: "Thank you. Representative Sims, I also want to say thank you to you and to Representative Anthony and Representative Cabello for all your hard work on this. And I think it was... there were some discussions after the first vote took place, you had some discussions with some individuals and I'd just like to confirm those for the record. It's my understanding that you've committed to a trailer Bill with language that would take care of the Mid-West Truckers and the Farm Bureau's concerns. Is that correct?"

Sims: "Yes, Representative, as I mentioned previously, we've talked about bringing a trailer Bill together. They are working on getting language drafted right now and our staff

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

57th Legislative Day

5/28/2015

and your staff will eventually get copies of that language and we'll vet it and move forward from there."

Unes: "Thank you, Representative."

Sims: "You're welcome."

Speaker Turner: "Chair recognizes Representative Will Davis."

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

Speaker Turner: "The Sponsor will yield."

Davis, W.: "Representative, I will also join in the accolades offered to you and Members on the other side of the aisle for this type of work and creating this omnibus package. I'll get to my comments shortly, but let me just ask a couple of questions. So when you talk about body cameras, in our analysis it talks about the circumstances under which a body camera may be turned off. Is that correct?"

Sims: "Yes, it does."

Davis, W.: "Now, does that process kind of flow in two directions? And my example is this, it says one of the reasons where an officer may turn the body camera off includes say... it says officer is engaged in a community care taking function, like a town hall meeting. So if he's in that, if a situation arises where instead of being a community care situation maybe it turns into a situation, will the officer then be required to turn that camera on?"

Sims: "Yes, he will."

Davis, W.: "He will. Fantastic. It says... another situation, the officer is interacting with a victim or witness and the victim or witness requests that camera to be turned off. So does

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

57th Legislative Day

5/28/2015

that mean that in the beginning of that situation that the camera is automatically on?"

Sims: "That's correct. It... what we... what we have built into the protocols is that the cameras are al... the cameras are always on and when the... when an officer is engaging... engaging in public and engaging in his duties of his office, he is... he has the camera on and he is recording. What we were attempting to do is make sure that we did not chill the discussions that witnesses or victims want to have with the police, so then we made accommodations to allow them to turn those cameras off."

Davis, W.: "Okay. Another situation that says the officer is in a patrol car with an active in-car camera. So that implies that if he makes a stop, the car camera is on viewing or... or taping the stop in front of him, correct?"

Sims: "Well, the cameras... and the cameras are always on, Representative. They have to be activated. So, they only start recording once... for the in-dash cameras, the only time the camera starts to record is when the lights turn on."

Davis, W.: "Right."

Sims: "Same thing with the... with the body cameras."

Davis, W.: "Right."

Sims: "That's why in the language you'll see that there is... there is a requirement that the technology has a 30-second pre-event recording. So the camera will be on, then once you start recording it, it records the first 30... the 30 seconds prior to when the recording starts to occur."

Davis, W.: "Okay. So, again, officer stops the camera... so you're saying both cameras turn on. Because my concern is that if it speaks to a situation where the camera may be off and it says



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

57th Legislative Day

5/28/2015

here that that involves a officers in a patrol car, when that officer gets out of the patrol car to approach the vehicle in front of them does that mean that now the body camera is on?"

Sims: "Yes. Again, the camera's always on."

Davis, W.: "It's always on?"

Sims: "But the... again, when you... as you're in a patrol car, when you activate the lights, then the lights... the camera starts to record, but it already records... has a pre-event recording function. The same thing happens with the body camera. The body camera is on. When you start to record, it records 30 seconds up to before you started recording."

Davis, W.: "Okay. It says retention of records. Recordings must retain for 90 days and then destroyed thereafter. So within, does that 90-day period clock stop if there is now a civil action or something against an officer where that viewing or that video may be called into evidence beyond the 90 days?"

Sims: "What you... what you'll see in the later provision is that if there is a... if the video is flagged, i.e., there is a civil or criminal action, there is... there is a complaint lodged, there's a discharge of a firearm, or other items, then that ca... then that camera's video... that video is then kept for at least... at a minimum time until at least the disposition of the case. So if the court makes a determination that the case is over, then the video may be... may be destroyed or the... or the tolling of two years."

Davis, W.: "Okay. So... and then with the next provision under disclosure of records, that they may not be disclosed under the Freedom of Information Act unless the recording relates to a complaint. So my question there is how does this work in

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

57th Legislative Day

5/28/2015

suburban communities? Because I represent suburban communities and I get calls from constituents often that have difficult interactions with local law enforcement and they're looking for a standards board like that's set up in the City of Chicago to file a complaint with. And all I can do is refer them back to the local police department, maybe to the State's Attorneys Office. So when we talk about a complaint, does this in any way make the complaint process a little bit more accessible and easy for residents, particularly those in suburban communities?"

Sims: "Well, again, Representative, what you're going to ha... what... and when your constituents who might want to make the complaint would have now is objective evidence of the interaction between them and the police. And they will... they will then have that... have that lan... have that for you and if there is an allegation of the use of force or a discharge of a weapon or arrest, that's all... that's going to be flagged. So, they'll have access to that video and it's... again, this is... this is not only to the body camera, the videos produced by the body cameras are not only to produce objective evidence of the interaction, they're for evidence gathering purposes."

Davis, W.: "Okay. Moving on. Training. So you talk about in-service training requirements, basic training. Can we make the assumption that in any of the training that officers have to go through does it involve sensitivity training, cultural sensitivity training, diversity training, cultural competency, any of that? Because unfortunately, what we've seen in situations that one of the previous speakers talked about in Baltimore and some of the other cities, it's

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

57th Legislative Day

5/28/2015

unfortunately been someone of color that's been killed by a white officer. So, well, in training, is it dealt... any of that dealt with in training in terms of cultural competency of sensitivity training, cultural sensitivity?"

Sims: "Representative, we went to great lengths to make sure that the training modules that have been... that have been added to... to this Bill are extensive. First, there... currently, there is no requirement that there is ongoing in-service training for law enforcement. What we have added to this Bill is an annual law... in-service training requirement. We've also added a three-year mandatory in-service training requirement. But the subject matter that you mentioned, those are all outlined in the Bill as well. There is cultural competency in the Bill. There is the use of force and control... use and control tactics. There is procedural justice outlined in the Bill. There is addiction... the detection of addiction... a person who is addicted to drugs or alcohol, being able to identify the traits of somebody who has been sexually assaulted. All those training requirements are built into this legislation. And again, that is... it is very comprehensive, some of which has been recommended by the President's Task Force on 21st Century Policing, and we've gone to great lengths to make sure that we have provided our very fine officers with additional training opportunities to make them better."

Davis, W.: "Okay. Moving on. Stop and frisk data collection. Does that data collection apply to colleges and universities in the State of Illinois?"

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

57th Legislative Day

5/28/2015

Sims: "No. Representative, they are also required to participate in this study, just as they would under the traffic stop study."

Davis, W.: "So was that a yes? I'm sorry."

Sims: "That's a yes."

Davis, W.: "Okay. And I think that's very important because I think in situations on college campuses we see, unfortunately, disproportionality in terms of young people who are in college being stopped by police officers that are either from that particular community where the college is located as well as university police. So making sure that they are a part of this conversation is important as well. And you say that they are a part..."

Sims: "They are."

Davis, W.: "...of that data collection?"

Sims: "That's correct."

Davis, W.: "Thank you very much. Very briefly, to the Bill. So, just for the record, I didn't vote for the reconsideration because I thought we were beyond that, whether or not individuals had or things that they wanted to say or not say, I thought we were past it. Clearly there were things I wanted to say and I would have just had a conversation with the Bill Sponsor. But since given the opportunity of course I took the opportunity to say the things that I needed to say. So I just wanted to make that very clear. But let me just say, Ladies and Gentlemen, I don't think that this is over. I hope that because we've passed what appears to be a very comprehensive piece of legislation that issues that are involving law enforcement that this solves them all. I don't think that it

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

57th Legislative Day

5/28/2015

will. I think there will be a need to come back and address other issues as it relates to law enforcement in the future. So to the extent in which those of you in the chamber, particularly those of you are law enforcement, will understand that omnibus doesn't mean it's fixed. May mean we've gotten to a certain place and that's great, and hopefully we'll have the ability, if there's a need, to come back and advance additional legislation to further address the interactions of our residents and law enforcement in the future. Thank you."

Speaker Turner: "Chair recognizes Representative Arroyo."

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

Speaker Turner: "He indicates that he will."

Arroyo: "I, also, want to stand in support of all the people that worked on this Bill, especially the Gentlemen and women on the other side. I hope that this is the beginning so we can start working on the budget Bill when it comes back. But you know what, there is time that we can work together and we want to continue to do this. I want to thank the Sponsor of the Bill. I think that this Bill is very important now that people are out there getting shot when they're not supposed to be getting shot innocently. Now, when we have these cameras, these cameras could be able to deter if it was a decent shooting, or a right shooting, or illegal shooting, or whatever the shooting was like. It happens a lot in minority communities when people get shot innocently. There was a friend, a family friend, Martin Brown, that was shot innocently that he shouldn't have been shot. If the police officer would have had this camera, the individual probably

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

57th Legislative Day

5/28/2015

wouldn't have gotten shot because he didn't deserve to be shot. But one thing I wanted to ask you, Elgie, Representative, is this subject to appropriations or how do we plan on paying for these cameras?"

Sims: "Representative, the grant program would be subject to appropriation, as would the funds going to the crime lab."

Arroyo: "So the grant program is subject to appropriations? Do you have a number on the appropriation?"

Sims: "I don't know that we made a... there was an appropriation request made, Representative. There are... currently, there is approximately \$1.8 million in the Law Enforcement Camera Grant Fund, \$1 million of which was scheduled to be swept under the FY15 fix. So there is sufficient money to get the grant program started for law enforcement if they wish to purchase body cameras today."

Arroyo: "Well, Representative, I would like to continue to work with you on the other side as the Chairman of Appropriation-Public Safety and be able to take out an appropriation line for these cameras to be able to pay for these cameras the same way we do a subject line for jobs, for any other program, for any program downstate, City of Chicago. I think that we should continue to work with this and work with the other side to put maybe \$5 million... a line subject to appropriation... or appropriation line of \$5 million to get these cameras. These cameras are going to be very important and the next thing you're going to hear is we can't afford the cameras, we can't afford to put them in our police... police department. I would like to have the state troopers have these cameras. I would like to have every single police officer in the State

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

57th Legislative Day

5/28/2015

of Illinois to have these cameras. And I will ask the people... the Legislators on the other side to continue working with us to get the money for these cameras. Thank you. I ask for an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Cabello."

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

Speaker Turner: "He indicates that he will."

Cabello: "Chairman Sims, are there protections, so if somebody makes a false accusation against law enforcement that there are some safeguards?"

Sims: "That's in current law. If you make a false statement against a police officer, that can be charged as a criminal offense."

Cabello: "And do you believe that most, if not all, of law enforcement's concerns have been addressed in this Bill?"

Sims: "I think that, again, this is a piece of legislation. And as I've said in committee yesterday and I think I said on the floor earlier, the hallmark of good legislation is when nobody's happy, nobody got exactly what they wanted, but everybody's issues were addressed. And I think we did that."

Cabello: "Thank you. Ladies and Gentlemen, to the Bill. First, I wish to thank the Republican staff, namely Ashley Wright and James Sherwood. I would also like to thank the Democratic staff. There's several folks that worked tirelessly for this, especially Ashley Hill over on your side, not to single her out, but there's a lot of people that were involved in this. Ladies and Gentlemen, this is a monumental Bill. Not everybody likes it and that's a good part of negotiation. Senator Raoul, congratulations and I look forward to seeing you pass this in

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

57th Legislative Day

5/28/2015

the Senate. But today we are standing on the... on the shoulders of some monumental men and women who really believe that this needs to happen. I agree with the Representative who said this does not fix all of our problems. And I will work with you to make sure that we keep on that road. It was just a few short weeks back when we were not celebrating, but observing Memorial Day for our fallen law enforcement officers when I said that law enforcement is not perfect and that I give you my word that we are willing to get better. This is the first step; it is not the end. As long as we work like we did together, this is what we can do. And maybe, for just that moment today, we see if we do work together what we can get done. When we do work together we can accomplish things that no other General Assembly has accomplished before. Back then, I said there are excellent men and women in this General Assembly on both sides of the aisle, and today it's been confirmed. Ladies and Gentlemen, I respectfully ask for an 'aye' vote. Representative Sims, congratulations."

Speaker Turner: "Representative Sims to close."

Sims: "Mr. Speaker, I can certainly stand here as the Sponsor of this Bill and say we've done a good job. But I cannot say enough that we still have work to do. And I cannot take credit for all of the good ideas included in this piece of legislation. So I'd like to thank a few people for their good ideas. But before I do that, I'd like to read from Article 10... page 9, Article 10, Section 10.5 of the Bill. And it says the General Assembly recognizes that trust and mutual respect between law enforcement agencies and the communities they protect and serve are essential to effective policing and the



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

57th Legislative Day

5/28/2015

integrity of our criminal justice system. That is why we're here today; that is what we're doing today. But again, let me thank a few folks who had some wonderful ideas throughout this Session and have worked very hard. Senator Kwame Raoul who is in the chamber who helped spearhead the discussions, and his staff, Ashley Jenkins, and of course Representative Cabello, Kalyn Hill, I think we mixed... we got Kalyn and Ashley combined, I got it. But to James and Ashley on your side, thank you so much. Law enforcement community, Representatives Gordon-Booth, Representative Mitchell, Representative Flowers, Representative Davis, Representative Welch, Representative Reaves-Harris, Representative Wallace, Representative Cabello, Representative Anthony. We had some wonderful, wonderful people come help us with some outstanding ideas to make sure that this... that we can make it to this moment. And again, let me remind this chamber, this is not a mandate. We are not mandating that departments buy these cameras. However, Illinois can take great pride in the fact that we are the first state in the nation that has... that is poised to pass a state... pass statewide protocols for the implementation of body cameras and unprecedented reforms in our police... policing... our policing system. Ladies and Gentlemen, thank you for your support. I appreciate all the accolades. Again, I did not earn them alone. My colleagues on the other side, Representative Anthony, Representative Cabello, oftentimes we disagreed, but we were not disagreeable and we were able to work together to get to this place. So I thank each and every one of you for your hard

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

57th Legislative Day

5/28/2015

work, the hours of dedication and dedicated effort that you gave to this piece of legislation. I ask for an 'aye' vote."  
Speaker Turner: "The question is, 'Shall Senate Bill 1304 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kay. Mr. Clerk, please take the record. On a count of 107 voting 'yes', 3 voting 'no', 4 voting 'present', Senate Bill 1304, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 532, offered by Representative Beiser. House Resolution 533, offered by Representative McSweeney. House Resolution 534, offered by Representative Kifowit. House Resolution 535, offered by Representative Feigenholtz. House Resolution 537, offered by Speaker Madigan. House Resolution 538, offered by Representative Mautino. House Resolution 539, offered by Representative Beiser."

Speaker Turner: "Leader Currie moves that the House adopt the Agreed Resolutions. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Representative Zalewski, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Sir."

Zalewski: "Speaker, it's been a long day, a long, hard day. The White Sox Caucus is meeting over at Brown's right now. Excuse me. Excuse me. Let's keep the... let's keep the tensions under control. The White Sox Caucus is meeting over at Brown's right

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

57th Legislative Day

5/28/2015

now. They're losing 4 to 3; we need all the help we can get. Head over to Brown's and go, White Sox."

Speaker Turner: "Pull it together, Sox. Mr. Clerk, committee announcements."

Clerk Hollman: "The following committees will be meeting immediately after Session. Appropriations-General Services is meeting in D-1. Appropriations-Higher Education is meeting in C-1. Human Services is meeting in Room 413. Judiciary-Civil is meeting in Room 122. Labor & Commerce is meeting in Room 114. After that... after those committees, the Appropriations-Human Services will be meeting in C-1. Appropriations-Public Safety will be meeting in Room 114."

Speaker Turner: "You've all heard the committee assignments. Please try to get there as quick as possible. And now, allowing perfunctory time for the Clerk, Leader Currie moves that the House adjourn until Friday, May 29 at the hour of 10 a.m. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House is adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 4225, offered by Representative Batinick, a Bill for an Act concerning State government. First Reading of this House Bill. Committee Reports. Representative Dunkin, Chairperson from the Committee on Appropriations-Higher Education reports the following committee action taken on May 28, 2015: do pass Standard Debate is Senate Bill 2029, Senate Bill 2030. Representative Arroyo, Chairperson from the Committee on Appropriations-Public Safety reports the following committee

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

57th Legislative Day

5/28/2015

action taken on May 28, 2015: do pass Standard Debate is Senate Bill 2031, Senate Bill 2032, Senate Bill 2033. Representative Crespo, Chairperson from the Committee on Appropriations-General Services reports the following committee action taken on May 28, 2015: do pass Standard Debate is Senate Bill 2034, Senate Bill 2035. Representative Greg Harris, Chairperson from the Committee on Appropriations-Human Services reports the following committee action taken on May 28, 2015: do pass Standard Debate is Senate Bill 2036, Senate Bill 2037. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on May 28, 2015: recommends be adopted is Senate Joint Resolution 27. Representative Nekritz, Chairperson from the Committee on Judiciary-Civil reports the following committee action taken on May 28, 2015: recommends be adopted is Floor Amendment #2 to Senate Bill 1102. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on May 28, 2015: recommends be adopted is Floor Amendment #2 to Senate Bill 1229. Second Reading of Senate Bills. Senate Bill 2029, a Bill for an Act concerning appropriations. Senate Bill 2030, a Bill for an Act concerning appropriations. Senate Bill 2031, a Bill for an Act concerning appropriations. Senate Bill 2032, a Bill for an Act concerning appropriations. Senate Bill 2033, a Bill for an Act concerning appropriations. Senate Bill 2034, a Bill for an Act concerning appropriations. Senate Bill 2035, a Bill for an Act concerning appropriations. Senate Bill 2036, a Bill for an Act concerning appropriations. Senate

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

57th Legislative Day

5/28/2015

Bill 2037, a Bill for an Act concerning appropriations. These Bills will be held on the Order of Second Reading. Introduction of Resolutions. Senate Joint Resolution 11, offered by Representative Andersson is referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."