

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

136th Legislative Day

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Speaker Lang: "The House will be in order. We shall be led in prayer today by Reverend Caleb McGregor who's with Middlefork United Methodist Church in Potomac. Reverend McGregor is the guest of Representative Bennett. Members and guests are asked to refrain from starting their laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Reverend McGregor."

Reverend McGregor: "Mr. Speaker, Members of the General Assembly and our honored guests, may the peace of Christ be with you. Let us pray. Wonderful and mysterious God, You alone created the heavens and the earth, all that we see and all that we still have yet to see. You alone are the sovereign One above all our earthly authorities. Under You, our knees will bend in humility and our tongues will confess the truth of the good news of Jesus Christ. Our health, our peace, our hope, our joy comes from You alone, Oh perfect One. So, humble us today, Almighty, remind us that we live but a fleeting moment in Your eyes that we are, in fact, a fallen people, a broken people, but we are surely undeserving of the great and beautiful things You have done for us, You are doing through us and You have promised to do within us. Through Your grace we have been given a transformative faith through no work of our own. So, on this day, God, of unbroken covenant, help us to recognize that faith and that high calling, to be marinated in the presence of power of the Holy Spirit for we have been given much. The trust and hope of the people of the great State of Illinois and for that much of You expect from us. Therefore, may we exercise this trusted hope with humility knowing we will mess it up, knowing we will let people down.

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Just remind us of that terrible price and overwhelming weight placed on our shoulders. So, for the sake of the gospel, and the kingdom of God and earth, let us now seek Ye first for the sake of the people of Illinois who are not numbers or statistics but people with names, faces and stories to tell. Let us now tear down our blinding arrogance and return to You. For the sake of the poor, the marginalized, the demoralized, the voiceless, the refugee, the immigrant, the abused, the exploited, the young, the elderly, the oppressed, the queer and the transgendered let us give that cup of water that extra coat that piece of bread enfaced in Your Holy name. And as humble elected officials, let us not leave our earthly homes allowing the world to remain unconvinced of Your presence and of Your unending acts of love. So, when Your mysterious ways, work through this General Assembly and make us be a true and faithful city on a hill, a beacon of hope in the dark. Therefore, aspire our inking, transform us in our debating and surround us in our voting so that in everything we think, say and do today, it is according to our will not to be done with pride or vanity but with the heart that wants to be one with our Lord and Savior and to be done with the righteous anger and the holy dissatisfaction borne of our concern for the lowest and helpless in our society. May we accomplish what need to be accomplished and may we leave this place today a new people bound together in a sacred covenant where we share together our deepest compassions for this state: its finances, its economy, its land and its people and to use our blessings and privilege in ways worthy of Disciples of Christ. To the lowest servants for the lowest of servants

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to know that all people have sacred worth and that black lives truly do matter. May our hearts now, through those famous words of John Wesley, may we do all the good we can, by all the means we can, know the ways we can, and all the places we can, and all the times we can, to all the people we can, as long as ever we can. So, pour out Your Holy Spirit on us gathered here today and aid us to uphold this high calling by doing no harm and staying in love with God. And until our hearts bear witness to the Holy Spirit that we are indeed children of God, bind us together now with cords that cannot be broken. This is our vow and our prayer to You may it be true this day. In this we pray, in Your Son Jesus Christ's name, Amen."

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

Costello - 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 that there are no excused Democrats on the list today."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please excuse Representative Keith Sommer for the duration of the day. Thank you."

Speaker Lang: "Thank you, Sir. Mr. Clerk, please take the record. We have 117 Members answering the roll, we do have a quorum. Mr. Clerk."

Clerk Bolin: "First Reading of Senate Bills. Senate Bill 2932, offered by Representative Currie, a Bill for an Act concerning

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State Government. First Reading of this Senate Bill. Committee Reports. Representative Sims, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on May 25, 2016: do pass Short Debate for Senate Bill 2443, Senate Bill 2875; recommends be adopted Floor Amendment #1 to House Bill 1127, Floor Amendment #1 to House Bill 1128, and Floor Amendment #1 to House Bill 1129. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on May 24, 2016: do pass Short Debate for Senate Bill 2321, Senate Bill 2906, and Senate Bill 3080; do pass as amended Short Debate for Senate Bill 420; and recommends be adopted Floor Amendment #3 to House Bill 2743. Representative Nekritz, Chairperson from the Committee on Judiciary - Civil Law reports the following committee action taken on May 24, 2016: do pass Short Debate for Senate Bill 2842, Senate Bill 2861, and Senate Bill 3162; recommends be adop... be adopted a Motion to Concur with Senate Amendment #1 to House Bill 4447. Representative Crespo, Chairperson from the Committee on Elementary & Secondary Education: School Curriculum & Policies reports the following committee action taken on May 24, 2016: do pass as amended Short Debate for Senate Bill 2186; and recommends be adopted Floor Amendment #1 to Senate Bill 565. Representative Zalewski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on May 24, 2016: do pass Short Debate for Senate Bill 3336. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on May 24, 2016:

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do pass Short Debate for Senate Bill 467; do pass as amended Short Debate for Senate Bill 1582; and recommends be adopted House Resolution 1204 to... and Floor Amendment #2 to Senate Bill 805. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on May 25, 2016: do pass Short Debate for Senate Bill 2613; do pass as amended Short Debate for Senate Bill 440. Representative Dan Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 25, 2016: do pass Short Debate for Senate Bill 1059; do pass as amended Short Debate for Senate Bill 186, Senate Bill 318, Senate Bill 580, Senate Bill 1529, Senate Bill 2357, Senate Bill 2469, Senate Bill 2504, Senate Bill 2571, Senate Bill 2813, Senate Bill 2814, Senate Bill 2882, Senate Bill 2901, Senate Bill 2921, Senate Bill 3058. Representative Chapa LaVia, Chairperson from the Committee on Veterans' Affairs reports the following committee action taken on May 25, 2016: recommends be adopted Motion to Concur with Senate Amendment #2 to House Bill 3748 and House Resolution 1222. Introduction of Resolutions. House Resolution 1283, offered by Representative Meier. This Resolution is referred to the Rules Committee."

Speaker Lang: "Would the Members and our guests in the gallery please stand for the presentation of colors by the 114th Regiment Illinois Volunteer Infantry (Reactivated). Presentation of Colors. Mr. Clerk, please read House Resolution 1271."

Clerk Bolin: "House Resolution 1271."

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WHEREAS, In accordance with the established tradition of the Illinois House of Representatives, it is fitting that, for Memorial Day, we honor our brothers and sisters who have given their lives in service to our country as the guardians of our long-held freedoms; and

WHEREAS, No better words have been written to honor those brave souls who were sacrificed long ago or pay tribute to the those brave men and women of today who have continued that fight for freedom than the Gettysburg Address; let us now recite those words so humbly said by our 16th President, Abraham Lincoln: "Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But, in the larger sense, we cannot dedicate - we cannot consecrate - we cannot hallow - this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us - that from

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those honored dead we take increased devotion to that cause for which they gave the last full measure of devotion - that we here highly resolve that these dead shall not have died in vain - that this nation, under God, shall have a new birth of freedom - and that government of the people, by the people, for the people, shall not perish from the earth."; and

WHEREAS, Those words from long ago still speak to those brave men and women of today who we now honor; it is all together fitting and appropriate that we, with heavy hearts, again accept the honor of reading the Roll Call of those American soldiers, sailors, airmen, and marines from the State of Illinois who have made the ultimate sacrifice in the preceding year since the previous tribute; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that a copy of this resolution and a copy of the ceremonial honor roll and program of the May 25, 2016 reading of names be presented to the families of these fallen heroes."

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

(Specialist 4 Jim Paul Places Wreath.)

Speaker Lang: "Roll Call of Fallen Soldiers. Mr. Breen."

Breen: "Petty Officer 3rd Class Ryan Burriss, United States Navy, died May 21, 2015, Lisle."

Speaker Lang: "Mr. Butler."

Butler: "Staff Sergeant Roger Daniel Gross, United States Marines, died November 13, 2015, Riverton."

Speaker Lang: "Representative Wheeler."

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Wheeler, B.: "Chief Warrant Officer 2 Keven Mose Weiss, United States Army, died December 2, 2015, McHenry."

Speaker Lang: "Mr. Reis."

Reis: "Sergeant Kenneth Leroy Cunningham, United States Army, missing in action October 3, 1969, remains identified fall of 2015, laid to rest January 21, 2016, in Albion, Illinois."

Speaker Lang: "Representative Jimenez."

Wojcicki-Jimenez: "Sergeant Paul James Oltman, United States Marines, died February 3, 2016, Pleasant Plains."

(Playing of *Taps* by Eric Penrod.)

(Playing of *Amazing Grace* by Corporal Joe Smithers, United States Marine Corps (2001-2005), Operation Iraqi Freedom.)

(Retiring of Colors by 114th Illinois Volunteer Infantry (Reactivated).)

Speaker Lang: "Members, you may be seated. Members, we're convening on page 7 of the Calendar, Senate Bills-Second Reading. The first Bill is Senate Bill 384, Mr. Sims. Mr. Sims. Please read the Bill."

Clerk Bolin: "Senate Bill 384, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 565, Representative Lilly. Representative Lilly. Out of the record. Representative Lilly has appeared. Please read Senate Bill 565. Thank you, whoever yelled to me?"

Speaker Lang: "Senate Bill 565, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Lilly."



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Speaker Lang: "Representative Lilly on the Amendment."

Lilly: "Thank you, Mr. Speaker. Ladies and Gentlemen of the General Assembly, I am rising to state the Amendment. We basically added the definition of 'two screenings' to the legislation: developmental screening and social and emotional screening. We also removed the report card withholding provision. We also stated that this is not a mandate; it's a 'may'. And we added that the Department of Public Health would develop the rules and the proper revisions to the children's health examination forms. If there's no questions."

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

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

Speaker Lang: "Sponsor will yield."

Demmer: "Representative, with the adoption of Floor Amendment #1, does that remove all opposition?"

Lilly: "Yes, it does."

Demmer: "Okay. Thank you for your work."

Lilly: "Thank you."

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 2216, Mr. Hoffman. Mr. Hoffman. Out of the record. Senate Bill 2306, Representative Gabel. Please read the Bill."

Clerk Bolin: "Senate Bill 2306, a Bill for an Act concerning public aid. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments #1 and #2 have

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been approved for consideration. Floor Amendment #1 is offered by Representative Gabel."

Speaker Lang: "Representative Gabel."

Gabel: "I would just like to do a Floor Amendment #2."

Speaker Lang: "Do you withdraw Amendment #1?"

Gabel: "I withdraw Amendment #1. Thank you."

Speaker Lang: "Mr. Clerk, Amendment #1 is withdrawn by the Sponsor. Mr. Clerk."

Clerk Bolin: "Floor Amendment #2 is offered by Representative Gabel."

Speaker Lang: "Representative Gabel on Amendment #2."

Gabel: "Thank you. Floor Amendment is... just says that other MCOs can participate in the... informed by the department about the way that they are... the way that enrollees are distributed in the process."

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 2370, Leader Currie. Out of the record. Senate Bill 2677, Mr. Tryon. Please read the Bill."

Clerk Bolin: "Senate Bill 2677, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2872, Mr. Sims. Mr. Sims. Please read the Bill."

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Clerk Bolin: "Senate Bill 2872, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 3071, Mr. Zalewski. Returning to Mr. Sims, who's waving at the Chair? Leave it on Third. All right. Thank you. 3071, out of the record, Mr. Clerk. Senate Bill 3079, Mr. Sims. Please read the Bill."

Clerk Bolin: "Senate Bill 3079, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Continuing on the order of Sims, Senate Bill 3106, Mr. Sims. Please read the Bill."

Clerk Bolin: "Senate Bill 3106, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Clerk, House Resolution 1103. This has already been adopted. The Chair recognizes Mr. Davidsmeyer. No, excuse me. The Clerk will read a portion of the Resolution."

Clerk Bolin: "House Resolution 1103, offered by Representative Davidsmeyer."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Calhoun High School girls basketball team, the Lady Warriors, on winning the 2016 Class 1A State Championship."

Speaker Lang: "Mr. Davidsmeyer."

Davidsmeyer: "Thank you, Mr. Speaker, Members of the General Assembly. We are honored today to have the Class 1A State

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Championship Calhoun High School girls basketball team right up here behind me in the gallery, if we can give them a nice warm welcome. I actually had the... the opportunity to be in Harden, Illinois, that night for a Farm Bureau meeting when they came home. And I was actually amazed and impressed by... by this group of girls, their... their coaches and everybody that was there that night. Talk about a lot of great personality. I know I saw some... some dancing, some speeches. I think there were some... some girls that were a little bit more shy than others, but everybody got up and said their spiel. I think everybody in Harden and in Calhoun County was excited for them that night. And I was... I was honored to be there. Let me just read off the group of names. Some of these girls were here earlier this year to... to receive the honor from 2015 of the 2015 girls softball champions. Others, this is new to them. So, let me read off this name... these names: Emma Baalman, Grace Baalman, Emily Baalman, Emily McBride, Sophie Lorton, Rose Wilschetz, Jordan Holand, Madison Lehr, Junie Zirkelbach, Rayna Zirkelbach, Alexis Klockes, Kassidy Klocke, Luke Long, who's their manager, Aaron Baalman, who is their coach. They went through the year... Mr. Speaker. I don't know that anybody's... There we go. Thank you very much. They went through the entire year with a 32 and 2 record. That is huge. This... these girls are powerhouses in basketball and softball. They're very athletic. And... and let me just say that the state is in good hands with future leaders like these young ladies. So, I want to welcome them to Springfield and say congratulations for all your hard work and we look to... look forward to seeing you back next year. Thank you."

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Speaker Lang: "Congratulations. And thank you for being with us today. Let's return to Senate Bill 2370, Leader Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 2370, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 25, 2016: recommends be adopted Floor Amendment #1 to Senate Bill 2797 and Floor Amendment #2 to Senate Bill 3162; approved for consideration, referred to Second Reading is House Bill 829; and recommends be adopted a Motion to Concur with Senate Amendment #1 to House Bill 4966."

Speaker Lang: "Page 13 of the Calendar, Order of Resolutions, House Joint Resolution 122, Representative Fine. Please proceed, Representative."

Fine: "Thank you, Mr. Speaker and Members of the General Assembly. House Joint Resolution 122 designates November 2016 as Bladder Health Month. In 2015, more than 74 thousand Americans were diagnosed with bladder cancer, more than 25 million people in U.S. suffer from loss of bladder control. Seventy-five percent are women who wait an average of six and a half years after starting to have problems before seeing a health care provider. The purpose of this awareness month is aimed at socially engaging people to talk about their concerns and get more people to talk about bladder health."

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Speaker Lang: "Those in favor of the Resolution will say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Joint Resolution 126, Representative Kifowit. Please proceed, Representative."

Kifowit: "Thank you, Mr. Speaker. House Joint Resolution 126, acknowledging the World War II, the WASP pilots and their devotion to the United States and their service. And it just recognizes that they, too, should be considered veterans and be buried in Arlington National Cemetery."

Speaker Lang: "Those in favor of the Resolution shall say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Joint Resolution 144, Representative Chapa LaVia. Representative Chapa LaVia. Out of the record. Excuse me. Mr. Clerk, House Joint Resolution 144, Representative Chapa LaVia. Please proceed, Representative."

Chapa LaVia: "Thank you, Speaker. You look phenomenal up there. The reason why I was doing this sitting down is my analysis hasn't popped up for some reason. So, I don't know what's going on here. So, one second while I get the hard copy. The... there has been a very instrumental man across this state that was in charge of the letter carriers local in our area and then became state President. His name... his name is Ken Christy. And what the Resolution does is it urges the name... renaming of a post office in Aurora to honor this man who gave his life to civil causes, whether it was hunger, whether it was helping a fellow carrier help with dollars for a fallen soldier, what have you. So, this is what it does, just urges our Congressional Members and the President and the Vice

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President of the United States to help with that endeavor.  
And I'll take any questions."

Speaker Lang: "Those in favor of the ra... Lady's Resolution will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Conroy, Davis. Please take the record. There are 116 voting 'yes', 0 voting 'no'. And the Resolution is adopted. House Joint Resolution 145, Mr. Jones. Please proceed, Sir."

Jones: "Thank you, Mr. Speaker, Members of the General Assembly. House... House Joint Resolution 145 seeks to rename a portion of Bishop Ford Freeway from 130th to State Street to the Hazel Johnson E Way... EJ Way. Environmental Justice Hazel was a longtime resident of Altgeld Gardens. She fought for environmental justice issues in Altgeld Gardens. And would ask that this Resolution be adopted."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Please record yourselves, Members. Cavaletto, Reis. Please take the record. There are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. House Joint Resolution 147, Mr. Butler. Please proceed, Sir."

Butler: "Thank you, Mr. Speaker. House Joint Resolution 147 would honor a Springfield police officer, David Tapscott, who was killed in the line of duty on... in 1979. This would name a portion of north Ninth Street in Springfield the Officer David Tapscott Memorial Street. He was responding to a disturbance call on Christmas Eve, December 24, 1979, on a wet and rainy evening, lost control of the van he was driving and crashed into the center pier on the north Ninth Street railroad

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overpass. Officer Tapscott was rushed to the hospital and was... survived for a couple days but died on December 26, 1979. So, this street would rename... this would rename north Ninth Street in his honor. I thank Alderman John Fulgenzi for bringing this to my attention. I would urge its adoption."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. There are 116 voting 'yes', 0 voting 'no'. And the Resolution is adopted. The Chair recognizes Mr. Phelps. For what reason do you rise, Sir?"

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

Speaker Lang: "Proceed, Sir."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Guys and gals, do I have a crew for you today. They've had five Mountain Dews apiece. They're eager to work. They're my Pages for the day: Seiger Dunston, Eamon Mahoney, and Alio Giacomini. Help me welcome them to Springfield."

Speaker Lang: "Welcome, guys. Thanks for being here with us today. Mr. Kay is recognized."

Kay: "A point of personal privilege, Mr. Speaker."

Speaker Lang: "Go right ahead, Sir."

Kay: "I have two Pages here today from Edwardsville, Illinois. They're the handsomest young guys you've ever seen. In fact, they're coming up here just to show you how handsome they are. They attend the St. Mary's Middle School in Edwardsville. And their names are Chris and Hayden Apotheker. And I will tell you, Mr. Speaker, Representative Harris, David Harris, was most impressed today because when I was telling these



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gentlemen that he was a colonel... I'm sorry, a general... he got a salute. He got a salute. So, I... I hope we welcome them today with a Springfield welcome."

Speaker Lang: "Welcome, young men. Thanks for being here with us. Representative Bourne is recognized."

Bourne: "Thank you, Mr. Speaker. I have in the gallery Alexis Strieker who will be interning in the district this summer. We're really excited to have her. And we're excited to give... start off the internship by seeing what we do up here in Springfield. So, let's give her a warm welcome."

Speaker Lang: "Welcome. Thanks for joining us. Mr. Phillips is recognized."

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

Speaker Lang: "Proceed, Sir."

Phillips: "Yes. I am very privileged also to have two Pages. They're down in front. Please, if they would stand up. Chase Clough and... and Brooke Rupel, please, stand up. And they're from my district. This is a very good day for me. Chase Clough is nine years old, and I have some good news and bad news. I asked him this morning if he would... if he's here to see what it's like to be a State Representative so someday he can follow in my steps again or follow in his dad's footsteps to be a police officer. And I am sad to say, Mr. Speaker, he doesn't want to be a State Representative. He wants to be a police officer. So, we lost out again."

Speaker Lang: "It happens, Sir."

Phillips: "Yeah, it is."

Speaker Lang: "Welcome."

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Phillips: "So..."

Speaker Lang: "Thanks for being with us."

Phillips: "Also, I'd like to introduce Brooke Rupel. Her mother's here. And I want to introduce Chase's family upfront too. If they would all stand up in the gallery, please, up there. John Paul, first, his father. He's a deputy sheriff in the City of... the county of Coles County. He has been for like... see... how many years he been deputy? Twenty-some years as a deputy and also, he is a veteran of the United States Navy and... or Marines. I'm sorry. I don't want to get you mixed up; you're a Marine. Yeah, I see that now. Also, he's our Coles County Republican Chairman too. He just recently got elected. And it's... thank you very much for that service. Also, with him is his stepdad, which I'd like to introduce, Michael Bonner, pronounced Boner, from Charleston. He's a retired Senior Chief, 22 years in the United States Navy, Iraqi War veteran. Thank you for being here, too, Sir. And his mom, Meredith Bonner, a Charleston surgical scheduler at our Sarah Bush Lincoln Health Center in Mattoon. And his grandfather's here, Dr. Ronald Goldson, retired professor at EIU and a family friend Dr. Carol Helgood, also a retired professor from EIU. Thank you for being here from EIU. Then I'd like to represent or talk to... introduce Brooke Rupel's mother, Paula. She's standing up in the front in the gallery also. And the... and she just graduated from eighth grade and she's getting ready to go on to Neoga High School. And she loves singing. She's very active in sports from Neoga. So, thank you very much and appreciate you welcome them here to Springfield. Thank you."

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Speaker Lang: "Welcome aboard. Thank you. Mr. Brown is recognized."

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

Speaker Lang: "Proceed, Sir."

Brown: "Thank you. I'd like to introduce on the Republican side of the aisle joining Nicolas Bellini from our staff and his wife, Shannon Bellini, that many of us know throughout this chamber. And Seiger's little sister, we'd like to introduce to you today, Gianna Bellini. She's 60 days old and she's joining us here in the House chamber. Let's give them a round of applause."

Speaker Lang: "Well, somebody tell her someday that I welcomed her to the House Floor. And I would appreciate that. Mr. Franks."

Franks: "Point of personal privilege."

Speaker Lang: "Proceed."

Franks: "Thank you. I, too, have a Page here today. A young man by the name of Owen Overstreet who's 13 years old from Genoa. So, I want to welcome Owen and his grandmother brought him down, who's a good friend of mine, Linnea Kooistra. And the Kooistra family has been farmers in McHenry County for over a century. So, I'd just like to welcome them to Springfield."

Speaker Lang: "Welcome. So, happy you're here with us today. Mr. Tryon with some introductions."

Tryon: "Thank you, Mr. Speaker. First and foremost, I'd like to thank Members of the General Assembly for their thoughts and prayers for my mother who is recovering from an ischemic stroke that occurred on Friday. Appreciate that and just wanted to say thank you. And also, I would like to introduce

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two of my most important constituents who are here, my son, Jared Tryon and my daughter, Lindsay Tryon. So, if we could give them a welcome, I would appreciate it. Thank you."

Speaker Lang: "Welcome aboard. Thank you. Page 12 of the Calendar, under Total Veto Motions, appears House Bill 580, Mr. Welch."

Welch: "Thank you, Mr. Speaker. I'd like to move that House Bill 580 do pass, notwithstanding the Veto of Governor Rauner. House Bill 580 is legislation that passed the General Assembly..."

Speaker Lang: "Mr. Welch, I have a feeling I know what Mr. Brown wants, so we'll let you debate this shortly. The Chair recognizes Mr. Brown."

Brown: "Thank you, Mr. Speaker. I think your feeling is correct. The Republicans... request an hour-long caucus in Room 118. Thank you."

Speaker Lang: "Would you like Mr. Welch to join you?"

Brown: "We'll pass, I think."

Speaker Lang: "The Republicans will caucus in Room 118 immediately. The Democrats will be at ease and the House will be in recess to the call of the Chair. The House will be in order. Returning to page 12 of the Calendar, House Bill 580 under Total Veto Motions. The Chair recognizes Mr. Welch."

Welch: "Thank you, Mr. Speaker. Prior to our friends going into caucus, I was speaking to House Bill 580 seeking to override Governor Rauner's Veto. House Bill 580 is legislation that passed both chambers and provides a fair resolution of pending state employee contracts through the process of interest arbitration. This process works. It is in place for our public safety employees. A couple of my colleagues on the other side

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of the aisle themselves have been a part of the interest arbitration process as public safety employees. It's fair. It works. And it'll help us keep our State Government open. Members, I am asking you to join me today and vote to override this Veto, because we are at a critical time in our state. We are struggling to maintain vital state services that are desperately needed by people in all of our districts. So, I ask today for everyone to put politics aside and to think about our constituents, the people that are calling that are e-mailing: that are getting in their cars and coming to Springfield just to let us know how they feel about this particular issue, and to vote 'yes' to override Governor Rauner's Veto of House Bill 580."

Speaker Lang: "Chair recognizes Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Representative, how many times has this matter been voted on in this incarnation and under House Bill 20... 1229?"

Welch: "I believe this is the second time around and so, hopefully..."

Sandack: "That'll be four votes counting this vote. Isn't that correct, Sir?"

Welch: "Correct."

Sandack: "All right. So, just a little bit of background. How long were negotiations going on before one side declared an impasse? Do you know how long the process was?"

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Welch: "I don't know how long the total process was, but I do know that the Governor walked away from the table and that is our concern here."

Sandack: "Why I had no doubt that concerned, Sir, but would it surprise you that the negotiations were for about a year and that there were 60-some odd meetings and that there were three tolling agreements. Does that sound accurate?"

Welch: "That sounds about accurate."

Sandack: "All right. So, while you certainly may have a disagreement with whether there was an impasse or not and that's fair... that's certainly your opinion... you weren't at the table, I wasn't at the table and the folks at the table at least on one side thought there was an impasse. And right now, that itself is being reviewed. Isn't that the... correct?"

Welch: "Well, you say the folks at the table thought there was an impasse. I don't believe the people that were at the table all believe they were at impasse and..."

Sandack: "I didn't say everyone, Sir."

Welch: "...they thought they were still negotiating and then..."

Sandack: "Representative, I wasn't suggesting that both sides agreed in fact we know that there's solid disagreement. My only suggestion here, Representative is... is that one side of the table thought there was an impasse and now the propriety of that decision is being litigated. Isn't that correct?"

Welch: "It is my understanding that even as we speak they are debating this very issue whether there's impasse or not."

Sandack: "Right."

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Welch: "But I do want to remind you and all of our colleagues here today that the Governor said he would not walk away from negotiations."

Sandack: "Well, I think he said that..."

Welch: "That's why... that's why the first Bill failed."

Sandack: "Chris... Chris, the Governor said he would negotiate in good faith and he spent a year doing it. The Governor said..."

Welch: "He said he wouldn't walk away from the table..."

Sandack: "Well, let... let me..."

Welch: "...then he walked away from the table."

Sandack: "...let me get my question out."

Welch: "Okay."

Sandack: "That way we won't talk over each other and we get to the vote sooner. You can certainly disagree with the tactics undertaken. What we know for a fact is that after a year, after 60-some odd meetings and after three tolling agreements concluded, one side said there's an impasse and now, as you and I stand here talking, the propriety of whether an impasse was legitimate or not is in the process of being adjudicated. Isn't that correct?"

Welch: "I do understand, Representative, that that process is being debated as we speak; however..."

Sandack: "Thank you."

Welch: "...that's a separate process from what we are seeking here."

Sandack: "Okay. To..."

Welch: "Got to keep that separate."

Sandack: "...to the Bill, Mr. Speaker. Ladies and Gentlemen, we've been there; we've done that. Inserting our collective wisdom or lack thereof into a process that's already ensued, we're

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not in the eleventh hour. We're well past the eleventh hour. This is a bad piece of legislation. I recommend a 'no' vote. And Mr. Speaker, upon conclusion of the voting, I would ask for a verification, please."

Speaker Lang: "Your verification request is acknowledged. Leader Durkin, please."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Durkin: "Representative Welch, we've discussed this issue a lot. I just want to get a few points in, a couple responses from you."

Welch: "Okay."

Durkin: "But the previous Bill that we've dealt with in the last year was Senate Bill 1229, correct?"

Welch: "Yes."

Durkin: "And that was voted on twice, which it... passed out of this chamber. The Veto override failed, correct?"

Welch: "That's correct."

Durkin: "Now, House Bill 580 was voted out of this chamber. We're now up for our fourth vote on this very issue within the last year, correct?"

Welch: "That happens all the time with legislation, Leader."

Durkin: "I don't recall anything of this nature in given four bites at the apple, but again, I don't control the docket. I don't control the chamber, but I think at some point enough has to be enough. Now, we currently have a process in place which was agreed upon by the administration and AFSCME on September 9, 2015, referred to as the 'tolling agreement'. You're familiar with that, Representative, correct?"



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Welch: "I am familiar with the tolling agreement."

Durkin: "I want to make one point and one Section I think is very important for this Bill today that we need to put into consideration. That's in paragraph 4. It states, the parties agree that this agreement will remain in effect until impasse is reached. The parties may either mutually agree that an impasse exists or if a dispute exists with respect to the existence of an impasse, the parties agree to submit the matter to the Illinois Labor Relations Board. If the matter is submitted to the ILRB, this agreement will remain in effect. The administration has made a... they have followed through and they're exercising their right upon an agreed contract which was no... was signed by the Department of Central Management Services and also the... the head of AFSCME. The administration is exercising what they had bargained for in this tolling agreement. So, the question I have with you is, how's the passage of this legislation consistent with the terms and also the spirit of the tolling agreement?"

Welch: "It is my opinion, Leader Durkin, and the opinion of many others that... House Bill 580 does not conflict or interfere with the tolling agreements that are in place between the administration and several units. In fact, I think the existing tolling agreements already apply to many state employees who already have the right to interest arbitration. So, the tolling agreement has no effect at this point."

Durkin: "I can't disagree with you more. If this Bill was to be... the override was to happen in this chamber, it would moot out what has been a very extensive process of evidence... witnesses that have testified before the judge to determine whether or

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not there is impasse, which is basically what both sides agreed to, this legislation reverses all of it. So, we'll disagree on that."

Welch: "Okay."

Durkin: "Let me just talk to you as practicing attorneys. Both of us have been in a courtroom before. Both of us represents our clients' interest. Both of us believe as lawyers that fair play is paramount to our system of justice. As a practicing attorney, let me ask you this. I am representing a client. I am halfway if not two-thirds of the way through my trial and all of a sudden opposing counsel decides that they are going to move and push through legislation which severely compromises my client's interest or completely negates that... that litigation. How is that concept... how is the concept of fair play being met? Both you and I know if this was... happened to our clients we would be outraged. And our system of justice frowns upon this type of practice. How would you handle that, Representative Welch?"

Welch: "Well, I think we should all be outraged that... this first time in the history of this state a Governor has walked away from negotiations. And that's what we should all be outraged about. And that's why we should all, the people that are sitting in this chamber, be listening to our constituents and say enough is enough and let's get these folks back to the table so that we can get to a contract. That's what we should..."

Durkin: "What's outrageous about..."

Welch: "...that's what we should be outraged about."

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Durkin: "What's outrageous about the Governor or the administration exercising the rights that were agreed upon between the administration and also AFSCME? What's outrageous about that?"

Welch: "What's outrageous is this particular Governor's actions. You have to take it as a... a cumulative picture. Can't ignore what he said when he was campaigning for Governor. You can't ignore the things that he has said even most recently. You know, he's not even engaging in this process fairly."

Durkin: "There's a lot of things that are said outside of this building. As recently as last week, about what we believe the... our success and ability to negotiate a budget, but I'm not going to allow that to interfere what we're trying to accomplish. And I think we know what we're talking about. Comments that were made by Members of the Legislature. But let me just say this. The Governor is being so outrageous, as of last week when he secured a contract with the Illinois Federation of Teachers, we're now on 18 labor agreements that have been negotiated, signed and agreed upon... 18 different bargaining units within the State of Illinois... so I will disagree with you on whether or not the Governor has not been acting in good faith. So..."

Welch: "I still think we owe the responsibility to the 70 thousand other state employees who are impacted by this. Do we have a contract with our nurses? Do we have a contract with SEIU? I mean, we work with our laborers. The reality is that walking away from the table and not talking to these folks won't get us to a deal. And what House Bill 580 does is gives us a

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process that will get us back to the table and get us to a deal."

Durkin: "Why did AFSCME sign a tolling agreement then which specifically allowed both sides to make this type of decision to go to the Labor Relations Board to determine whether or not impasse has... whether or not... asking them to make a decision on whether or not the impasse exists? I am just... I don't understand it."

Welch: "I guess I..."

Durkin: "I don't understand and the question I have is this, I mean, shouldn't this be an enforceable document?"

Welch: "Well, Leader, I can't speak for ASFCME or any of the other unions that signed..."

Durkin: "Well, you are."

Welch: "...signed the agreement."

Durkin: "You are today. You are today with this legislation. You're speaking for AFSCME."

Welch: "This is not an AFSCME Bill."

Durkin: "Who else..."

Welch: "This is a Bill to protect state employees."

Durkin: "Oh."

Welch: "AFSCME supports the Bill as..."

Durkin: "Oh. Okay."

Welch: "...as well as everyone else listed on the analysis."

Durkin: "Okay. All right. All right. Why do you have this legislation only apply... why does this legislation only apply to this Governor where it's going to sunset? Have the... possibly if there's a new administration that they would not

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have to undertake this legislation. Why have you put a limitation on the enforceability..."

Welch: "I think... I..."

Durkin: "...of this... of this legislation?"

Welch: "I think that's a fair question. And I think it goes directly to this particular Governor's actions."

Durkin: "So, this is..."

Welch: "This is really rare. It's never happened before, rare."

Durkin: "Well, so this is a special..."

Welch: "So, it calls..."

Durkin: "...as special as special legislation can get, correct?"

Welch: "No. I think it's an unusual situation that the General Assembly has a right to step in and get these parties back to the table."

Durkin: "Well, what we're doing is that we're watching a process fold out in front of us which was agreed upon by both AFSCME and also by the legislation... by the administration, but I think it's pretty obvious that the individuals who are supportive of the Bill don't like the Governor. They believe that they can defeat him the next time around and they certainly don't want to saddle a new administration with... is probably the worst piece of legislation that I have seen in all my years down here. So, I guess... I'll be finishing up very shortly. Now, I'm just going to read off some comments that I believe are independent news publications, editorial boards. We... we like them and I think they're independent. We also love them because we also flee... not flee, we... we seek their support and endorsement every election cycle. I'm going to go through a list of them. May 18, the *Herald & Review*. It

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says Rauner's labor Bill Veto should stand. On Monday afternoon, Governor Bruce Rauner rightfully vetoed Senate Bill 580, a terrible piece of legislation that would force the government and AFSCME into binding arbitration. This move would almost certainly result in a lucrative contract that the 30 thousand employees that are represented by AFSCME; however, this is still apparent this a terrible piece of legislation. It removes negotiations from the hands of an elected Governor and makes them the responsibility of appointed arbitrators. In addition, it would give... give AFSCME workers a better contract than other state unions that have reached agreements with the administration that are reasonable and fair to both sides detesters. That's one. *Belleville News Democrat*. Illinois state workers are the highest paid workers in the nation at almost \$60 thousand average adjusted for the cost of living. Yet, the state's biggest union, AFSCME, is pushing for \$3 billion more than 38 thousand members including overtime at after 37.5 work week, raises of 11.5 to 29 percent during that 29... during that forty-year contract. This new Bill is worse for taxpayers as it would further complicate the negotiation process by giving greater power to an appointed arbitrator, who would have you pick the Governor's position or the union's. Those arbitrators are notoriously prolabor. And I think we established last time we debated this Bill that I think there's 47 arbitrators, 45 of them came in under Blagojevich and Quinn administration. Three, the *Freeport Journal Standard*. Last year it was Senate Bill 1229, which was one of the worst pieces of legislation we've ever seen only to be

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surpassed by this year's measure, House Bill 580. In addition to putting about a quarter of the state's spending in the hands of unelected arbitrators, House Bill 580 would keep the terms of an old contract until the arbitrator makes the ruling. That means that some members of the union will get step increases. They would automatically get a raise while the contract is still being negotiated costing taxpayers \$400 million before any final deals are done. There you go. Number four, *Quad City Times*. House Bill 580 isn't just a bad Bill. It isn't simply a reread or even more costly a mutated clone of Senate Bill 1229. House Bill 580 goes one further by removing almost all incentive for the unions to bother negotiating through reinstating the terms of the previous contract. It's an attempt to undermine Illinois voters. House Bill 580, let's make it very clear, would change the rules mid-game. It would be an unprecedented attack on a Governor's official fiduciary duty. That's four. Number five, *Dispatch Argos*. Senate Bill 1229, a Bill that would have stripped Governor Rauner of the power to continue tough negotiations with the state's largest public employees union, was terrible public policy when it was introduced and passed out of both Houses. House Bill 580 is even worse. And we are disappointed that our local Reps have sponsored it. Bad policy like this has gotten the state into a financial hole that it's in. It is a Bill voters will remember when they vote in November. Number six, the *Daily Herald*. This week is when the lawmakers may face the unwelcome call of duty again as an arbitration Bill that's even more distasteful than the one that failed in September can take center stage. House Bill 580,

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specifically, would limit it to apply only during Governor Rauner's term of office. The Governor has good reason to fear, as we all should, that if an arbitrator is forced during his tenure to select between the state's contract and that of AFSCME's costing \$3 billion more, the impact will be devastating to a state already reeling from budgetary crisis. Number seven, *News Gazette*. No Legislators who both understand and care about Illinois financial future can support this legislation. It's an abomination both from a policy and a financial standpoint. Number eight, *Peoria Journal Star*. It is fair to say that taxpayers have not had an adequate representation at the bargaining table for a very long time. May taxpayers get a victory for a change in Illinois by defeating this legislation. And last but not least, the *Chicago Tribune*. This is a Bill that takes the unprecedented step of removing the authority of the Executive Branch to fully negotiate on behalf of all those taxpayers. The unions want to make an end-around around the Governor. The estimates for the cost of the contract demands are about \$3 billion in wage increases and benefit increases during the life of the purposed four-year contract. Illinois cannot afford it. I've just listed off nine separate newspapers whose editorial pages and editorial boards have come down very hard, negative against this Bill. Can you think of one newspaper that is in the State of Illinois a respected publication that is in support of the override?"

Welch: "I've been so busy working for my constituents I haven't had a chance to read the newspapers."



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Durkin: "I'll take that as a no. All right, folks, I'm just going to finish up. This Bill strips the Governor and... this Governor... just make sure this Governor only has the ability to negotiate on behalf of Illinois taxpayers transferring his contracting making authority to an unelected arbitrator not accountable to the voters. Please, for the last time, vote 'no'. Let the process which both parties agreed upon in a tolling agreement take place. Let the decision fall where it may. But this is an abuse of the authority and a mockery of the legal process that is currently going on before the Labor Relations Board."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. I move the previous question."

Speaker Lang: "Mr. Demmer has moved to call the previous question. Those in favor will vote 'yes'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. There are 46 voting 'yes', 66 voting 'no'. And the Motion fails. The Chair recognizes Mr. Guzzardi."

Guzzardi: "Thank you, Mr. Speaker. Will the Sponsor yield? I just wondered if the Sponsor would yield for a couple questions."

Speaker Lang: "Oh, the... sorry... the Sponsor will yield."

Guzzardi: "Thank you very much. Representative Welch, will you just do us a brief favor here... and I don't want to extend the debate too long... the brief favor of walking us through the in the arbitration process."

Welch: "I think that's..."

Guzzardi: "This system's got the complete consideration of this Bill about the arbitration process and whether... whether it

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might result in a fair contract for the employees. I was hoping you might do us the courtesy of walking us through that process. Thank you, Representative."

Welch: "Yes. Mr. Speaker, can we..."

Speaker Lang: "Mr. Welch, before you proceed, there's a lot of noise in the chamber. So, the Chair will wait until there isn't. Mr. Welch."

Welch: "Thank you, Mr. Speaker. Thank you, Representative Guzzardi. The answer to your question is, in interest arbitration the interest... the arbitration panel consists of a person... an arbitrator that's chosen by the union, an arbitrator that's chosen by the employer, and then someone who is mutually agreed upon as a neutral arbiter. If the parties cannot agree on a neutral arbiter, then the Labor Relations Board can appoint that third person. And under our system, the Governor is the person who appoints the Labor Relations Board, so clearly he would have some input on who that third arbiter is. And then, the arbitrators go through a process. And they do not have to select the entire proposal from either side. They can weigh the options and the arbitrators can make a decision. And I think what's very important to note on a interest arbitration, particularly involving the state, is if they don't like the decision, the state can reject it..."

Guzzardi: "Right."

Welch: "...and it goes back to arbitration again."

Guzzardi: "Right."

Welch: "The union doesn't have a right to reject. But the state has a right to reject. I think that's very important. You

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know, and earlier we heard something about the process not being fair, but if you actually look at the data in interest arbitration, 43 percent of the time management wins."

Guzzardi: "Right."

Welch: "Unions win less than that. This is a fair process; it's been proven. It... it works for our public safety employees. And I think it... it would work here."

Guzzardi: "Thank you. You did answer a couple other questions I had in the course of your remarks. I appreciate the Bill. And I urge an 'aye' vote. Thank you."

Welch: "Thank you."

Speaker Lang: "Mr. Smiddy."

Smiddy: "Thank you, Mr. Speaker. Will the Sponsor yield for some questions?"

Speaker Lang: "Sponsor yields."

Smiddy: "Representative Welch, we've been hearing a lot from the articles that were read on the other side that it's going to cost \$3 billion if we implement this... if we override this Veto. Is there anywhere in your Bill a tax increase of \$3 billion?"

Welch: "No, absolutely not. This Bill is about a process, Representative. It has nothing to do with... with taxes."

Smiddy: "Okay. Next... I guess the next question is, when it comes to the economic impact of this Bill, if it goes to arbitration, is it all or nothing, you pick one side's... one side or the other's submission or can they go line by line and base this off the state's ability to pay when it comes to economic impact?"

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Welch: "The arbitrators do not have to select either side's entire proposal. They can... they can, you know, go through the proposals and reject portions on their own, but it's not an all or nothing."

Smiddy: "Okay. That's good. To the Bill. We were told in September that the Governor in good faith would not walk away from the table, that he would continue to negotiate regarding this contract dispute. Went so far as actually to write letters to Members stating that he would not walk away from the table. So, much for the letters. He walked away from the table. Declared an impasse. Now, if the Governor gets his way, the last, best and final offer that he is proposing on the table, not only affects these individuals from AFSCME and the other unions, but everybody who works for the state because of health care costs. Let me repeat that. It will affect everyone, even those in this chamber, on the ability to pay health care... our health care costs. It affects us. So, when I see all these mailers going into our districts with the piggy on the front stating that we're costing the taxpayers \$3 billion, and the robocalls coming into our districts stating that this is bad policy and that we need to vote against this because it's going to cost the taxpayers \$3 billion. Again, it's just the machine perpetrated by the second floor to go against working men and women in this state. I ask for an 'aye' vote on this to help men and women in this state achieve the middle class for their families. Please vote 'aye'."

Speaker Lang: "Mr. Walsh."

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

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Speaker Lang: "Sponsor's proud to yield."

Walsh: "Representative, what in this... in this legislation or in this Motion, what is the union giving up in lieu of this interest arbitration?"

Welch: "Well, I think they're giving up their most powerful tool."

Walsh: "And that is?"

Welch: "That's their right to strike. And this legislation is a major concession from the unions that they will not have the power to strike. They will have to stay at the table with the administration and reach a deal."

Walsh: "So, with giving up that right to strike, I'm going to move to maybe a different area. Independent arbitrators or impartial arbitration process occurs right now amongst many different unions of the public sector. Is that correct?"

Welch: "That is correct."

Walsh: "Firefighters?"

Welch: "Yes."

Walsh: "Police officers?"

Welch: "Yes."

Walsh: "Even our own state employees in the Department of Corrections?"

Welch: "Yes."

Walsh: "Has that process worked for them?"

Welch: "I have not heard that it has not worked for them."

Walsh: "Has it worked for the state?"

Welch: "I believe it has worked for the state."

Walsh: "So, this isn't something new that we're creating. This is a process that's been in place. It's utilized amongst many municipalities, county governments, police, fire, even our

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own Department of Corrections, that it seems that it's fair that one entity is giving up its sole right to strike to go to a process to, first and foremost, keep the state working. Would that be fair to say?"

Welch: "Yes, absolutely."

Walsh: "To the Motion. This process has been in place for... for many, many years. It's been utilized. It's fair. As one of the speakers stated earlier before I think it's 43 percent of independent arbitrators have actually ruled in the union's favor versus against the employer. So, it seems almost and maybe a little less than 50-50, but it's a process that keeps one, our employees and our state agencies in the function of our government working through the possibility of an impasse. 'Cause if we were to go out on strike... if our employees were to go out on strike and/or be locked out, we could have devastating effects to, not only, our State Government but most importantly our constituents that we serve. This Bill is just adding a level of security for our State Government for our constituents. As stated earlier, I don't believe it's going to cost more, as much as they want to say, because there's no award that's been given. We don't know. One side asked for this and the other side asked for that, and they could very well meet in the middle. They may not even rule with the union. This is a fair process. It's one that I think is well deserved and we need to move on. Vote 'aye'."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Motion. Ladies and Gentlemen, I know where you... we're all talking about this Bill and Representative Walsh just said it

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perfect. This is nothing new. Arbitration's been around for many, many years. Police and fire's done it. But I know a lot of you on both sides of the aisle like... like numbers and I know a lot of you will say, well, with this, what's going on today, what Representative Welch is trying to do, it's going to give the unions an upper hand because most decisions go toward the unions. Well, that's actually not true. And I just happened to analyze, and our staff did for the last 10 years, 2006 to present, the interest arbitration awards through the Illinois Labor Relations Board and the numbers are staggering. Forty-eight percent of the time the ruling arbitrator rules on behalf of the employer. Only 43 percent of the time it rules in... for the employees. And 9 percent of the time the decision was split. So, as you can see, the numbers speak for themselves. This is a fair process. It's a balanced process. Arbitration works. This is nothing to do to try to hurt the Governor. Not trying to hurt the Governor at all. It's just meant to keep the parties negotiating in good faith. And that's all we want because there was rhetoric out there that there was going to be a lockout about the air traffic controllers. If you know what happened when Ronald Reagan did that back in the '80s. There was talk out there of definitely of a lockout. So, more or less, if I was AFSCME, I'd worry too. I didn't want to come to my friends in the General Assembly to see if we could do something to keep people at the table. So, that's what we're doing. I think AFSCME and all the other state unions, they just want a reassurance. And that's what this is going to do. They're giving up their 'no strike' clause. They want to know how

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lockout clause, keep them at the table. This is going to work.  
And I just urge an 'aye' vote."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. I think you know that process matters. And I move the previous question."

Speaker Lang: "You were the last person to speak, Sir. Mr. Welch to close."

Welch: "Thank you, Mr. Speaker. Thank you, colleagues. I'll be brief. I think it's very important that we be respectful. We acknowledge the fact that just a week ago we had upwards of 15 thousand people travel to Springfield so that their voices can be heard. People who are laughing and giggling and not paying attention. But people got in their cars because they vote for us; they live here; they work here; they pay taxes here; and their voices should be heard. These were real people, real faces. People were in that crowd crying real tears, because of real concerns that they have whether they're going to have the ability to make ends meet, if they're locked out, if they're forced to go on strike. Will they lose their job or not? Come on. We can be respectful here and give these folks some real deliberation. These are the people that send us here, real people, real voters, our constituents. House Bill 580 is a fair arbitration process... process that is going to get us to a responsible contract. We all need to speak up for our constituents. We heard them last week. They made their voices loud and clear. Speak up for our state. Speak up and do the right thing for your constituents. This is not about Rauner versus Madigan. This is not about AFSCME. This is about



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those real people you heard from last week. And I ask you to vote 'yes' to override the Governor's Veto."

Speaker Lang: "Gentleman moves to override the Governor's Total Veto of House Bill 580. This requires 71 votes. Mr. Sandack has asked for a verification. Accordingly, Members will be in their chairs and vote their own switches. Those in favor of the Gentleman'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? Mr. Clerk, please take the record. On this question, there are 69 voting 'yes', 47 voting 'no', 1 voting 'present'. And the Gentleman's Motion fails. The Chair recognizes Representative Wallace."

Wallace: "Thank you, Mr. Speaker. May I please have a point of personal privilege?"

Speaker Lang: "Proceed."

Wallace: "Thank you. I have the honor and the opportunity to introduce a gentleman by the name of Reynolds Wintersmith. In 1994, as a mere teenager, he was sentenced to life in prison under the harsh mandatory federal sentencing laws. Even at his sentencing, Judge Reinhard questioned how we could send away a nonviolent offender for the rest of their lives. Wintersmith spent 20 years of his life behind bars, again, as a nonviolent offender, but December 19, 2013, President Obama commuted his sentence after the tireless efforts and advocacy of Wintersmith's family, the sentencing project, former State Representative Charles Jefferson, and the Rockford Alumni Chapter of Delta Sigma Theta Sorority, Inc. I am so honored and so happy to have this gentleman here who is now a staunch advocate for restorative justice and for just the voice of

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individuals who are trapped in cycles of poverty, communities of crime. And he speaks and works to inspire youth. So, he is in the gallery today with his students. Representative Turner will also say a few words, but please welcome Mr. Wintersmith."

Speaker Lang: "Welcome to the House chamber. Thank you for being here with us today. Mr. Turner."

Turner: "Thank you, Mr. Speaker. I'd just like to echo the sentiments of my colleague and in congratulating Mr. Wintersmith on everything he's had, but... also bringing down the wonderful kids from the CCA Academy which is in my district. And they're advocating on behalf of an equitable approach to school funding. So, we're very happy to have them there. Please take the time to get to know them, if you have the chance or if they stop by your office today. Thank you so much."

Speaker Lang: "Thank you, Sir."

Turner: "Thanks for being here."

Speaker Lang: "Thank you, Mr. Turner. Thank you, folks. Page 8 of the Calendar, Senate Bills-Second Reading, Senate Bill 2216, Mr. Hoffman. Please read the Bill."

Clerk Hollman: "Senate Bill 2216, a Bill for an Act concerning gaming. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please read the Bill. Oh, he read the Bill. Third Reading, excuse me. I was looking at Mr. Hoffman's hand signals. I didn't know whether to bunt or steal. Senate Bill 2989, Mr. Hoffman. Please read the Bill."

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Clerk Hollman: "Senate Bill 2989, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. There's an Amendment pending. Senate Bill 3071, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "Senate Bill 3071, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Brady is recognized. For what reason do you rise, Sir?"

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

Speaker Lang: "Please proceed."

Brady: "Ladies and Gentlemen of the House, please help me in welcoming my Pages today. First off, we have Mr. Khel Gordhan, who is a... in the sixth grade at Bloomington Junior High School, and is here today with his family. And also, Claire Meyer, who is... just finished her freshman year at Normal Community High School. My Pages down in the area. Please give them a nice, warm welcome here to Springfield with their parents."

Speaker Lang: "Thank you all for being here with us today. We appreciate it. Page 8 of the Calendar, Senate Bills-Second Reading. Senate Bill 637, Leader Currie. Please read the Bill."

Clerk Hollman: "Senate Bill 637, a Bill for an Act concerning transportation. This Bill was read a second time on a previous

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day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Lang: "Leader Currie."

Clerk Hollman: "Thank you, Speaker. May we adopt the Amendment and then 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 637, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. As you know, Congress adopted what's called the Real ID Act some years ago. Under its provisions, it becomes more complicated and more difficult to get driver's licenses or state IDs in the states across the union. We've had waivers in Illinois from the provisions of the Real ID Act, but those waivers have run out. And if we don't change our system, it will be impossible for people living in Illinois to fly airplanes, even domestically, or to access federal facilities. So, this is a proposal from the Secretary of State's Office that would bring us in compliance with the Real ID Act. It contains several provisions. First, people would be required to show where they're... where they're from. It would say that people can have only one state authorized identification card. There will be time for the Secretary of State to implement the new

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system, but in the meantime, nobody would be denied access to a federal facility, an airplane ride, or any of the other things that are otherwise at stake. So, I'd be happy to answer your questions, but in order to make sure that the people in Illinois can go places, I hope that you will support Senate Bill 637."

Speaker Lang: "Mr. Sandack."

Sandack: "You... Thank you. Will the Majority Leader yield for a few questions?"

Speaker Lang: "Lady yields."

Sandack: "Representative, in committee there was some questions about the language of the Bill itself. Did we get that clarified that a resident would only have one form of identification? It wasn't a 'may' but a 'shall'."

Currie: "Right. The reason that we used the word 'may' is because if someone were to lose that single piece of identification, we would want the Secretary of State to be able to replace it."

Sandack: "Right."

Currie: "And that's the only reason for 'may'. We have checked it with the feds."

Sandack: "Okay."

Currie: "And the feds believe that this is the right way for us to go."

Sandack: "All right. 'Cause you... you're not supposed to hold an ID and a driver's license. It's one or the other."

Currie: "Exactly."

Sandack: "All right. I was listening to your explanation of the Bill. This isn't the final version though of the Real ID."

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Isn't that correct? There are some other things that still need to be done in the system. I thought that there were some... some still items to be completed. There may be a complement piece of legislation or a trailer."

Currie: "My understanding is that this is it. That when we do this we will have created the process by which Illinois will participate in Real ID and we will not find that... I... I have a constituent who went to a Naval Base, the Naval Base where he trained in Tennessee over last summer. He wasn't allowed entry because Illinois was not compliant..."

Sandack: "Right."

Currie: "...with the Real ID Act."

Sandack: "No, I know. And obviously, I think, everyone that's been paying attention to the issue knows it's important. I was just under the impression that there were maybe some items yet to be completed after this. And for reasons I thought I read somewhere out of the Secretary of State's Office, that doing this we... which by the way we have to... isn't the full version, a full compliance, with the Act."

Currie: "Yeah. I think it will, but if... there will be a period of time during which the Secretary of State's Office will be offering temporary IDs that will be eligible for letting people board aircraft and so forth. But it will take time for the whole process to work. We don't need additional legislation, but we do need time for the Secretary of State to implement the new program."

Sandack: "Thank you, Representative. I appreciate it. And obviously, I stand in support."

Speaker Lang: "Representative Chapa LaVia."

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Chapa LaVia: "Thank you, Speaker. And to the Bill. I want to... I want to thank the Leader and Secretary White's Office for all their diligence here. It's... it's even more severe than what the Leader said. I have had quite a few of my constituents in my district that have wanted to go to graduations on military established bases and they're unable to. And the last minute when they fly there, they found out they can't go on. So, I am in total support of this. And I hope it gets the entire General Assembly's support. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Dunkin."

Dunkin: "Thank you... thank you, Mr. Speaker. I'd want a point of clarification. For House Bill 580, it was my intent to vote 'no'. And I'd like to send you a memo to that effect as well. I was off the floor at the time. So, that was a mistake."

Speaker Lang: "The record will reflect your intention, Sir. Page 3 of the Calendar, Senate Bills-Third Reading. Senate Bill 42, Representative Lilly. Please read the Bill. I understand there's an Amendment, Representative? Do you wish this moved back to the Order of Second Reading? Please move the Bill back to the Order of Second Reading and read the Bill please, Mr. Clerk."

Clerk Hollman: "Senate Bill 42, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. Floor Amendment #1 was adopted previously. Floor

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Amendment #2, offered by Representative Lilly, has been approved for consideration."

Speaker Lang: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise to present Senate Bill 42. Senate Bill 42 addresses an unintended consequences of legislation put forth in 2011, which caused many Illinoisans to lose their employment opportunities. Prior to 2012, individuals with forcible felonies were able to work and secure jobs and take care of their family. SB42 removes a lifetime barrier to the license for health care professionals including doctors, pharmacists, occupational therapists, who have the forcible felony. This Bill does not require the Department of Federal... Professional Regulation to grant the license. They have to consider 15 different factors prior to granting the license to this population. It does give our citizens who have done their time, who have created a lifestyle and a career for themselves, put them back on the map to be viable citizens in our great state. I ask for your 'aye' vote, if there's no questions."

Speaker Lang: "Mr. Sandack on the Amendment. Can we adopt the Amendment and go to Third? Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. You heard the... This had not been read a second time previously, so the Bill will be out of the record. It will go to Third Reading. Senate Bill 392, Mr.



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Turner. Out of the record. Sorry, Representative, I didn't see you with the light. Please read the Bill."

Clerk Hollman: "Senate Bill 392, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Turner. Be taller, I'll see you over the light next time, Sir."

Turner: "Try to do a little growing. Senate Bill 392 expands the scope of the Illinois Torture Inquiry and Relief Commission and extends the time period that claims may be filed by five years. Currently, the commission does include in the claims by living persons convicted of a felony in Illinois starting that year she was tortured and the confession to the crime. The torture confession was used to obtain the conviction. There was credible evidence that related to allegations the torture committed by Commander Jon Burge or any officer under his supervision. Priority is given to each case which the person is convicted or currently incarcerated solely for the crime for which he or she claims the torture was committed by Jon Burge or officers under his super... supervision. This Bill removes all references to Jon Burge and his staff. Provides that the commission that they review claims related to allegations of torture confessions occurring within Cook County. Additionally, under this Bill, priority will no longer be given to cases in which the convicted person is currently incarcerated for the crime involving the torture in the extent the time for which the claim may be filed from 2014 to 2019. I respectfully 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

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wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 104 voting 'yes', 9 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 805, Leader Currie. Leader Currie. Out of the record. Senate Bill 1564, Representative Gabel. Please read the Bill."

Clerk Hollman: "Senate Bill 1564, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. Mindy... Mindy Swank spent five years trying to convince her local hospital to help her end a miscarriage that was threatening her health, her life, and her future fertility. Her water had broken. Her baby was not going to live, and she was at risk for infection and hemorrhage. But because of religious restrictions at the hospital, the doctors could not help her end her pregnancy to avoid getting sick. They told her they had to wait until she was already very sick, until she had an infection, or was hemorrhaging. During those five weeks, no one talked to Mindy about going somewhere else to get care. No one talked to her about options other than waiting until she was sick enough at the hospital to allow the doctors to treat her. Her nightmare did not end until, desperate to prove how sick she was, she brought to the hospital all the clothing and pads she had bled through in a single morning. When the hospital finally permitted the doctors to help her, she delivered a baby that never gained consciousness and died shortly after birth. No patient in Illinois should have to go through what Mindy

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experienced. Currently, the health care... the health... the Illinois Health Care Right of Conscience Act says that doctors, nurses and hospitals can refuse to provide care and even information to their patients if they object to doing so on religious grounds. If the patient is harmed by this denial of information, there are no repercussions, no accountability. This is contrary to the standard of care that governs medical practice. Senate Bill 1564 protects Illinois patients and health care providers by ensuring that patients get the information they need about their medical circumstances and treatment options when their health care provider raises religious objections. Health care providers still get all the protections of the Health Care Right of Conscience Act. They cannot be discriminated against because they refuse to engage in certain kinds of care. They cannot be disciplined or held liable for malpractice, but they must adhere to procedures that are designed to ensure that their patients get the information they need, that their patients are not harmed. This Bill is a reasonable change that ensures that patients are not left in the dark. Illinois law already says that doctors can be sued for malpractice if they fail to give informed consent... if they fail to get informed consent from patients, if they fail to give patients information about legal treatment options in accordance with the medical standard of care. Senate Bill 1564 simply makes clear that this basic standard of care still applies where health care providers object to provide caring on religious grounds. There's a great deal of misinformation going around about this Bill. So, I want to be absolutely clear. This is not a

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pro-abortion Bill. This does not compel anybody to perform or participate in an abortion procedure. It does not require anyone to refer a patient for an abortion. If it did, the Catholic Bishops would not be neutral on this Bill. The Catholic Hospital Association, the Catholic Conference and the State Medical Society drafted an Amendment to the Bill that brought them to neutral. They do not oppose this Bill because they understand that patients cannot be kept in the dark about their medical situation. And the notion that patients should be able to count on their health care providers to give them complete and accurate information about their medical condition and treatment options should not be controversial. Illinois patients deserve this much. And I urge you to vote 'yes' for Senate Bill 1564."

Speaker Lang: "Mr. Sandack."

Sandack: "Thank you. Will the Sponsor yield for a few questions?"

Speaker Lang: "Sponsor yields."

Sandack: "Representative, I'm looking at my analysis and it, indeed, says that the Catholic Conference is neutral, but it goes on to further say that they're neutral because they contend that the Bill reflects current practice in Catholic hospitals in Illinois. Is that your understanding?"

Gabel: "That is what they're saying, but it is clear that there are many, many examples that that is not the case. A 2012 study conducted by University of Chicago physicians found that 37 percent of OBGYNs working in religiously affiliated institutions experience a conflict with the institution over its religiously-based policies for patient care. There are just too many instances... Mindy Swank was one that I just

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described... where they're not... that's not the kind of care they're providing."

Sandack: "Well, who they're, so you said, 37 percent of OBGYNs..."

Gabel: "Working in religiously affiliated institutions."

Sandack: "Okay. So, that may mean that they're on staff or more likely means they have privileges and they have practices outside and separate and apart from the hospitals. Isn't that correct?"

Gabel: "They might."

Sandack: "Okay. You've heard from significant opposition on this Bill. Isn't that correct?"

Gabel: "I have."

Sandack: "All right. Including pregnancy crisis centers. Would they be implicated in your Bill?"

Gabel: "No, they will not. They will... it will not affect them. It depends. I mean, it depends."

Sandack: "Well, yeah. Is it no or is it depends?"

Gabel: "If they... if they provide... if they provide medical care and say that they provide health care services then, yes, they will have to abide by this Bill. If they do not, then they will not."

Sandack: "So, a pregnancy crisis center that offers professional guidance... assistance to pregnant women, is that providing medical assistance to you in your estimation or is it only..."

Gabel: "It depends... it depends. If they have nurses, if they have professional social workers, if they say that they provide health care services, then they would be required."

Sandack: "Representative, are you aware of a pregnancy crisis center that doesn't have nurses, social workers on..."

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Gabel: "I'm not that familiar with... with pregnancy crisis centers."

Sandack: "Well, you might want to avail yourself of that, because I think when you first said no and then it depends, I think indeed they are implicated in the..."

Gabel: "They are..."

Sandack: "...body of your Bill."

Gabel: "...and you're right."

Sandack: "Oh, okay. So, now they are implicated."

Gabel: "Well, again... again, it depends on if they are providing medical services."

Sandack: "All right. And of course, their right of conscience, and they provide services and of course, most of them advertise that they're there for women in distress and they make no bones about where they are on the... on the issue of the day."

Gabel: "No, that's not true."

Sandack: "Well, give me an example."

Gabel: "Sometimes they do not..."

Sandack: "Give me an example and not just anecdotal. Where can I..."

Gabel: "There are signs all over the place that say, are you pregnant, concerned? Call us."

Sandack: "Yeah. So, they then put below that they're..."

Gabel: "Nothing. They don't know. People..."

Sandack: "Is that... is that a health care provider? Would that..."

Gabel: "I don't know. It depends. If they do an ultrasound at the clinic, then they are a health care provider."

Sandack: "And then they would be implicated by this Bill?"

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Gabel: "They will have to uphold the standards in this Bill which is simply to inform the woman of her options. And I understand that there are many crisis..."

Sandack: "Including options that they philosophically and/or because of their tenets of their religion or their conscience would have to disclose information that they don't agree with. Right?"

Gabel: "They don't have to make a referral for an abortion. They do not have to do that."

Sandack: "So, is there a sign that needs to go up?"

Gabel: "A sign?"

Sandack: "Do they have to post information? Right? Would... How is the information transmitted and how..."

Gabel: "They have to give them... they have to... they have to give them a piece of paper, something written, that has a... a place where they can go that may provide an abortion. It may give them information."

Sandack: "So, they do have to make a referral?"

Gabel: "It's not a referral. There's a difference between a referral and just giving information."

Sandack: "So, the information is where to go, but that's not a referral?"

Gabel: "No."

Sandack: "No, I'm right..."

Gabel: "No. A referral is when..."

Sandack: "...or no, I'm wrong?"

Gabel: "...a referral is when you give them information about exactly where to go and which doctor to go to and what service they're going to get..."

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Sandack: "So, what does this notice say..."

Gabel: "...and..."

Sandack: "...if it doesn't say where to go?"

Gabel: "Pardon?"

Sandack: "Is it just these are your options. Is that what you're saying?"

Gabel: "Correct."

Sandack: "And not where to go, where to..."

Gabel: "Correct."

Sandack: "...and to receive the options."

Gabel: "Correct."

Sandack: "All right. To the Bill. Mr. Speaker, I suspect there will be many that will question the Sponsor or speak to the Bill. I guess the one reliable piece of information I did hear that I know is beyond contention, if there is a bad incident and a bad outcome, irrespective of the health care decision, there's always a malpractice claim available. This doesn't add a new layer of law on bad outcomes due to malpractice. What this does do is impose on people of conscience, people of religion, to do and practice something they philosophically disagree with. This is a mandate, an imposition that is totally contrary to the founding principles this country's basically founded upon. This is overreach times ten. Please search your hearts. It doesn't matter which side of the issue you are on with respect to life. This is a bad piece of legislation with bad intent thrust upon people of good will and good intentions. Vote 'no'."

Speaker Lang: "Mr. Zalewski."



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

Speaker Lang: "Sponsor yields."

Zalewski: "Robyn, I think the floor would benefit from some further explanation here. Can you describe the need for the Bill based on evidence of patients actually being harmed by these conscience-based refusals?"

Gabel: "Yes. I also just want to respond to the other speaker that... that actually the Health Care Right of Conscience can be used as a defense in a malpractice suit. What this Bill does is it protects the patients and says that they would have to have at least told them all their options... their medical options, before they could be used as a defense. But to your question, yes, health care providers report that religious health care restrictions frequently interfere with practicing medical... medicine consistent with the standards of care. I've mentioned that the 2012 study by the University of Chicago physicians when they actually looked it... at health care providers, OBGYNs working in Catholic health care institutions, the percentage of people having conflicts went up to 52 percent. And these conflicts frequently center on treating women with obstetric complications, women who need to terminate inevitable miscarriages before the pregnancy puts their life at risk. Senate Bill 1564 will assure that there are clear procedures in place to protect these physicians, the hospitals where they work, and most importantly the patient. In the committee hearing on this Bill, we heard the story of Mindy Swank and I explained it to you again. A woman who experienced a dangerous weeks long miscarriage that put her life and future... at risk because of

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the care that she relieved... because of religious restrictions."

Zalewski: "Okay. How is the requirement that the health care facilities create information protocols enforced?"

Gabel: "Well, thank you. There seemed to be some confusion in committee about this. The information protocol is not a separate mandate, but a state agency is charged with enforcing. The way it works is that the information protocol is a prerequisite to being able to use the Health Care Right of Conscience Act to justify not complying with other State Laws that enforce... enforce health care standards. For example, if a patient is suing for malpractice or a state agency is investigating an allegation of unprofessional conduct, the health care provider can use the Health Care Right of Conscience Act as a defense for refusing to provide care that he or she objects to on religious or conscientious grounds. However, Senate Bill 1564 says that when they assert a religious objection they must follow protocols that are designed to ensure patients are not harmed and get information consistent with the standard of care."

Zalewski: "Thank you. Mr. Speaker, to the Bill. I urge an 'aye' vote."

Speaker Lang: "Mr. Breen."

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

Speaker Lang: "Sponsor yields."

Breen: "Thank you. Representative, I just want to make sure that we've got everything clear on this... the Bill and on the... on current law. Under current law, doctors today already have a duty to care for folks in emergency situations, right?"

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Gabel: "Yes."

Breen: "Okay. And then, under current law, doctors already today have a duty to inform a patient of her medically indicated treatment options, correct?"

Gabel: "I'm not sure."

Breen: "Okay. See, and the reason I ask this is because your Bill talks about legal treatment options versus medically indicated treatment options. And... and I go back to the example... I was there in committee. And you brought a Ms. Swank into the committee, but Ms. Swank's testimony actually said that she was treated at the Catholic hospital and that the staff..."

Gabel: "Eventually."

Breen: "...and that the staff at the Catholic hospital told her that inducing labor was a medically indicated treatment option. Didn't they tell her that?"

Gabel: "According to her testimony, no."

Breen: "That was... but her testimony in committee actually said the Catholic hospital staff said this is one of your treatment options because it was medically indicated. In fact, what the..."

Gabel: "Your point?"

Breen: "...the relevant portion of her testimony as I have it is, 'Shortly after I learned that my water had broken, the doctors told me that waiting to miscarry could lead to hemorrhage and infection'. I believe that was what she said the Catholic hospital staff told her. And then, continuing, she then went to a non-Sectarian hospital... non-Catholic hospital, and even they didn't perform the abortion on her, did they?"

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Gabel: "They... they did not do it because they did not... they were not given the chart. They were not... her insurance wouldn't cover it."

Breen: "Okay. The problem is that she went to a Catholic facility. She got an answer which would have been... which was she was told what medical... what her medically indicated condition may... may... you know, the requirements. She then went to the non-Catholic facility, had the same advice given to her as the Catholic facility, and that's the truth of her particular issue. But... but as well..."

Gabel: "Right."

Breen: "...also, and again, we can argue about this. But just continuing with the background of the Bill. With the specifics there, under Section 6.1, this is new, the Bill states that 'all health care facilities shall adopt this new set of protocols.' And it was alluded to by one of the prior speakers on this side of the aisle, but that means every single health facility in Illinois, which means every doctor's office, pharmacy, nursing home, medical pregnancy health center, community clinic and hospital. Every single one of them will now have to have this new set of protocols you would impose by this... this Bill."

Gabel: "Yes. The set of protocols are very simple, and as I said they protect... they protect people's health."

Breen: "But it's a new set of protocols and it goes down to pharmacies..."

Gabel: "It is a... it is a very simple set of protocols."

Breen: "...every single doctor's office."

Gabel: "The protocols are that if you... if you are..."

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Breen: "Well..."

Gabel: "...if you are going to say that you could use your right of conscience that you need to do one of three things."

Breen: "Well, but..."

Gabel: "Either refer the patient, transfer the patient or provide in writing written information..."

Breen: "And Representative..."

Gabel: "...about other health care providers."

Breen: "...it... it applies both to restrict the rights, not merely of the entire office, but of every single employee. Every single person who may have a conscientious objection to dealing with abortion. All of them are currently protected under Illinois law..."

Gabel: "And they will continue to be protected."

Breen: "...and you would change that right. You're changing that. Now..."

Gabel: "No, I'm not changing it."

Breen: "...the next..."

Gabel: "They will continue to be protected."

Breen: "...you said your... your three-part requirement that you would add and that's... I would look at... direct your attention to Section 6.1 (3) (iii)... little 3... that's the requirement where when a patient asks for an abortion the health care worker has to hand the patient a list of providers whom the worker reasonably believes may offer the service, right?"

Gabel: "Yes."

Breen: "Okay. Now, they can't just hand someone a phonebook, can they?"

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Gabel: "They can tear out a page of the phonebook and say here are some OBGYNs in your area."

Breen: "Well, the ACLU, as I understand it, said that that was not the case. And we were there in committee. That wasn't the way they interpreted this. You couldn't just hand them a list of OBGYNs. I mean, 'cause you don't reasonably believe that random obstetricians across the state will perform abortions. You've got to give someone that..."

Gabel: "No, that was not... that was... my understanding from committing from the ACLU is that would be okay that... that you would assume that most OBGYNs would refer for this procedure."

Breen: "Well, the... the lawyer from the ACLU that was there in committee didn't say that. And your language is those health care providers are such that the person that... the worker with the objection, who doesn't want to participate in the abortion, they have to reasonably believe that those health care providers will offer that... that service. So that's... I mean, it is a specific referral. It's not just a discussion of the options."

Gabel: "It's not a referral."

Breen: "It's not just a discussion of the options. Now, you're saying not a referral and I wanted to get to that as well. You know, Federal Law prohibits states from requiring people to refer for abortions, doesn't it?"

Gabel: "It's not a referral."

Breen: "But doesn't Federal Law prohibit... prohibit states from requiring referral for abortions?"

Gabel: "Yes."

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Breen: "Okay. Coates-Snow Amendment, Hyde, Weldon, Church Amendment. The problem is you're saying that forcing someone to hand a list of abortion clinics to a patient is not a referral. I'm wondering where is your support, under Federal Law, for that..."

Gabel: "Okay."

Breen: "...statement that it's not a referral?"

Gabel: "Yeah. Well, first of all, it's not a list of abortion clinics. It's a list of doctors that may be able to refer them for an abortion further since that is giving them some information. It's simply providing information and not referring."

Breen: "Well..."

Gabel: "But I... I... and you are talking about the Weldon-Coates-Snow and Church Amendments. And this Bill, Senate Bill 1564 does not contradict Federal Laws. The Weldon-Coates-Snow and Church Amendments make certain federal funds unavailable to certain entities including states, in some circumstances, that discriminate against health care entities for certain religious refusals including, in some cases, refusing to refer, perform, or assist in performing abortions. This... Senate Bill 1564 does not compel a health care provider to do any of those things much less discriminate against them for their refusal to do so."

Breen: "And... and Representative, we do have... and I think there may be other speakers to talk about this... we do have a fiscal note on this Bill that came back and said we may violate one or more of those Amendments because of your Bill. Because I'm looking at the... the definition of the word 'refer'..."

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Gabel: "It's not a legal opinion."

Breen: "...in Merriam-Webster's *MedlinePlus Medical Dictionary* says the process of directing or redirecting to an appropriate specialist or agency for definitive treatment. And under the *Mosby's Dictionary of Medicine* it says 'referral' is a process whereby a patient or a patient's family is introduced to additional health resources in the community. So, what you've got is something that appears to fit the definition of a 'referral', because presenting a list of providers... and it's not a list of providers who may refer for an abortion... in your language it says that they have to reasonably believe they may offer an abortion. So, it is a much different factor. Now, I also want to get to the point, you know, your Bill is not the only Bill in the country that deals with compelling some sort of speech in relation to providing information about abortion, is it?"

Gabel: "I don't... I don't know what other Bills are offered..."

Breen: "Well..."

Gabel: "...out there across the country."

Breen: "...I mean, in particular, a few years ago Montgomery County, Maryland, had to pay \$375 thousand in attorneys' fees to prolife attorneys after their ordinance was struck down that required pregnancy centers to provide information about abortion clinics. Did you know about that? Three hundred seventy-five thousand dollars."

Gabel: "We're not... we're not... we're not requiring a referral to an abortion clinic."

Breen: "Well, and that was a free speech case. It wasn't an abortion case. It's a free speech case and it's a free speech



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issue as well on this right here. There was another question that had been raised, too. You know, what... what agencies in the State of Illinois will enforce the mandate and what... where's the funding coming..."

Gabel: "This is..."

Breen: "...for those agencies to cover the cost of enforcement?"

Gabel: "There's... there's no enforcement; there's no mandate. What this means is that this will... will allow... So, what it means is that it will not be able to be used as a defense in a malpractice case if they do not follow this law."

Breen: "See... and well, and..."

Gabel: "That's the only penalty that occurs."

Breen: "I... I hear you. The problem is the Senate Sponsor, Senator Biss, said the corrective action... 'corrective action' would be taken against noncompliant facilities. And my problem is I have..."

Gabel: "I'm not saying that."

Breen: "...pregnancy help centers and I have doctors in my district who will refuse to comply with this Bill should it become law. And so, I'm wondering what are... what are they going to face and then what... what arm of the Illinois government is going to impose this corrective action on them."

Gabel: "Well, at this time we have more clarity and there is no corrective action and it will just not... they will not be able to use it as... as a defense in a malpractice case."

Speaker Lang: "Mr. Breen, can I ask you..."

Breen: "Yes. You know, I... "

Speaker Lang: "...to bring your comments to a close, Sir?"

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Breen: "And then, Mr. Speaker, I'm probably going to be the lead opponent on this one, so I'm almost done if you'll please just indulge me, just slightly. Now, I do want to correct something. There had been this statement about the Catholic Conference, but were you aware that all five Catholic Medical Association guilds of Illinois... those are the ones that actually represent the Catholic doctors... that every single one of them has given state... a statement opposing this Bill?"

Gabel: "We negotiated this Bill in good faith. And they said if we put on that Amendment they would be neutral."

Breen: "And you... you realize that Congressman Dan Lipinski has come out against this Bill. Okay. As well, I do know in committee we had over 2 thousand people slip in opposition which was more than I've ever seen on a particular Bill."

Gabel: "I think there's a lot of misunderstanding with this Bill."

Breen: "Well, and I think we've tried to clear it up today and I think it's not as good as it was. Well, and to the Bill, Mr. Speaker. You know, this Bill forces health care workers to refer folks for abortion. Now, the Sponsor can see that the doctors are already required to discuss medically indicated treatments with their patients. Frankly, it's malpractice if they don't. This is a new mandate. There's no funding for it. And it's a mandate on every single health care facility... that includes every pharmacy, every small doctor's office, every medical clinic, and community clinic in the state. You've heard and you've seen Federal Law prohibits referral for abortion... requiring states requiring referral for abortion. You've heard that we may be opening ourselves up, and probably are, for a lawsuit if we enact this. But I'd... I'd also ask

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the question, what... what is our message to folks? These... for people who have on a good faith-basis a belief that they don't want to participate in abortion. What... what's the message to the Waterleaf Pregnancy Center out in Aurora? What's the message to the Lawndale Christian Community Clinic in Chicago? What's the message to our family's obstetrician that doesn't want to participate in abortion? This is a coercive Bill. This is a Bill about force not choice. Ladies and Gentlemen, let's not let the legacy of the 99th General Assembly be one of government coercion against people of good will. This speech is a... is in flagrant... or this... this Bill would stand in flagrant violation of the free speech and religious liberty rights of every Illinoisan. I would respectfully urge a 'no' vote and a verification should it receive the required number of votes to pass."

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

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

Speaker Lang: "Sponsor yields."

Fine: "Representative Gabel, why does SB1564 require the patient to be told about the benefits of a procedure they find morally offensive?"

Gabel: "The purpose of including this language in the Bill, risks and benefits of treatment options, is to make clear that the Health Care Right of Conscience Act does not relieve health care providers of their ethical duty to have the informed consent discussion with their patients consistent with the standard of care. A provider cannot simply deny patients the information needed to understand their medical circumstances

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and treatment options. For example, a patient who is miscarrying should be informed that one way to avoid the risk of infection, which could lead to infertility or death, is to terminate the pregnancy. This is the standard of care."

Fine: "Does this Bill force doctors to perform abortions against their religious or moral beliefs?"

Gabel: "No."

Fine: "Does it require health care personnel to participate in abortions even if they are religiously opposed?"

Gabel: "No."

Fine: "Does it state that a provider who refuses to do an abortion must make referrals to an abortion clinic?"

Gabel: "No, it does not. In order to comply they can either, as we said, refer patients, transfer the patient, or provide in writing a list of places that they think reasonably may offer the health care services that the person would like. And let me just say that. ACLU says that the phonebook is... is fine, pages from the phonebook is fine."

Fine: "Representative Gabel, what is the difference between providing information about other health care providers and providing a referral?"

Gabel: "So, this... this is an important difference between providing information and providing a referral. A referral is sending a patient to a specific doctor for a specific diagnostic or treatment. That is different than providing a patient a list of other providers who are reasonably believed to provide full service care in their specialty. The distinction between a referral and providing this sort of written information about other providers matters to

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religious health care ethicists. The language about providing written information was included in the Bill as a... at the request of leaders in Catholic health care, because it matches what they already believe should be happening and is different from a morally objectionable referral."

Fine: "Does SB1564 say that a refusing doctor must give out information about abortion clinics?"

Gabel: "No. To comply, they would just have to provide information about other health care providers who they reasonably believe may offer the health care service that is being refused."

Fine: "Thank you, Representative Gabel. And also, thank you for bringing forth this very important Bill that will not only give it... give a woman the right to choose but also give an... give a woman the right to protect her own health care. So, thank you."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. Could you please excuse Representative Joe Sosnowski for the rest of the afternoon? Thank you."

Speaker Lang: "Thank you, Sir. Representative Ives."

Ives: "Thank you, Mr. Speaker. To the Bill. So, as a committed Christian and a Catholic, I'm going to read from Archbishop Chaput, because I don't think maybe some of you understand exactly what the Rights of Consciousness and how important it is to us in our... in our faith. For Christians, the Trinity of Virtues we call faith, hope, and charity should shape everything we do both privately and in our public lives. What all this means for our public life is this. Catholics can live quite peacefully with the separation of church and state

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so long as the arrangement translates into real religious freedom. But we can never accept the separation of our religious faith and moral convictions from our public ministries or our political engagement. It's impossible. And even trying is evil because it forces us to live two different lives: worshiping God at home and in our churches and worshiping the latest version of Caesar everywhere else. That turns our private convictions into lies we tell ourselves and each other. And that's exactly what this Bill does for people who... who want a Right of Conscience. In fact, Robert George said, the point of conscience protection is to shield a person from being forced to participate in something that he or she finds morally wrong; perhaps in the case of abortion, greatly so. Accordingly, Illinois existing law states it is the public policy of the State of Illinois to respect and protect the right of the conscience of all persons regarding medical services whose morality is disputed. There is no more disputed medical service than abortion. How might one be forced to participate in a disputed medical service? One way, of course, would be to require that the objector perform the procedure. The provosed.. proposed provision in this law does not go that far, but that does not mean that it's modest or moderate. Requiring the objector to refer or to transfer the person to a different medical provider, who will perform the abortion, is radical and unacceptable because it implicates the objector in obtaining the disputed medical service. It makes him or her a participant that is one who facilitates the procedure by assisting in it being obtained. It overlooks the simple point that the objector finds the procedure to be

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morally wrong and wishes not to be associated with it. There are other providers of these medical services. Folks with a right of conscience, a real moral abhorrence to the procedures for abortion should not have to refer to it... refer for it and that's exactly what this Bill does. We must protect all of our medical providers and protect the religious freedom and the rights of conscience."

Speaker Lang: "Representative Barbara Wheeler."

Wheeler, B.: "Thank you, Mr. Speaker. To the Bill. This Bill is a direct attack on our prolife beliefs on our prolife hospitals on our prolife doctors and our prolife crisis pregnancy centers. In order for us to build credibility on a Bill, Members often... often remind us what they do professionally. For instance, I know we have a hog farmer, an accountant, teachers, coaches, a humble lawyer from McHenry, a not so humble DuPage lawyer, a West Point grad, and a former prosecutor. Before I came to the General Assembly, I was a director of a crisis pregnancy center. There's been much said about what a crisis pregnancy center does and what it doesn't do. And admittedly, they're not all the same. However, I can tell you when a woman walks into a crisis pregnancy center and requests services, we start with a conversation with where her needs are at the moment she walked through those doors. If she requests one, we provide a pregnancy test. If she requests one, we provide an ultrasound. We have registered nurses and sonographers on staff as well as a medical director. We discuss with the patient that she has three options: abortion, adoption, and parenting. All options have lifelong impacts and are very difficult. Because we have a

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medical staff, if the patient requests information on abortion, the RN would go through the types of abortions appropriate for that gestational age. If the patient requests information on adoption or parenting, we provide that information as well. Regardless of the decision the patient makes... let me say that again... regardless of one of the three decisions the patient makes, the center provides support for that women... woman and... needs for where she is and if necessary provides support for post-abortive needs. Admittedly, we do not... what we won't do and this... what this Bill mandates us to do is to provide abortions, refers patients to abortion clinics, or to doctors who perform abortions. We won't transfer patients to abortion clinics or give written information as to where abortions can be performed. This information, unfortunately, is readily available online and searchable on the Internet. Needless to mention but worth mentioning, many of us here in this chamber believe that life begins at conception and is... we are prolife. There are many in this chamber who do not have the same beliefs and I understand that. Although you may not agree with us, I hope you understand that... by participating in the distribution of materials and locations, it would violate our core beliefs. There's been much talk about the Catholic Conference not opposing the Bill. This isn't by no means that they are in support of the Bill. As a matter of fact, in a letter by Bishop Conlon, the Bishop writes, 'It's distressing that we live in a time when the Legislature feels compelled to pass laws which force citizens to violate their conscience. We live in a polar... Polaristic society. We must respect each



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other and despite our differences in the beliefs and values, it is not proper to exercise the state's power to force citizens to act against their convictions to satisfy the convictions of others. In fact, Representative, your... you had a vaccination Bill last Session and it allowed a written exemption for religious reasons so they didn't have to take the vaccinations. You received 85 votes including mine. The point being, this Body recognizes there needs to be religious exemptions for some things like vaccinations. It's illogical to claim that one does not have to be involved in what we consider objectionable and at the same time demand us to supply us the list of providers for those services. Whatever label you choose, prolife, prochoice, it doesn't matter, this Bill is bad. It's a terrible overreach and it impedes upon our liberties. Vote 'no'."

Speaker Lang: "Representative Nekritz."

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

Speaker Lang: "Sponsor yields."

Nekritz: "Representative Gabel, are... I know we've had some discussion around this. I just wanted to make sure that this is on the record. Are crisis... pregnancy centers affected by this legislation?"

Gabel: "As it... That depends. If a crisis pregnancy center does not offer health care services, then it does not fall under this provision of the Health Care Right of Conscience Act. If... if it does, then it... if the crisis pregnancy does provide health care, it creates duties to patients under Illinois law. However, in doing so, they must assure that their patients get information under accepted standards of medical

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care. Every health care provider has an ethical duty to ensure that patients are not harmed by their actions or lack of action. And crisis pregnancy centers should not be exempted from being held accountable for harm that befalls patients if they do not follow the accepted standard of care."

Nekritz: "Does Senate Bill 1564 force those pregnancy centers to make referrals to abortion clinics?"

Gabel: "No, it does not. Again, they can refer the patient or they can transfer the patient. And if they don't want to do either of those two things, they can provide in writing just information about other health care providers who they believe may offer the full health services. They don't have to even provide abortions, but they at least have to know that they provide a full OBGYNE services."

Nekritz: "Does Senate Bill 1564 say that a crisis pregnancy center must give out information about abortion clinics?"

Gabel: "No. They do not have to give out information about abortion clinics. The refusing health care provider can provide in writing information about other health care providers who they think may offer this service."

Nekritz: "Since opponents claim the Bill infringes on the rights of health care providers. Are there any health care groups in support of this legislation?"

Gabel: "Yes. The Illinois section of the American College of Obstetricians and Gynecologists support the Bill. The Illinois Academy of Family Physicians supports it. And the State Medical Society worked with us on this Amendment."

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Nekritz: "The opponents of the Bill... of the Bill also claim that it infringes on religious liberty. Is that... would you agree with that?"

Gabel: "No, I do not. It does not infringe on a provider's constitutional right to religious freedom. Senate Bill 1564 accommodates religious freedom by continuing to protect health care providers who refuse the service because of a religious or conscientious objection. Under this Bill, no provider will be forced to perform or participate in a procedure that goes against his or her religious beliefs, but the First Amendment does not give a health care provider the right to harm a patient by withholding medically pertinent information. This Bill is designed to protect both health care providers who refuse, while also protecting patients from harm, by ensuring that patients have critical information about their health and treatment options consistent with the standards of medical care."

Nekritz: "To the Bill. There's been a lot of debate here about whether you're pro-choice or anti-choice and what the implications of that are. I think what's... it feels to me like it's always lost in these discussions is the women and their health and the... and the... and their opportunities to preserve their health and to make the right health care decisions for them. This legislation is about women's health care and deserves everyone's support. Thank you."

Speaker Lang: "Representative Wallace."

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

Speaker Lang: "Sponsor yields."

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Wallace: "Please forgive me if this was already covered. It's been quite a long debate. Does this Bill cover a pharmacist?"

Gabel: "It covers all health care providers that are given protection under the Health Care Right of Conscience Act. It includes pharmacists and they must give information according to the standard of care that governs their practice."

Wallace: "Thank you. It seems that most of the debate has focused specifically on the issue of abortion. Are there other aspects to this Bill? What are other areas that might be questionable in terms of consciousness?"

Gabel: "This... this Bill is about a wide range of health services that can be denied to patients. The Health Care Right of Conscience Act allows providers to refuse to provide any health care tests or procedures and even information if they have religious or... conscientious objection. Illinois patients have been denied many kinds of health care including miscarriage management, tubal ligation, birth control, and end of life care under the Health Care Right of Conscience Act."

Wallace: "So, in other words, the beliefs and the thoughts and the feelings of the physician are paramount or are given more priority or precedent than the beliefs, the desires, and the wishes of the patient?"

Gabel: "Health care providers have the right under the Health Care Right of Conscience Act to not provide certain services. This Bill does not affect that in any way. All it says is that patients also have rights and the rights of patients are to have... are to have a good standard of care."

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Wallace: "Thank you so much. I'm really glad that this is an issue... To the Bill. I'm... I'm really glad that such a serious, serious issue in terms of access to health care and such a serious issue in terms of the many things that women face in terms of, again, their reproductive health could cause such ruckus and laughter in our gallery today. It is... this is a Bill that touches me very deeply and personally, because I had a very close friend who experienced this very barrier. She was denied referral by her own OBGYN to another OBGYN who could perform the procedure necessary to end a pregnancy that... the fetus had become attached to a blood clot in her uterus putting both my friend and the fetus's life at risk. And she already had children who, of course, she would like to live to continue to care for. Her doctor refused to refer her to or give her the number to or the newspaper or telephone page to a provider who would terminate a pregnancy that would impact her life and that of the fetus. So, she went two weeks uncertain as to whether or not that blood clot would rupture, and uncertain as to whether or not she'd be there for her three other children. So, for those reasons, I stand in support of this Bill. I stand for women like the woman who testified in Human Services Committee. I stand for my very close friend who, thankfully, is still with us, but certainly not due to the fact that her doctor invoked the right of consciousness. I'm hoping that everyone in this chamber will, again, just look at this from a very objective, scientific point of view. And there are very real circumstances in which individual's lives literally are impacted by whether or not an individual feels like they can hand out that piece of paper

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from the telephone book. So, for all of those reasons, I thank the Sponsor for this Bill. And I encourage this chamber to please vote 'aye'."

Speaker Lang: "Mr. Martwick."

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

Speaker Lang: "Sponsor yields."

Martwick: "Representative Gabel, just a very brief question. I was contacted by a constituent who asked me to oppose this Bill and he said that Illinois would be in violation of Federal Law and we could lose federal funding. Can you address that?"

Gabel: "Yes. So, you're talking about the Weldon, Coates-Snow and Church Amendments. And no, this Senate Bill 1564 does not contradict Federal Laws. We spoke about this earlier. These... the Amendments make certain federal funds unavailable to certain entities including states that discriminate against health care entities for certain religious refusals including, in some cases, refusing to refer, perform, or assist in performing abortions. This Bill does not compel a health care provider to do any of these things much less discriminate against them for their refusal to do so. Indeed, if a health care provider is discriminated against rather than accommodated because of his or her religious practice, the Health Care Right of Conscience Act expressly permits him or her to pursue a claim of discrimination. This Bill clarifies that the Health Care Right of Conscience Act does not relieve health care providers of their duty to provide information consistent with the standard of care. And that is not discrimination."

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Martwick: "Thank you for your answer."

Speaker Lang: "Representative Morrison."

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

Speaker Lang: "Sponsor yields."

Morrison: "Thank you. Representative Gabel, you had said and I'd heard some people on your side talk about the need to inform women of their options. Do you... do you believe that?"

Gabel: "I believe that medical providers have to practice the standard of care."

Morrison: "So, let's... let's put the shoe on the other foot. Do you think if a woman is seeking an abortion, she's in an abortion clinic and she decides to change her mind, do you think the staff of that clinic should be compelled to tell her where she can go to save her child?"

Gabel: "Absolutely, yes."

Morrison: "Really?"

Gabel: "Yes."

Morrison: "So, 'cause we've... we've introduced some Bills that would make sure that women have informed consent and know the full scope of their options, and I haven't seen you support that Bill. So, I'm wondering if you would consider supporting that Bill."

Gabel: "My understanding is that all abortion clinics provide counseling for women and they offer them all their options that currently exist."

Morrison: "Do they discuss the risks with the... with the women?"

Gabel: "Yes."

Morrison: "Fully... really?"

Gabel: "I don't know. Have you ever... yes."

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Morrison: "Is it required by law?"

Gabel: "It's the standard of care."

Morrison: "But is it required by law?"

Gabel: "It's the standard of care."

Morrison: "Okay. Well, we would like to see it required by law and to be consistent, I... I would think that you would be on board with that. Mr. Speaker, to the Bill. First of all, we've had some excellent remarks on this side of the aisle. And I would just reinforce what has been said by Representative Breen and Ives and Wheeler. There is some contradictory testimony here on the floor, because in committee the ACLU said that a referral has to be made. And furthermore, you know, the ACLU does not dictate... nor should they ever dictate Illinois State Law and what is in compliance or not. Secondly, I'd also like to make sure it gets in the record that the Illinois Medical Society was mentioned, and just because they happened to work with the Sponsor does not mean they're in support. They're absolutely opposed to this, because they understand the implications of it to their members and to medical providers all throughout the state. If this Bill were to pass, if it became law, it would force doctors who are practicing with their religious beliefs at the forefront of their mind, it would force them out of work. It would force them out of this state. I... you know, my... my wife and I just had a... another child; we've had three. Our youngest is now about nine months old. Her ultrasounds are still very fresh in my mind and the live ultrasounds that... that we saw. So, you know, this little child... this little child is moving around in the womb and with the force of law, we're going to



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tell medical providers, you must... you must send the mother and her baby to someone who is going to terminate that pregnancy, who's going to end that life. What came to mind is the... the first book of Proverbs. And again, there are... there are thousands... tens of thousands of medical providers in this state who have sincere religious beliefs, who do not just check those religious beliefs at the door of their home or at the door of their church or other place of worship. Proverbs 24:11-12 says: Rescue those who are being taken away to death. Hold back those who are stumbling to the slaughter. If you say, behold, we did not know this. Does not he who weighs the heart perceive it? Does not he who keeps watch over your soul know it? And will he not repay man according to his work? Those... those are verses that... that people of... of the Christian faith and other faiths take very, very seriously. That this is not just a life or death issue on this earth, but has eternal consequences as well. And I would urge... urge the Body to vote 'no'. Thank you."

Speaker Lang: "Representative Willis."

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

Speaker Lang: "Sponsor yields."

Willis: "According to this Bill, if I was to go to my private physician or an OBGYNE and requested a birth control and this doctor did not philosophically believe in it, what would happen?"

Gabel: "I... the doctor would be required to give you one of three options. One, refer you to someone; two would be to... give you information about another doctor or place that you could go to, to receive those services."

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Willis: "So, right now, if I went to a doctor and requested birth control and for religious reasons he chose not to be able to prescribe it to me, I would just be out of luck."

Gabel: "Right."

Willis: "There would, maybe the doctor would refer me to somebody else if he had another physician in his practice, but maybe he would not, correct?"

Gabel: "Correct."

Willis: "So, I think that... one of the things that I need... To the Bill. One of the things that I'm hearing from a lot of this debate is that this is a pro-abortion Bill. It is not that. It is a pro information Bill. It is allowing women to make intelligent decisions about their own bodies. I think that's one of the things that we're missing in here. It is not saying that you must do this, you must do that. It's saying we're giving you the options and part of that is especially those that you ask. And I think one of my colleagues across the aisle just made a thing that it's saying that you must refer somebody to an abortion clinic. No, that's not the way I read the Bill. I'm reading the Bill that says if you have a question the doctor has to intelligently answer to you and give you the options that you're looking for or refer you to somebody that could take care of that. They're not going to go and just arbitrarily send you to an abortion clinic. It's not going to happen that way. What it's going to do is say I have questions about my own personal health. I want to talk to somebody different than what you're saying. I think it is a right of a patient to get the best information possible. I think it's the responsibility of a physician, if they cannot

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provide the services that you're looking for, that they refer you or show you where your other options may lay. This is a good Bill. It is a Bill for the rights of women to make our own best informed decisions. I urge an 'aye' on this. Thank you."

Speaker Lang: "Representative Moeller."

Moeller: "Thank you, Speaker. To the Bill. I was in committee when Representative Gabel presented this Bill last year and I heard the testimony of the woman who lost her fertility because when she went to a hospital when she was miscarrying, they refused her care. And so, we know that women are being harmed under the current... the current system that allows hospitals and doctors to turn women away from providing this care and not providing them information on where they can go to get medical attention. So, we know that something needs to be done to help ensure that women are... are receiving the care that they deserve in Illinois. And in debate today, I heard a number of speakers refer to their opposition to this Bill based on Christian values or religious values that they hold dear. And I would ask them, as a fellow Christian, is it a Christian value to support a system that would allow a woman to hemorrhage to death because she is refused care? Is it a Christian value to support a system that would allow a woman to lose her fertility because she is refused care? Now, certainly doctors should not be compelled to practice procedures that violate their freedom of religion and this Bill does not violate that. This Bill does not require a doctor to violate their own personal religious convictions. However, the state has a responsibility to provide for the

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health, safety and welfare of its citizens. If we allow this current system to persist, we will fail in that responsibility. This is an important Bill that protects women's health. It maintains the religious freedom of the doctors and hospitals across the state. And I urge an 'aye' vote. Thank you."

Speaker Lang: "Mr. Davidsmeyer."

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

Speaker Lang: "Sponsor yields."

Davidsmeyer: "So, you said that... that by providing this list, they are not showing them where to go for an abortion?"

Gabel: "They're not telling them where to go. They're not making a referral."

Davidsmeyer: "I... you know, I think... you know, we worked together on a lot of issues here. And I think you are implying that women can't find where to go this... to find these places on their own. I work with a number of very intelligent... people, very intelligent women. I'm married to a very intelligent woman who is a labor and delivery nurse, by the way, and has never turned down care for anyone who needed care. But I want to say, women are intelligent. Women are intelligent. If they want to find this information, it's the simple click of a button on the Internet. It is very easy in this day and age, if you want to find access to this type of care or whatever you want to call it, that it is at the tip of your fingers. You don't have to require somebody who disagrees with this type of operation or this type of care, if you want to call it that, you don't have to tell them they have to tell them where they can go to get this service they disagree with. So,

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you are providing information on something you disagree with and you're requiring them to provide information on stuff they disagree with. So, this violates that right of conscience. I think that you're completely wrong on this. And I would urge a 'no' vote, because I think women are intelligent and I think they can find this on their own. And... and if... if not, they need to have this conversation with their OB, their doctors and say, this is what I believe. What are my options? And if they're not willing to provide those options, there are other doctors, there are other OBs out there that will provide that opportunity. And it's very easy to find this information, as I said, with the click of a button on the Internet. So, I urge a 'no' vote."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Just to the Bill. We just got a text from the Med Society just to clarify that they are just neutral on the Bill. They were not proponents of the Bill. Thank you."

Speaker Lang: "Representative Jesiel."

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

Speaker Lang: "Sponsor yields."

Jesiel: "Thank you. I'm a little bit confused because we've had a lot of conversation about referrals and nonreferrals. Could you please clarify for me? Does this Bill require a referral to a provider with which someone does not agree?"

Gabel: "No, it does not require a referral, no."

Jesiel: "Okay. I would have to disagree. If you look in Section 6.1, the subparagraph (iii). It specifically states, if requested by the patient or the legal representative, that

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the health care personnel shall refer the patient to or transfer the patient to or provide in writing information to the patient about other health care providers who they believe may offer..."

Gabel: "Yes."

Jesiel: "...the health care service."

Gabel: "Yes. 'Or' is the key word in that sentence. Twice."

Jesiel: "Okay. Part of the problem here is that any one of these three actions that are required require active participation on the... on the behalf of the provider. So, it doesn't... it doesn't matter if it's a referral or a transportation to or providing the written benefits of this. There's active participation. And in this case, I believe, that's specifically a violation of an act of conscience. The other thing is the written notification includes not only risks, but it also requires that you include the benefits. If a provider does not believe that there's a benefit for a certain procedure, especially if it violates their conscience, then how is this a protection for them?"

Gabel: "To the best of their ability, they need to tell every patient the benefits and the risks of any procedure. That's the standard of care. Let..."

Jesiel: "But if they do not believe in the benefits..."

Gabel: "Then they don't have... then they don't believe there's a benefit and they don't have a benefit. I mean, if there's... it's a standard of care. If the benefit is... is well known among the medical community, then they should say that. If they... if there... it isn't, then they don't."

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Jesiel: "The point being that they have to provide both. That's what this Bill requires is that they're required to provide both the risks and the benefits. And if they are not... if they do not agree with the benefits, that it is a violation of their conscience. The other question that I would ask is, do you believe that there's a single woman that does not know or is aware of their right to terminate a pregnancy?"

Gabel: "I believe that there are many young women... young women... you know, they start menstruating at the age of 11... there are many could be very young women who are very confused and there are teenagers who are very confused, don't know where to go. They Google it online and they end up going to a crisis pregnancy center where they are not given full information."

Jesiel: "Which I would have to say is not such a bad option, but especially..."

Gabel: "Well, that's your opinion."

Jesiel: "...at the age of 11 or 12 or 13. But I would also say that I'm... I could probably say with 99.9 percent certainty that there isn't a one of them that does not know that this is an option for treatment for them. I think... To the Bill. I think that there is a deliberate refusal to disclose exactly what this Bill is doing. Because of the fact that it requires active participation, either referral or transportation or a written risks and benefits, it's still an egregious violation of somebody's right of conscience. And I think we... I urge that we vote 'no' on this Bill. Thank you."

Speaker Lang: "Representative McDermed."

McDermed: "Thank you. To the Bill. I want to report on a little experiment that I just made, where I took my iPhone and did

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a little work about how easy it is to find these services here in Springfield, Illinois. And you know, there are any number of paid ads, to say nothing of all the providers of any service that you'd like, available to anyone that has access to the Internet which is everyone. So, the issue that I'm struggling with is when this information is so readily available and as my colleague here just said, is there any woman of any age who doesn't understand that she has a right to terminate her pregnancy, why we are putting these egregious and burdensome barriers and... on our health care providers to violate their conscience. There isn't any reason to do it other than just to exercise... to exercise a certain political point of view that's not consistent with their beliefs. That's the only reason to be doing it. It can't possibly be to inform people because anyone can get the information at any time. So, there's only... the only reason can be is that we want to burden them and violate their consciences and annoy them and put them in a position where they no longer engage in this behavior, because it's too hard to keep your conscience clear if this is your belief. It's a bad, bad Bill. It's completely unnecessary. It's way over burdensome. Vote 'no'."

Speaker Lang: "Representative Gabel to close."

Gabel: "Thank you, Mr. Speaker. I appreciate all the discussion that we've had about this Bill. I... I do want to emphasize again that... that this is more and broader than abortion. There's also many other health care practices that this Bill affects. This Bill is about ensuring that patients get information about their medical circumstances and treatment options consistent with the standard of care when their health



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care provider raises religious objections. We are talking about people in the health care system who are... who swear that... to... promise to uphold the standard of care. It's a modest... very modest change to the laws to protect patients by ensuring that they get the information they need. This... this continues to protect health care providers. They continue to have the health care right of conscience. This just also protects patients in this process. I urge an 'aye' vote."

Speaker Lang: "Ladies and Gentlemen, Mr. Breen has asked for a verification. Members will be at their own desks and vote their own switches. 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 61 voting 'yes', 54 voting 'no'. And there is a verification request by Mr. Breen. Mr. Clerk, please read the roll of the affirmative."

Clerk Hollman: "A poll of those voting in the affirmative.  
Representative Acevedo; Representative Ammons;  
Representative Andrade; Representative Arroyo;  
Representative Burke, D.; Representative Burke, K.;  
Representative Cassidy; Representative Chapa LaVia;  
Representative Conroy; Representative Crespo; Representative Currie;  
Representative D'Amico; Representative Davis, M.;  
Representative Davis, W.; Representative Drury;  
Representative Evans; Representative Feigenholtz;  
Representative Fine; Representative Flowers; Representative Ford;  
Representative Franks; Representative Gabel;  
Representative Gordon-Booth; Representative Guzzardi;

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Representative Harper; Representative Harris, G.;  
Representative Hernandez; Representative Hoffman;  
Representative Hurley; Representative Jackson;  
Representative Jones; Representative Kifowit; Representative  
Lang; Representative Lilly; Representative Manley;  
Representative Martwick; Representative Mayfield;  
Representative McAsey; Representative Mitchell, C.;  
Representative Moeller; Representative Moylan;  
Representative Mussman; Representative Nekritz;  
Representative Reaves-Harris; Representative Riley;  
Representative Rita; Representative Sente; Representative  
Sims; Representative Smiddy; Representative Soto;  
Representative Tabares; Representative Thapedi;  
Representative Turner; Representative Wallace;  
Representative Walsh; Representative Welch; Representative  
Williams; Representative Willis; Representative Yingling;  
Representative Zalewski, and Mr. Speaker."

Speaker Lang: "Mr. Breen."

Breen: "Acevedo."

Speaker Lang: "Mr. Acevedo. Mr. Acevedo is in the rear of the  
chamber."

Breen: "All right. We don't have the answer."

Speaker Lang: "Gentleman withdraws his verification request. On  
this question, there are 61 voting 'yes', 54 voting 'no'. And  
this Bill, having received the Constitutional Majority, is  
hereby declared passed. Senate Bill 2138, Mr. Sullivan.  
Please read the Bill."

Clerk Hollman: "Senate Bill 2138, a Bill for an Act concerning  
civil law. Third Reading of this Senate Bill."

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Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. Senate Bill 2138 creates the Snow Removal Service Liability Limitation Act. What this does is it in essence and codifies into law public policy to have contractors insulate themselves against liability. What that means is you can't put into law in a contract that says I'm going to have the person that I contract to do snow removal service, in essence, indemnify me, the person that hired them, against any potential liability that arose on my premises. Be happy to answer any questions. This is a long process. It is now an agreed 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? 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 2158, Representative Kelly Burke. Please read the Bill."

Clerk Hollman: "Senate Bill 2158, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Representative Burke."

Burke, K.: "Just one moment, Mr. Speaker. Thank you. Senate Bill 2158 amends the Community College Act to prevent lame duck college boards from renewing or establishing an employment contract with the Chief Executive. The intent is obvious. We don't think an outgoing... or an outgoing community college board should put in contract a place that essentially binds a newly elected board before that board takes office. I ask for an 'aye' vote."

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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 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2159, Representative Burke. Please read the Bill."

Clerk Hollman: "Senate Bill 2159, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. Senate Bill 2159 closely parallels a Bill that we passed last year by Senator Conley and I believe Representative Ives. It applies changes to the state university system instead of community colleges. Among other things, the Bill places a one-year limit on severance packages, caps the length of a contract for executives at four years, forbids rollover clauses, forbids severance payments or contract buyouts, requires final action on an employment contract must occur during an open meeting of the board. The provisions of the contract must be published prior to the meeting and requires the university to follow certain procedures in the awarding of a bonus. I ask for an 'aye' vote and welcome any questions."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, I appreciate these reforms. I think they're necessary. My question though deals with the severance issue."

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Burke, K.: "Yes."

Franks: "I guess I have a philosophical difference. I don't understand why we're paying... we seem to pay a lot of severance in this state. And I understand that you're limiting the severance to one year. I'm just wondering what is the... the philosophy of offering severance at all in these type of contract situations, because I presume that when the contract is done at that point if we don't renew it there's no reason for severance. But I can tell you, I have seen so many instances in this state where even when contracts are done... recently the Illinois State Board of Education, for instance, when the holdover guy stayed three months, he was paid for his entire time working, worked his three months, was paid for it and then got severance even though his contract had already expired. So, my concern is that by tacitly allowing for severance that what we're doing here is actually providing a minimum. They're always going to give a year which I don't believe they should get anything because if we're not keeping their contract why, pray tell why, do we pay severance?"

Burke, K.: "My understanding of the... of the use of the severance would be when they're in the midst of a contract and they would like the executive to leave early. And that the severance would be limited to that one-year salary plus some benefits not an... when the contract's over, the contract should be over."

Franks: "But in contract law, if you terminate someone beforehand, you can either do it for a couple of reasons. You can do it for cause. And that way we wouldn't need to pay a severance. Or you can say, frankly, I don't want to look at you anymore."

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I don't like the color of your shirt, so I'm sending you home early and I'm going to pay you for the rest of the time under your contract. But why would we also then give them severance on top of that?"

Burke, K.: "I... I think... I don't think we are. I think we're saying the severance to go home early and don't come to work, that you're talking about, is what we're talking about with severance. I don't think we're anticipating that they would... that a contract would be over and..."

Franks: "Well, let's assume for the sake of argument there's four months left on someone's contract. They had a three-year contract. And there's four months left. Then what this would allow is for them to be paid up to one-year in severance. Whereas, if we just said go home early, we're going to pay you the extra four months, this could potentially be a windfall of an additional eight months of salary which they would not have been paid."

Burke, K.: "I think it provides the boards with a little bit of flexibility in dealing with a difficult personnel issue, but yet limits the liability for the taxpayers so that if they are in that situation, it's limited to one year. I hear what you're saying, but I think the board does need a little bit of flexibility each situation in which they're seeking a severance, it's different and can be complicated. So, I hear what you're saying, but I think we're trying to build in a little flexibility for the board."

Franks: "Well, I'm going to support your Bill 'cause I think the other... the other things are good in it. And perhaps, the... there could be a trailer Bill or in the next General Assembly,

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we could really get into whether severance ought to be paid and that ought to be a public policy debate that we do have, because I've seen that the severance issue has been thoroughly abused in this state from Metra to State Board of Education to educators at every level. And I think that the taxpayers tend to get ripped off whenever severance is brought up. So, hopefully in the future we can tackle that issue as well, but I appreciate the reforms that you're bringing forward."

Burke, K.: "Thank you."

Speaker Lang: "Representative Ives."

Ives: "Thank you, Mr. Speaker. To the Bill. So, I'm just... just pick upon some of Representative Franks's remarks. And just to let you know, at the College of DuPage, they actually negotiated with their latest new... their new President a severance of only 75 percent of base pay, 75 percent, not even a hundred percent. So, the good thing about this Bill is that... is it is a limitation of a hundred percent plus benefits, but you can also negotiate down. And we have successfully recruited a Vice Admiral to take over the College of DuPage. She knows that she's only going to get if it... if it happens, a severance deal of 75 percent. It... She had no problem with only a three-year contract, not even a four-year. But the reason that this Bill is where it is, is because the Illinois... Thank you, Mr. Speaker. The reason for this Bill is that the Illinois Community College... College trustees, when we were negotiating the Bill on community colleges, severances and contract limitations, they adamantly refused to budge anymore. And... and that... for that I, you know, I don't really respect them from that standpoint. But

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certainly I agree with Representative Franks. We need to work harder on limiting these severance buyouts and certainly we need to give that this is the upper limitation. But I think other people should know that lower severance packages have already been negotiated and seem fair to both the employer and the board themselves. Thank you."

Speaker Lang: "Representative Burke to close."

Burke, K.: "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 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 2301, Representative Conroy. Please read the Bill."

Clerk Hollman: "Senate Bill 2301, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Conroy."

Conroy: "Thank you, Speaker. Senate Bill 2301, the Alzheimer's Disease and Dementia Services Act, is an initiative of the Alzheimer's Association. Many of us know someone who is... who is living with this... with Alzheimer's and understand the complexity of this devastating disease. It is the sixth leading cause of death in Illinois and has no cure... or way to prevent or even slow the progression. Alzheimer's disease is a hundred percent fatal. Over the next nine years, our state is expected to face a near 20 percent increase in the number of residents living with Alzheimer's. This Bill establishes a uniform statewide minimum training standard. The intent of



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the Bill is if you advertise Alzheimer's disease care services, then you must actually have training to support that advertising claim. This protects both consumer and care provider. I ask for a 'yes' 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? 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 2407, Representative Gordon-Booth. Out of the record. Page 3 of the Calendar, under the Order of House Bills-Third Reading, there appears House Bill 3689, Representative Cloonen. Please read the Bill."

Clerk Hollman: "House Bill 3689, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Representative Cloonen."

Cloonen: "Thank you, Mr. Speaker. This Bill was brought about last spring and it addresses the vehicle disability placard. Right now, in the State of Illinois an adult person who cannot drive cannot get a placard so that that person's parents can drive him or her to the doctor. So, it comes from a constituent of mine. We have a Bill that allows the minors... or parents of minors to have the disability placard but not those of adults. An adult who's disabled and will never be able to drive cannot get a placard and neither can the parents of that person get a placard. So, now, with this Bill, the meter-exempt decal or device may be used by an authorized holder when the vehicle is being used to transport a person

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with disabilities if that person is unable to drive and that person is the son or daughter. 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? 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. The Chair recognizes Mr. Phillips."

Phillips: "Thank you. Point of personal privilege..."

Speaker Lang: "Proceed, Sir."

Phillips: "...Mr. Speaker? Thank you. I have in the gallery another group I'd like to introduce today. They've been waiting very, very patiently for House Resolution 1222 to be passed, but I'm going to go ahead and introduce you then you guys can... you're welcome to leave Springfield. I'm sure you probably had all you want today and thank you for being patient. This... these folks here are the committee from Neoga for the... it's actually, congratulates the City of Neoga on its successful efforts for a veteran's memorial and declares May 25, 2016 as Neoga Veteran Memorial Committee Day. These folks have been working on this for two or three years now. It's just now gotten off... started and they collectively together worked to get \$60-some thousand for the memorial for the veterans. Not just of Neoga and the surrounding area but for all of... all of the Illinois too so. We just want to thank you for your efforts. In the gallery, the... I would like to introduce them. It's Ed Brick, Brenda Evans, Diana Foor, Karen Lindley, Jennifer Mattern, William Mattern, Randy Mendenhall, Wayne

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Modglin, Paula Rupel, which her daughter's on the floor here as a Page... and she'll be able to go ahead and leave, too, if you'd like. Robert Schwindt and Carmen Stokes. And I really appreciate you coming here from Neoga, Illinois, just right off of I-57. They got gas and food when you're headed south. Right, guys? All right. Thank you very much."

Speaker Lang: "Thank you for being with us today, appreciate it. House Bill 5417. Mr. Ford. Out of the record. House Bill 5580, Representative Wallace. Out of the record. House Bill 5762, Representative Harper. Out of the record. Page 11 of the Calendar, under Consideration Postponed, House Bill 6291, Representative Nekritz. Please proceed, Representative."

Nekritz: "Thank you, Mr. Speaker. House Bill 6291 deals with two issues for juvenile offenders. The first is whether we are going to commit youth to the Department of Juvenile Justice for drug offenses. And the second is the length of probation for various crimes. Ultimately, we think that this will reduce the population in... at the county level for... for youth in detention centers and at DJJ which will, again, save us money which I think is something we desperately need to do right now. The... the first part is the commitment for drug offenses. The goal of this part of the legislation is to keep youthful substance abusers out of detention, get them the treatment they need to address their drug problem. So, this is a... this compromise keeps Class 3 and 4 Felony violators of the Controlled Substances Act out of detention facilities unless a commitment occurs upon a third or subsequent judicial finding of a violation with probation for substantial noncompliance of court-ordered treatment or programming. On

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the probation side of this, the goal is... of this part of the legislation is to offer a probationary period that is long enough to get youth the programming and treatment they need but short enough to keep them motivated to work toward the goal of getting off probation. This is a very evidence-based approach. Research would indicate that the best public policy to reducing recidivism among youth is giving them achievable goals... goals that are not so far out that they... that they... that they think that's too far off and they're not going to worry about it. It's got to be short-term, achievable goals. And that's what this part of the legislation would do. We did have some opposition to this from the state's attorneys. We negotiated with them and they are now neutral on this piece of legislation. So, I'm not aware of any opponents. And I would ask your support."

Speaker Lang: "Representative Barbara Wheeler."

Wheeler, B.: "Thank you. Mr. Speaker, will the Representative yield?"

Speaker Lang: "Sponsor yields."

Wheeler, B.: "Representative, did you say who... whose initiative this is?"

Nekritz: "This is an initiative of... of Cook County."

Wheeler, B.: "And it's supported by the Department of Juvenile Justice?"

Nekritz: "Yes."

Wheeler, B.: "And you mentioned that this would help in the recidivism numbers. Can you explain how?"

Nekritz: "Sure. So, right now, we have these lengthy probation periods. And it's very easy for a youth to fall down and make

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a mistake during that period because it goes on so long. And this would make it more proportional to the type of crime that they committed. And again, with the short-term achievable goal, something that they can actually see, that, yes, I can... I can withstand doing this. I can stay out of trouble for 'x' period of time. The... the research would show that that's... that the most successful way in reducing recidivism and keeping youth from reoffending."

Wheeler, B.: "And you also... you also mentioned the drug court for juveniles. Could you go... explain that one more time for me, please?"

Nekritz: "Sure. So, I think what we want to try to do is keep those who just have a substance abuse problem out of, essentially, jail and get them the treatment they need. So, this would say that for a Class 3 and 4... Class 3 and 4 Felony violation of the Controlled Substances Act, they would... those individuals would not go to a detention facility. They would... they would get some other sent..."

Wheeler, B.: "They would go into drug treatment."

Nekritz: "They would go into some other treatment program. A community... hopefully, a community-based treatment program. The exception is that if they have... and this was something we did... we negotiated with the state's attorneys... 'cause, you know, if someone's like a repeat offender, then maybe at some point, you know, I would disagree... I might personally disagree with this, but this was the compromise we were willing to make, is that if it's on a third or subsequent offense when a... when a judge finds that there's in substantial

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noncompliance with that court ordered substance abuse treatment, then they can be sentenced to do JJ."

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

Nekritz: "Thank you so much."

Wheeler, B.: "Thank you for bringing it forth."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "So, Elaine, I voted for this. I think it's a good Bill.

I want one thing clarified so that folks don't take the wrong thing away from them. If a minor commits his or her third offense, either Class A or Class 4, they would not automatically be in the juvenile detention, but they may be... that would take them out of the exception, would it not?"

Nekritz: "If... if... if their... upon their third..."

Sandack: "Offense."

Nekritz: "...third offense..."

Sandack: "Correct."

Nekritz: "...and third finding..."

Sandack: "Correct."

Nekritz: "...by a judge that they were not... they weren't going through with the treatment. They weren't doing what they were supposed to be doing."

Sandack: "So, they're back in the regular adult..."

Nekritz: "So, they're back in the regular system, correct."

Sandack: "So, it... basically, it's three and you're out. But the idea is to keep them out of the system consistent with... consistent with the overall goals and things that we've been

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doing this Session, pretty aggressively in a bipartisan fashion..."

Nekritz: "Yep, I completely agree."

Sandack: "...trying to get people a chance at a rehabilitated situation, employment, education, treatment, and to avoid the recidivism problem that we clearly have. But there is... if you do it three times or four times, now, you know, you've run your... your run of luck is over and now you're in the system."

Nekritz: "We... we gave you a chance. You have clearly demonstrated you're not motivated enough to comply, so then... then you're going to be committed to... to..."

Sandack: "So, there's some failsafe mechanisms in your Bill for clearly people that aren't getting the message that aren't taking some self-help mechanisms and maybe should be in the system then."

Nekritz: "That's correct. And again, this was a negotiated settlement with the state's attorneys."

Sandack: "Thank you very much. It's a good Bill. I highly support it. Thank you."

Nekritz: "Thank you."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I just have a few questions, Representative. First of all, I want to commend you. This is a fantastic piece of legislation, but I just would like to have some clarity, please..."

Nekritz: "Sure."

Flowers: "...because I heard you say to the previous speaker that three strikes and then they will be committed if they do not comply with the supervision?"

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Nekritz: "They can be committed, yes."

Flowers: "They can be."

Nekritz: "Yes, for sentencing."

Flowers: "But it's not mandatory that they are?"

Nekritz: "It's not mandatory. It's not mandatory, no."

Flowers: "So... so, my question because we are..."

Nekritz: "Thank you for that clarification."

Flowers: "...we are mandating certain types of services for these  
young people."

Nekritz: "No, we are not."

Flowers: "Oh, we're not?"

Nekritz: "We're not. No, we would hope that they would be getting...  
that would still be subject to a court order, but if we would...  
if... but it would... what it's doing is preventing them from  
automatically being committed to detention. And instead, they  
would... the court could... would order, we anticipate,  
community-based services..."

Flowers: "Okay. Well..."

Nekritz: "...or treatment services."

Flowers: "...so, I... so, I'm trying to see how is it that this young,  
immature child would be able to follow through on the things  
that's required of him or her, if there is not some type of...  
where is... where is the services? Who's going to make sure  
that the services is going to be provided? Are they going to  
be put in front of the line because you understand the budget  
cuts that we had..."

Nekritz: "Yes, right."

Flowers: "...so therefore, we do not have the drug programs and the  
behavior... the mental health facilities for these young



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people. So, where are we sending them to make sure that they are not in violation? What jobs are we providing for them? What education... education or vocational programs are we providing them to make sure that there is not the readmissions into the prison or the admissions into the prison?"

Nekritz: "It's a great question, Representative. And I think one of the things that this will allow us to do is to reallocate resources from... from the... those detention centers and put that... reinvest that back into these services. We do... we do have some youth redeploy... it's not adult redeploy. It's the juvenile version of adult redeploy..."

Flowers: "I don't know if that's in Cook County or not."

Nekritz: "Well, we've had some legislation to allow that to happen. But there are... there are some community-based programs and I think that, you know, that the folks at Cook County would allow that they're probably not enough. But again, this will allow... allow them to reinvest these saved dollars into those community-based programs..."

Flowers: "Well, again..."

Nekritz: "...which are desperately needed."

Flowers: "Again, Representative, I... I support this Bill 100 percent, but I think too often what we do we set the young people up for failure, because we give them the perception that we're doing something for them and quite frankly, we're just giving them another door to go into for a longer length of time, because they cannot have access to the services because no one navigated them in the right directions or made the priorities or the programs are not there in the first

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place. So, you mentioned about the funding from the juvenile... from DJJ or wherever..."

Nekritz: "Well, even... even from Cook County... even from the Cook County Juvenile Detention Center they anticipate that there would be... there would... reduce their caseloads by up to 600 youths annually? So, that would be some significant savings out of the JR that... that their juvenile detention center could then, again, go back to the communities."

Flowers: "So, where would the money go? I mean, what... I..."

Nekritz: "Yeah."

Flowers: "...we need to have specific programs and if this is going to be a court order under a judge's supervision, there needs to be specific programs that these young people would be involved in as far as schooling is concerned. What if they just need somebody to help them get back into school? What if there are no alternative schools, again, because of the budget cuts?"

Nekritz: "So, Representative, I'm very sympathetic to your point. Again, the legislation doesn't address those alternatives. It just gets them out of detention so that they have the possibility to go into those programs. But there is... you know, there are for lack there are aftercare workers that are supposed to help them, guide them through that and understand where those programs are and get them to that. I... I have no doubt it's an imperfect system, right now and probably wildly imperfect. But this is a first step in getting them those services."

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Flowers: "All right. Once again, I want to reiterate. I think this is a perfect piece of legislation. Well, I shouldn't say perfect because there is no perfect legislation."

Nekritz: "Right."

Flowers: "But the fact of the matter is, I'd like the record to reflect..."

Nekritz: "Yes."

Flowers: "...what your intention is that the programs should be in place and we should not blame the children for their failure because we did not provide the venue for them to be successful."

Nekritz: "And I think that would be, frankly, the worst possible outcome because then we don't have... they're... they're not... they're not getting the treatment that they need and we have let..."

Flowers: "Right. And..."

Nekritz: "...we have let them down again."

Flowers: "...and that's what got them..."

Nekritz: "Yeah."

Flowers: "...into trouble in the first place."

Nekritz: "Yeah."

Flowers: "They were put out of school..."

Nekritz: "Right."

Flowers: "...didn't have the job, the education, the training, or the... or the health care."

Nekritz: "The health care."

Flowers: "You know. So, these are the missing pieces that we need and that's the reason why we need revenue in this state to provide these programs. And that's the reason why we need a

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financial transaction tax to bring the revenue into the state, to provide these programs, to keep these kids out of the system. Thank you very much and I appreciate your time. And I would urge an 'aye' vote."

Speaker Lang: "Representative Nekritz to close."

Nekritz: "I ask for your... I would 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 record yourselves. Mr. Clerk, please take the record. On this question, there are 80... excuse me... 65 voting 'yes', 48 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Referring to Supplemental Calendar #2, Senate Bills-Second Reading. Senate Bill 186, Leader Currie. Out of the record. Senate Bill 318, Leader Currie. Out of the record. Senate Bill 420, Leader Currie. Out of the record. Senate Bill 440, Mr. Burke. Please read the Bill."

Clerk Hollman: "Senate Bill 440, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 467, Mr. D'Amico. Out of the record. Senate Bill 1059, Mr. Mitchell. Bill Mitchell. Please read the Bill."

Clerk Hollman: "Senate Bill 1059, a Bill for an Act concerning government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. Senate Bill 1525... sorry. Senate Bill 1529, Leader Currie. It's on Second Reading, Representative. Please read the Bill, Mr. Clerk."

Clerk Hollman: "Senate Bill 1529, a Bill for an Act concerning elections. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Third... of Second Reading. Senate Bill 1582, Leader Durkin. Out of the record. Senate Bill 2186, Mr. Tryon. Please read the Bill."

Clerk Hollman: "Senate Bill 2186, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2321, Mr. Welch. Please read the Bill."

Clerk Hollman: "Senate Bill 2321, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2357, Mr. Sullivan. Please read the Bill."

Clerk Hollman: "Senate Bill 2357, a Bill for an Act concerning gaming. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2443, Mr. Sims. Mr. Sims. Out of the record. Senate Bill 2469, Representative Soto. Representative Soto. Please read the Bill."

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Clerk Hollman: "Senate Bill 2469, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Out of the record, Mr. Clerk. Senate Bill 2504, Representative Feigenholtz. Representative Feigenholtz. Read the Bill, please."

Clerk Hollman: "Senate Bill 2504, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2571, Leader Currie. Please read the Bill."

Clerk Hollman: "Senate Bill 2571, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Returning to Leader Currie's Bill. Senate Bill 186. Please read the Bill."

Clerk Hollman: "Senate Bill 186, a Bill for an Act concerning courts. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate Bill 318. Please read the Bill."

Clerk Hollman: "Senate Bill 318, a Bill for an Act concerning government. Second Reading of this Senate Bill. Amendment #1

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was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 420. Please read the Bill."

Clerk Hollman: "Senate Bill 420, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. Amendment #3 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 580, Leader Currie. Please read the Bill."

Clerk Hollman: "Senate Bill 580, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold on the Order of Second Reading. Senate Bill 2613, Representative Manley. Please read the Bill."

Clerk Hollman: "Senate Bill 2613, a Bill for an Act concerning employment. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2813, Mr. Bradley. Mr. Bradley. Out of the record. Senate Bill 2814, Representative Kelly Burke. Out of the record. Senate Bill 2842. Please read the Bill."

Clerk Hollman: "Senate Bill 2842, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2861, Mr. Harris. Please read the Bill."

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Clerk Hollman: "Senate Bill 2861, a Bill for an Act concerning military justice. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Do you want this held on the Order of Second, Sir? You have an Amendment pending?"

Harris, D.: "Yeah. I was just going to ask about the Amendment. Mr. Speaker, there was an Amendment. Has it cleared Rules, do you know?"

Speaker Lang: "Apparently not."

Harris, D.: "Thank you."

Speaker Lang: "Do you want this held on Second?"

Harris, D.: "Hold the Bill on Second Reading. Thank you."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 2875, Mr. Sandack. Please read the Bill."

Clerk Hollman: "Senate Bill 2875, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 2901, Representative McAsey. Out of the record. Senate Bill 2906, Representative Wallace. Please read the Bill."

Clerk Hollman: "Senate Bill 2906, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Returning to Senate Bill 2901, Representative McAsey. Please read the Bill."

Clerk Hollman: "Senate Bill 2901, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1



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was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. Senate Bill 2921, Mr. Zalewski. Out of the record. Senate Bill 3058, Leader Currie. Please read the Bill."

Clerk Hollman: "Senate Bill 3058, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold on Second. Senate Bill 3080, Mr. Harris. Please read the Bill."

Clerk Hollman: "Senate Bill 3080, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 3162, Representative Cassidy. Please read the Bill."

Clerk Hollman: "Senate Bill 3162, a Bill for an Act concerning courts. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Cassidy, has been approved for consideration."

Speaker Lang: "Representative Cassidy on the Amendment. Out of the record?"

Cassidy: "Yes. There's another Amendment. I'm sorry."

Speaker Lang: "Out of the record. Senate Bill 3336, Mr. McAuliffe. Out of the record. House Resolution 1204, Mr. Bennett."

Bennett: "Thank..."

Speaker Lang: "Please proceed, Sir."

Bennett: "Thank you, Mr. Speaker. This is a Resolution from ABATE. Basically, it's in recognition of over 355 thousand

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registered motorcycles statewide, over 29 years of A.B.A.T.E. of Illinois, Inc. And in recognition of the continued role Illinois serves as a leader in motorcycle safety, education and awareness, we designate the month of May of 2016 as Motorcycle Awareness Month in the State of Illinois. And I do ask for an 'aye' vote, please."

Speaker Lang: "Those in favor of the Resolution will say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. Page 2 of the Calendar, House Bill 1127, Mr. Smiddy. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1127, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Smiddy, has been approved for consideration."

Speaker Lang: "Mr. Smiddy."

Smiddy: "Thank you, Mr. Speaker. House Bill 1127, what it does is this Floor Amendment replaces the previous legislation and will take the statute of limitations off of several offenses for minors regarding sexual criminal assault, aggravated criminal sexual assault, predatory criminal sexual assault. I ask for passage and we can discuss 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: "House Bill 1127, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Smiddy."

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Smiddy: "Thank you, Mr. Speaker. As I stated before, this... what this Bill does is it will take the statute of limitations off certain sexual offenses that currently have a 20-year limitation on them. And 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? Nekritz. 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. The Chair recognizes Representative Nekritz."

Nekritz: "I had a question on the last Bill, so never mind."

Speaker Lang: "Sorry. House Bill 1128, Mr. Yingling. Please read the Bill."

Clerk Hollman: "House Bill 1128, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Yingling, has been approved for consideration."

Speaker Lang: "Mr. Yingling."

Yingling: "Thank you, Mr. Speaker. This Amendment lifts the statute of limitations on a variety of different sexual crimes including involuntary sexual servitude of a minor, trafficking in persons, indecent solicitation of a child, sexual exploitation of a child, permitting sexual abuse of a child, custodial sexual misconduct, sexual misconduct with a person with a disability, sexual relations within a family, promoting prostitution, promoting juvenile prostitution,

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patronizing a prostitute, patronizing a minor engaged in prostitution as well as solicitation of a sexual act."

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

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

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

Clerk Hollman: "House Bill 1128, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Yingling."

Yingling: "Thank you, Mr. Speaker. I just explained what the Bill does. I would appreciate an 'aye' vote and I'm 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. 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. House Bill 1129, Representative Mussman. Please read the Bill."

Clerk Hollman: "House Bill 1129, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Mussman, has been approved for consideration."

Speaker Lang: "Representative Mussman."

Mussman: "Thank you, Mr. Speaker, Members of the House. House Floor Amendment #1 eliminates the statute of limitations for the following offenses when committed against a minor under the age of 18: child pornography, posting... identifying or

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graphic information on a pornographic website, nonconsensual dissemination of private sexual images, grooming, solicitation to meet a child, or traveling to meet a minor."

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: "House Bill 1129, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Representative Mussman."

Mussman: "Yes, Sir. The Amendment becomes the Bill and we just discussed that. I'm happy to answer questions as necessary."

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 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5201, Representative Gordon-Booth. Out of the record. Page 13 of the Calendar, Order of Resolutions, House Joint Resolution 142, Mr. Skoog. Please proceed, Sir."

Skoog: "Thank you, Speaker. House Joint 142 designates the route 89 bridge in Spring Valley as the Illinois Valley Veterans Memorial Bridge. James Taylor, the current commander of Spring Valley VFW and Dan Savage, the past commander of Spring Valley VFW. Both residents of Spring Valley were very instrumental on bringing this forward to the General

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Assembly. The bridge will honor the men and women who served in our Armed Forces in the Illinois Valley."

Speaker Lang: "Mr. Zalewski. Those in favor of the Gentleman's Resolution will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. There are 116 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Page 5 of the Calendar, Senate Bill 2410, Representative Bourne. Please read the Bill."

Clerk Hollman: "Senate Bill 2410, a Bill for an Act concerning wildlife. Third Reading of this Senate Bill."

Speaker Lang: "Representative Bourne."

Bourne: "Thank you, Mr. Speaker. This is an identical Bill to one we passed out of here as a House Bill. It creates a youth trapping license so that those under 18, who wish to participate in trapping, do not have to go through the full process of an adult. I would ask for your 'aye' vote. And I'm happy to 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? Mr. Clerk, please take the record. 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2433, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "Senate Bill 2433, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "No running, Representative. Mr. Zalewski, after he catches his breath."

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Zalewski: "I hope I'm not that out of shape, Mr. Speaker. Senate Bill 2433 is an extension of the Clinical Psychologist Act. I'd 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? Turner. 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 2465, Representative Cassidy. Representative Cassidy. Please read the Bill."

Clerk Hollman: "Senate Bill 2465, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker and Members of the House for your patience as I made... made my way over. This Bill will bring an end to a practice that more than anything else has been a clear failure. The practice of seeking assets of inmates to offset the cost of their incarceration, that we have... have taken on for several years, has only brought in \$500 thousand since 2008. That is the product of countless hours of work, staff time in IDOC and the Attorney General's Office for what is obviously very little return. That... should be enough reason to vote for this. Most of you know of my commitment to reentry policy and my passion for it. Very few of you know why I believe a barrier to reentry is a path to recidivism though. I've been honored and pleased that this has quickly become a bipartisan issue, but I came to this through... via my family. My eldest nephew in many ways is my

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first child, but he... he went astray and he did some deeply stupid things and he spent time in prison in Florida. And I stayed in touch with him during that time and made sure he knew that he was loved and supported and that we couldn't wait for him to come home. I lived in Illinois when he got out of prison, and I was talking to his mom shortly before his release about what was going to happen when he came home. And she informed me of a Florida policy where every inmate who comes out of prison comes out with a lien on all future earnings until they repay the entire cost of their incarceration. And my thought at that time... I had two thoughts really... one was I don't know what Matthew's going to do under those circumstances and feared that he would believe his only option was to return to the activities that got him into this position in the first place, because there's certainly no incentive to go into the legitimate economy when all of your earnings are going to be taken. And my second thought was thank God we don't do this in Illinois. So, imagine my surprise when I read a *Tribune* investigative piece about this practice and learned about families who... who had intense debates about whether or not to include their incarcerated loved one in grandma's will, when grandma wanted to leave this young man money, so that when he came out, he'd have a nest egg to get... to get started, to go to school, to get a place to live. Lo and behold, the private corporation that we tasked with the honorable duty of making sure that our inmates are eligible for Medicaid benefits has this side gig that allows them to recommend that we sue inmates for any assets they happen to find during that process. And in this instance,



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they discovered the inherent... an inheritance of approximately \$12 thousand, I believe, that this man had been left from his grandmother. And they sued him for it and they won. We... let me be clear... we sued him for it and we won. Others have been sued and ended up having to go on public aid after their release. This is penny-wise and pound-foolish. It is predatory by definition. And it is not a positive reentry practice. Any barrier to reentry is a path to recidivism. If you, as many of you do on both sides of this aisle, join me in my passion for ensuring that we have positive reentry policies in this state, join me in repealing this law. I ask an 'aye' vote."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Kelly, I join you in this Bill. I support it as well, but a couple points of clarification."

Cassidy: "Yes."

Sandack: "First of all, are there any states doing this right now other than us?"

Cassidy: "Well, as I said, Florida has this automatic lien process. Every state deals with it slightly differently."

Sandack: "And I think you said, 500 thousand has been collected over what period of time?"

Cassidy: "Since 2008, literally pennies on the dollar."

Sandack: "And obviously, it costs to administer this and go after people, but I want to make sure we're clarifying in what we're talking about."

Cassidy: "Absolutely."

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Sandack: "If someone is convicted of a crime and has a fine or some type of monetary award to a victim for reimbursement or something like that. That is not what we're talking about. Isn't that correct?"

Cassidy: "Absolutely. This, in no way, impacts fees, fines, the ability to go after someone civilly..."

Sandack: "Right."

Cassidy: "...for damages, nor does it impact the law prohibiting an inmate from profiting from their crime. So, we're not talking about John Wayne Gacy selling... writing a bestseller either."

Sandack: "So, what I... so, if someone's convicted of a crime and told to pay \$50 thousand because they stole something, that's separate and apart. What your Bill does is stop the... I guess the prosecution of a monetary claim against an inmate for his or her room and board in prison and seeking to reimburse the state for that expense."

Cassidy: "Exactly."

Sandack: "Thank you. I stand in support."

Speaker Lang: "Mr. Harris."

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

Speaker Lang: "Sponsor yields."

Harris, D.: "Representative, let's make sure I understand what this Bill does. We are not... or the state is not suing individuals who have been incarcerated to pay for that incarceration, correct?"

Cassidy: "No, that is what they're doing."

Harris, D.: "Well, they're suing individuals for whom it has been discovered that they have assets when Medicaid has been provided for coverage. Is that..."

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Cassidy: "If so, it's not about their Medicaid coverage at all. It's actually about the cost of incarceration. It... it has nothing to do with Medicaid being... having been provided."

Harris, D.: "Okay. I thought... I..."

Cassidy: "It has nothing to do with health care having been provided."

Harris, D.: "I thought in our earlier discussion there was a discussion of Medicaid from my..."

Cassidy: "Oh. To the Medicaid, the component of this that relates to Medicaid is that the assets are discovered in the process of determining whether someone is eligible for Medicaid. So, in doing so... they do this for every inmate... they determine Medicaid eligibility. If they see that someone has assets and is therefore not eligible for Medicaid, they then refer them for... to be sued for the cost of their incarceration. And this is literally about the cost of their incarceration, having nothing whatsoever to do with medical benefits."

Harris, D.: "But aren't many... aren't there a great many inmates in the... in the 40-plus thousand inmates in the Department of Corrections. Aren't there many inmates that would have assets?"

Cassidy: "You would think except that in all of these years we've sought I think there have been just north of a dozen cases and \$500 thousand recovered. And actually, not all of that has been recovered because some of it's been overturned on appeal and most of that came from one individual. So... 'cause literally we're going after the guy with \$10 thousand here or \$5 thousand there."

Harris, D.: "Yeah."

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Cassidy: "And... and I should add they frequently don't have access to civil defense in these cases."

Harris, D.: "So, in eight years that's \$500 thousand; that's roughly \$62,500 a year."

Cassidy: "Yes."

Harris, D.: "Would you..."

Cassidy: "And I'm sure that we've spent more than that in staff time."

Harris, D.: "Yeah."

Cassidy: "Thanks for doing the math for me. I appreciate it."

Harris, D.: "Well, I'm on the Revenue Committee, so that's what... that's what I do. Ladies and Gentlemen of the House, to the Bill, very briefly. You know, if any of you watched the... watch *60 Minutes*, there was a story on *60 Minutes* last Sunday that the U.S. Army... and I'm favorable to the U.S. Army... but the U.S. Army initiated an investigation because there was some fraud in a recruiting scheme. The U.S. Army has spent \$28 million to recoup \$10 million that was fraud... fraudulently paid. So, my point here is, how much money are we spending as the State of Illinois through all of our legal processes tying up the Attorney General and those lawyers who are already overburdened in the Attorney General's Office, suing former inmates for \$62,500 a year. Absolutely nonsense. This Bill should fly out of here with an overwhelming Majority. Please vote 'yes'."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

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Ives: "Just one question. Does... do... I'm sorry. Who's actually going to sue for this, which... which agency..."

Cassidy: "The way it works is that Wexford makes a report to IDOC. IDOC sends the report on to the Attorney General and the lawsuit is filed."

Ives: "Okay. So, do they have to sue every single inmate or can they decide who to sue based on what information they have?"

Cassidy: "To be perfectly honest with you, Representative, in my conversations with both departments, I've gotten a little bit of a... it's their decision. Notice, there... there is a certain lack of clarity about whose discretion it is in terms of who decides which lawsuit is filed and not."

Ives: "Okay. But... that they do not have to, by any means, sue every individual coming out of DOC. Is that correct?"

Cassidy: "That is less than clear. As I said, I've been told that we do; I've been told that we don't. You can't get a straight answer, but ultimately..."

Ives: "Well, I think that that'd be important to know."

Cassidy: "...and since 2008, we haven't gotten enough money to warrant the work that went into it."

Ives: "No, I understand that. Mr. Speaker, to the Bill, briefly and to the previous speaker's remarks because even though it may cost money to prosecute crime, it's still important to pay the money to prosecute crime especially when it's been, somebody who has scammed the government. And this is not to Representative Cassidy's Bill. I'm speaking to the previous speaker who actually, you know, I respect greatly, but you know, it... unfortunately if we actually decided that every time it cost more to prosecute crime than the crime's worth,

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then we're not going to prosecute crime. I think that would be a breakdown in society. But to this Bill, I would say the department already has the discretion as to who they're going to go after for assets. And as long as it's their decision, perhaps the Bill should read that they have to have certain criteria in advance before going to recover assets the taxpayers have spent to incarcerate that individual. Maybe that's a better Bill, a better fit for me at least. Thank you very much."

Speaker Lang: "Representative Ammons."

Ammons: "Thank you, Mr. Sponsor. Will the Sponsor yield? I'm sorry. Thank you, Mr. Speaker."

Speaker Lang: "Sponsor yields."

Ammons: "Thank you, Mr. Sponsor. No. First of all, thank you so much for bringing this forward. I just wanted to clarify that your Bill will eliminate the practice altogether..."

Cassidy: "It will."

Ammons: "...regardless whether people have a penny or \$50 or a thousand dollars."

Cassidy: "Absolutely."

Ammons: "Thank you. To the Bill. This Bill is completely in line with, I believe, where the Illinois General Assembly is headed to really roll back and reform some of the, what they consider, tough on crime legislation that has really decimated communities across the state. This Bill puts in perspective a person who's already served their time. They've already made their recompense. They should be able to get on with their lives without further retribution. And this Bill actually stands in the gap for so many people that may have

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some resources that could turn their lives around without fear from the state coming after them after they have made their recompense. So, thank you so much for bringing this forward. I am a hardy 'yes' on this. And I look forward to other pieces of legislation like this that we can work on."

Speaker Lang: "Representative Cassidy to close."

Cassidy: "I simply ask for an 'aye' vote. This is common sense.

We want to cut waste. We want to be more efficient. And we want to be more fair. Vote 'yes'."

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. Mr. Clerk, please take the record. On this question, there are 60 voting 'yes', 54 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2468, Representative Gordon-Booth. Representative Gordon-Booth. Out of the record. Senate Bill 2522, Mr. Mitchell. Please read the Bill."

Clerk Hollman: "Senate Bill 2522, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. Just give me one moment for my analysis to catch up. All right. So, this... this... I've actually passed this Bill out of this chamber. It was a House Bill. This is the Senate Bill that's come back over. It's an initiative of the Illinois Power Agency. And it's making a couple technical changes to address audit findings. Right now the agency is required to create a Resource Development Bureau to conduct feasibility on the study of new power plants. We're

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not going to be building any new power plants in the future, so it makes that permissive. It also changes the dates of a couple of reports. Again, just technical cleanup. I would request an 'aye' vote and I'm grateful for the whistles from the back aisle."

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. There are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2531, Mr. Welch. Please read the Bill."

Clerk Hollman: "Senate Bill 2531, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Welch."

Welch: "Thank you, Mr. Speaker. Just give me one moment. Senate Bill 2531 requires any not-for-profit economic development corporation that receives public money... public money being federal, state or local government funding... to include on its board at least two members of a labor council and at least two members of separate minority groups. In many communities, what we have been seeing around Illinois economic development, corporations around the state take public dollars and then enforce public decisions, and they charge large sums of money to be a part of these boards. For example, in Peoria, membership fees are as high as a hundred thousand dollars. In Decatur, we've seen fees around \$75 thousand. In DeKalb County, fees around \$45 thousand to join. And in Rockford and Ottawa, we've seen \$25 thousand in fees. And



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this is public moneys. And we believe that this extra representation of nonpaid members will help with extra eyes and ears and perspective. I ask for an 'aye' vote."

Speaker Lang: "Mr. Sandack."

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

Speaker Lang: "Sponsor yields."

Sandack: "Chris, when you're saying it receives public money. Let's put some tangible elements around that comment. So, let's take a hypothetical EDC from the near western suburbs that's existing right now. Is... is it your belief that they're 'taking public money'. When you listed some membership fees. Those are voluntary membership dollars, correct?"

Welch: "They... they..."

Sandack: "That isn't the public money you're referencing, is it?"

Welch: "They are membership fees that are being paid with taxpayer money."

Sandack: "So, give me an example. Put some... give me an element like what of the... of the EDCs that are out there right now is getting paid with public money and..."

Welch: "So..."

Sandack: "...to join the club?"

Welch: "...in the City of Effingham, the city paid the EDC \$50 thousand of city money as a membership fee. That's public money. And so, this Bill would say, when you use public money, you should put members of the labor council or minority groups on those boards."

Sandack: "Well, okay. So, let's separate the two items first. So, your... I mean, are you complaining that the City of Effingham

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or any municipal unit shouldn't make an investment in an EDC that would benefit their taxpayers and their economic base?"

Welch: "I'm not saying that, Representative."

Sandack: "All right."

Welch: "I'm saying if they do, if the group.. and if the group receives public money, then this.. this is what their board should be made up of. They don't have to take the public money."

Sandack: "I agree. But I'm just trying to figure out why you want to mandate and regulate EDCs as if this august Body has any idea how to manage a budget and figure out how to create wealth, jobs and prosperity. Really? You think we should impose our will upon a municipal government's or intergovernmental agreement EDC's board, as if we know better than them how to generate interest and jobs. That's ultimately what you're saying, isn't it?"

Welch: "I'm not mandating that any State Reps or State Senators or..."

Sandack: "Thank God."

Welch: "...the Governor be on an EDC, Ron."

Sandack: "That's a good move. But you are deciding who..."

Welch: "This is regular people, labor council and minority groups."

Sandack: "And.. and is there a qualification for the labor council?"

Welch: "To be a member of."

Sandack: "Oh. So, you want to impose kind of a directory of who should be on the board of directors, basically. Isn't that right?"

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Welch: "In response to your question, I'm not aware of any specific qualifications that these boards have from any other members. And we're saying is in addition to your other members, who there are no specific qualifications laid out for, you should at least include two members from a labor council and two members from minority groups."

Sandack: "Well, Chris, with all due respect, some of the... the language in this Bill is pretty expansive. Does this go for boards... Chambers of Commerce too? Are we going to say that in a Chamber of Commerce, a membership-driven organization which may be given in some instance public money, they must abide by this statute... this proposed statute as well?"

Welch: "If the Chamber group takes public money, then, yes, it will apply to them."

Sandack: "And this is because there's been an egregious what? What bad thing has happened? What outrageous instant... incident of... that would rise to the level of you wanting to legislate it? Give me an example of something bad that's happened?"

Welch: "Well, I just highlighted three or four..."

Sandack: "You know, those were bad things. You just thought..."

Welch: "I didn't..."

Sandack: "...that because they were exorbitant fees for their own benefit... economic benefit that's not a bad thing. That just may not pass the Chris Welch snow test. It may not pass mine either, but that's neither here nor there."

Welch: "I... I think you should join me in support of this Bill, Representative..."

Sandack: "I don't think so."

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Welch: "...because this is talking about public money and when these entities are spending public money. And the others are accepting that public money, they should want these extra eyes. That's good government. Join me in that and support this Bill."

Sandack: "I'm not going to because it's not the government. It's... it's superimposing someone's judgment for that of those who have a fiduciary duty to their own organization. Let me speak to the Bill, Mr. Speaker. Ladies and Gentlemen of the House, I know we're running through a lot of Bills right now and we're kind of moving at a rapid pace. Because we're nearing the end of Session our collective patience is wearing thin. This is a bad Bill. Perhaps well intended but this imposes this Body's and the Senate collective wisdom on economic development corporations and beyond, who are charged to do the bidding and prosperity-based opportunities for their communities. It is laughable that we think we have a notion of how to impose a lick of economic sense on any EDC in this state. It is embarrassing that we would seek to impose our will on any EDC in the state 'cause we haven't got a budget or a clue how to raise growth initiatives and offer prosperity opportunities. Why don't we let these organizations that are trying in vain to bring jobs and bring growth opportunities to their local areas. Why don't we leave them alone? That's the best thing we can do. Leave them be. Vote 'no'."

Speaker Lang: "Mr. Thapedi."

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

Speaker Lang: "Sponsor yields."

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Thapedi: "Chris, it's my understanding that there's a trailer Bill that... that's going to become forthcoming on this issue. Are you aware of that or can you expound upon that a little bit more, please?"

Welch: "Thanks, Representative. I appreciate the question. You know, we've been working since day 1 when we started hearing concerns from Chamber... the Chamber and other groups. You know, so we... we have reached agreement with IRMA and the IMA on some language. And we've identified a Bill that I just actually signed a slip for. There is going to be a trailer Bill that addresses those groups concerns. We tried to address the Chamber's concerns, but they're basically saying there's nothing to negotiate."

Thapedi: "Expand upon that a little bit more as far as what this trailer Bill is actually going to entail 'cause my understanding, after having conversations with both the Chamber as well as the AFL-CIO, that there was some concerns about the actual composition of the board. That it was my understanding, at least from talking to the Chamber, that they were concerned and wanted to see even more minority participation in the board. Now, I don't know if that's forthcoming or not, and I don't know if that's actually going to be addressed in the trailer Bill, but if you could expand a little bit more on what the trailer Bill is actually going to do I think that would be very helpful at least as far as I'm concerned with evaluating the proposal."

Welch: "You know, the trailer Bill is only going to be a clean-up Bill."

Thapedi: "All right."

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Welch: "There's not going to be a lot of detail to it. It's going to specifically define what an 'economic development corporation' is specifically."

Thapedi: "Yeah."

Welch: "And also, define specifically 'public money'."

Thapedi: "So, the trailer Bill's not really going to be substantive. It's going to be more... so technical. Is that what you're saying?"

Welch: "Correct."

Thapedi: "Thank you."

Speaker Lang: "Mr. Hays."

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

Speaker Lang: "Sponsor yields."

Hays: "Representative, in the trailer Bill that the previous speaker mentioned, will economic development corporation mean a local nonprofit, public-private partnership that receives public money to promote development, establishment or expansion of industries?"

Welch: "No."

Hays: "That will not be the definition?"

Welch: "I'm sorry. Can you rephrase your question? Speaker, it's a little loud in here."

Hays: "Yeah. The... in the future trailer Bill will the definition of 'economic development corporation' mean a local nonprofit, public-private partnership that receives public money to promote, develop and establish or expand industry. And I'm assuming that that definition would be consistent to what you're doing here. But here's my real question. How about a trade association... industry trade group or business

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association that is founded and funded by businesses operating in a specific industry and is not an economic development corporation? Would... would those entities come under the umbrella of what you're trying to do here?"

Welch: "Well, in the trailer Bill, the definition of EDC will be defined as a trade association, industry group of businesses. They will not come under that umbrella."

Hays: "Okay. How about a community that has an existing economic development corporation that is within the definition that it's either now or the one that you envision in the trailer Bill. How about something like a visitors and convention bureau?"

Welch: "They will not have to appoint these members."

Hays: "But... so, this Bill would not cover an entity of that nature either?"

Welch: "Correct."

Hays: "Thank you."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Can you tell me how you came up with the definition of your minority groups?"

Welch: "Representative, I mean, it's pretty much standard language for minority groups. I think it's pretty well-defined."

Ives: "What's the overwhelming qualification to be... that you're a part of a minority group?"

Welch: "What's the qualification?"

Ives: "Yes. What's the overwhelming criteria or qualification as a minority group?"

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Welch: "I... I think it's pretty well-defined in the Bill. I mean, if you're a member of a minority group..."

Ives: "I know you've defined who you think are minority groups. I want to know the criteria you used to decide what is or is not a minority group."

Welch: "Historical minority groups."

Ives: "Based on what criteria? Is it numbers? Is it population? What is it based on?"

Welch: "I mean, we have basically used minority groups that are really ethnic, ethnic minority groups..."

Ives: "Well, I'm just wondering."

Welch: "...Hispanics, African Americans..."

Ives: "Is it..."

Welch: "...Native Americans."

Ives: "...is it based on numbers?"

Welch: "No."

Ives: "Are you considered a minority, then?"

Welch: "Can you repeat that question? I can't hear you. It's loud in here."

Ives: "Are you... are you basing this on... on population numbers? What are you basing this on?"

Welch: "Representative..."

Ives: "How do you become on the list? I don't know."

Welch: "...if... if I understand your question, correctly, I'm basing it on groups that have been largely disenfranchised and disadvantaged throughout history in this country. And you know, African Americans and Hispanics and Asian groups should have a voice when public moneys are being spent. I think you



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know what a minority group is and you know, this back and forth seems to be a little ridiculous."

Ives: "Well, it's not ridiculous. It's just the fact that women outnumber men in the United States. I just was wondering what your criteria was. Was it based on number or not?"

Welch: "No."

Ives: "Okay. Obviously it wasn't. All right. My next question is, so, when you look at the Aurora Hispanic Chamber of Commerce and they have School District 129 listed as a member, which means the tax dollars are going to become a member of that Aurora Hispanic Chamber of Commerce, are they also going to have to comply with having a more diverse board that is exempt from fees? Are you going to... are you going to mandate? Did you ever get in your trailer Bill a mandate that they're more diverse in their board members?"

Welch: "If the Aurora Chamber accepts public money from the public school district, they would have to comply with the mandates in this Bill."

Ives: "They would have to comply with the mandates in your Bill. That doesn't mean that they would have to show other diversity such as, say, a white male on their board? Is that correct?"

Welch: "They... they..."

Ives: "So... so, the diversity only works in one way."

Welch: "They would have to comply with the mandates in the Bill."

Ives: "Yes, exactly."

Welch: "At least two separate minority groups, at least two members from a labor council."

Ives: "Okay. So, the DuPage Mayors and Managers Conference or the Illinois Municipal League, that receive tax dollars, would

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have to comply with the requirements of this Bill. Is that correct?"

Welch: "I believe in my trailer Bill, the language that is included in that Bill would exclude those groups."

Ives: "Of course, 'cause they have large lobbying groups here that lobby for that. I would ask the Sponsor... I would ask you to pull this Bill because you have now talked about a trailer Bill in three separate conversations. So, you know the Bill is not ready. And I would ask you to pull this from the record and work on the Bill until you have a Bill that is ready. Thank you very much."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Sponsor will yield, but before you proceed, Ladies and Gentlemen, it's very noisy in the chamber. Thank you. Mr. Sullivan."

Sullivan: "So, Representative, the Bill talks about numbers of two separate groups that must be included on the board. Is that correct?"

Welch: "Yes."

Sullivan: "And so, first, you have two members of a labor council..."

Welch: "Yes."

Sullivan: "...or councils that is not less than two members from... and not less than two members from two separate minority groups. So, let me get this straight. Do I read that as you must have two members of a labor council and you must have two members of a minority group? And those two must be separate minority groups?"

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Welch: "Yes, you read that correctly."

Sullivan: "Okay. So, in essence, if I have a 501(C)(3) corporation that is working on economic development, and I have chosen through my Articles of Incorporation to have five board members, the State of Illinois is going to mandate four of those members for me. Is that correct?"

Welch: "If they receive public money, yes."

Sullivan: "And... and under your Bill... Hey, Brady, Brady. Hey, Brady. Sorry, thanks. Okay. So, sorry. So, you got... you got five members and four of them are now going to be established by law for me when I form this corporation?"

Welch: "Articles..."

Sullivan: "I didn't hear you."

Welch: "...Articles of Incorporation can be easily amended."

Sullivan: "So, I can amend them to have 15..."

Welch: "That's... that's not good. You're trying to..."

Sullivan: "...but... but the answer is yes."

Welch: "...if you're trying to say that's an issue, that's not an issue. That's..."

Sullivan: "Okay."

Welch: "...that can be easily amended because if this is passed into law..."

Sullivan: "Sure."

Welch: "...then they're going to have to comply with law."

Sullivan: "Sure."

Welch: "So, they can add four members on to their five if they so wish."

Sullivan: "Sure."

Welch: "But they're going to at least comply with the law."

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Sullivan: "Why do you make it so that these new four members don't have to pay a membership fee but other members do?"

Welch: "Because we're mandating it."

Sullivan: "So, these new members, by law, don't have to pay anything, but if I want to be part of it or, because I started the 501(C)(3) with my hard-earned money, my sweat and tears, the state's just going to come in and say, hey, but now you've got to have these guys but they don't have to pay anything from here on out."

Welch: "You've got to remember, this is if they receive public money."

Sullivan: "No, I..."

Welch: "They don't have to receive the public money."

Sullivan: "I'm working under the assumption that they're receiving public money, so I don't want to have to keep saying that. Let's just assume that this is what we're talking about. Do these new members have to follow any Code of Ethics like anybody else or do they have their own set of rules once they go on then?"

Welch: "You know, I've served on non for profit boards and... still do and you have to follow all rules and procedures as any other member would have to follow."

Sullivan: "So, anything that has a conflict of interest must be disclosed per the rules of the 501(C)(3) organization?"

Welch: "Absolutely."

Sullivan: "So, if the economic development corporation wants to bring in a project and that union happens to be opposed to that project, they potentially now have a vote to stop the

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project or would you consider that a conflict of interest, then?"

Welch: "You know, that's a hypothetical. I can't... I'm not prepared to answer a hypothetical today."

Sullivan: "It's not a hypothetical."

Welch: "Well, you would have to have a little bit more specific information and on a case by case..."

Sullivan: "Well, it's very simple."

Welch: "...fact by fact basis determine if a conflict exists."

Sullivan: "They're a member of whatever union and the union says through their, you know, their group... I know how exactly they... their vote... they say we're going to... we're going to protest this building from being built because of whatever reason. And yet, that economic development corporation brought them in or wanted to bring them in, they now have a vote to stop that project. And potentially, they could have four out of the five votes."

Welch: "Again, I think it's a hypothetical that, you know, today we can't answer that properly."

Sullivan: "Okay."

Welch: "I do believe when you become a member and take an oath and sign the conflict of interest statement, individual members, you know, have to follow those oaths."

Sullivan: "Okay. What..."

Welch: "And if there is..."

Sullivan: "I'm sorry."

Welch: "...a conflict that presents itself, even in your own sit... hypothetical, they should recuse themselves."

Sullivan: "Okay."

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Welch: "Every member doesn't have to vote on every measure that comes before the board. They can recuse themselves."

Sullivan: "Okay. So, what is... what is the penalty... Two things. First, what's the penalty if they don't declare the conflict?"

Welch: "The Bill doesn't have any penalties included in it."

Sullivan: "Okay. So, what happens if the economic development corporation or the 501(C)(3) corporation doesn't appoint these four members? What happens then?"

Welch: "There are no penalties in the Bill."

Sullivan: "So, they can choose to ignore law."

Welch: "They could, but they shouldn't."

Sullivan: "Okay. And so, it's if they shouldn't and I... and I get that. I... hopefully it doesn't become law. On to a kind of a higher level thing, these... the Governor has... did an Executive Order, in essence, asking the state to work closely with the Illinois Business and Economic Development Corporation. How would this Bill affect that corporation?"

Welch: "They... they would not be exempt. They would be required just like the other EDCs to follow this law."

Sullivan: "Right now, and I don't know what will happen in the future, but in the next three to four years it's going to be all private money. So, if there's no public money being used, then this would... they would be exempt?"

Welch: "If there's no public money, they don't have to... this... this law is not triggered."

Sullivan: "Okay. I wanted to get that on the record. Thank you. To the Bill. Ladies and Gentlemen, you heard a previous speaker say that this is an overreach. And it is an overreach. Think about the other 501(C)(3) corporations that you work

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with closely at home because we all work with other 501(c) (3) corporations. People doing charitable work, all kinds of different good things, one of which is economic development. Why do we want to suppress economic development in this state in this time of day? Ladies and Gentlemen, think about this Bill. You would have a conflict of interest and get nothing done and so no economic development would take place. That's the net effect of this Bill. So, Ladies and Gentlemen, please think about this. I understand and I respect the Sponsor, but this is not the way to do it. We need to vote this down and start from scratch. We're also waiting on an Amendment and we're not sure what it does and who it affects because right now all of us would like to get our photo taken with the Chambers of Commerce in our local towns and this affects them. It shuts them down. Do you want to do that? Please vote 'no'."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, I want to build on some questioning that the previous Representative spoke about. My first question is, how are economic development corporations funded?"

Welch: "Well, some are funded with a mixture of public and private money. And our concern..."

Demmer: "And who might that private money come from?"

Welch: "Private money can come from any donation."

Demmer: "But oftentimes we're talking about economic development corporations, oftentimes large employers in your community would likely be a member. Is that correct?"

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Welch: "Correct. Residents in the community, wealthy people, you know."

Demmer: "Right. So, people who have an interest in the community and oftentimes, those organizations also have representation on the board of these organizations, correct?"

Welch: "That's correct."

Demmer: "So, I'm interested in the portion of your Bill that talks about the fact that no membership fees would be charged to... to organizations whose representatives fit into one of the categories you're talking about today. So, let me... put a hypothetical out there for you, paint a scenario. You have a local economic development corporation. If I think about those in my district, I have very small communities... these are usually small organizations. There are usually a handful of key employers in the community, handful of large employers. If one of the representatives that these large employers sent to the board of economic development corporation happened to be a woman or happened to be a minority, isn't it true that those organizations would no longer pay a membership fee to the economic development corporation? And the reason I ask that is that may actually have an adverse impact on achieving diversity in those positions, because the economic development corporation doesn't want to lose membership dues from their largest employers. They don't want to lose membership dues from the four or five organizations who are their largest in their community, who are sending representatives to the economic development corporation. Yet, if the... if the representative happens to be any of these categories of minorities who are represented here, six



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different categories, they would lose the money from one of their largest contributors, one of their largest funders, which actually would make it more difficult for those organizations to send any member with... to bring diversity to that board."

Welch: "You know, I think you guys are putting forth hypotheticals that are really extreme and..."

Demmer: "I'm not sure it's extreme at all to say that we have many economic development corporations who have representatives from minority communities, who have representatives who are women. Yet, under your Bill, should there be an existing member of an economic development corporation who fits the category that you've laid out in your Bill no longer would their employer be required to pay membership dues. And maybe those membership dues are the very thing that's funding the economic development corporation to begin with. I am very concerned about the adverse impact this could have and actually hurt what we're trying to do... what you're trying to advance with this Bill by making it harder for those groups who are already active in their community to send any person who... who falls into a minority category as defined by this Bill, to send any person to bring diversity to the economic development corporation board."

Welch: "There is nothing in this Bill that would stop private companies from participating in any... any EDCs in their communities. What this Bill does it addresses when public entities use public money to pay into these... to these EDCs for membership fees. If that is the case..."

Demmer: "And I agree with you, but in... in a..."

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Welch: "...then this law would be triggered."

Demmer: "And in almost every case we have combinations. We rarely have entities that are entirely publically funded. In almost every circumstance, we have a combination of public and private funding. Yet, it's... it's realistic to say that if a company currently has a woman representative or a minority representative on an economic development corporation, under this Bill, they would no longer pay membership fees to the economic development corporation. They would no longer fund that group. This could cause economic development corporations to have a disincentive to bring on diversity to their boards. And I think it's the exact opposite of what we're trying to accomplish here. I understand that you say there's a trailer Bill. We still have a few days left. I think it would be wise for us to take this Bill out of the record to continue to work to find... take... incorporate the language from the trailer Bill, incorporate some of these things, so we don't actually have the disincentive that very... is very real and is very possible under this Bill. Thank you."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "Sponsor yields."

Pritchard: "Representative, just for a little bit of clarification, you mentioned in your opening remarks that the DeKalb County Economic Development Corporation charged a \$40 thousand due. Is that correct?"

Welch: "Oh, yeah. DeKalb County charges 45 thousand."

Pritchard: "So, I'm not sure where you got that information, because I just talked to the executive director and he said

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it's a voluntary contribution. There is no set amount. So, I just wanted you to get your facts correct based on the information that I received."

Welch: "Well, that was the information provided to me..."

Pritchard: "Excuse..."

Welch: "...and if they're receiving \$45 thousand in public money, then this law would be triggered."

Pritchard: "So, I thought you meant the dues that the individual company or individual might have to make."

Welch: "Well, I mentioned it as membership fees."

Pritchard: "So, there is no fee. It's a donation. It's whatever the person wants, so I'm trying to clarify your comments. You also indicated that there needed to be these two representatives from the labor field and two from the minority groups. What if the corporation can't find anyone willing to donate their time when the corporation normally meets and functions? In a large community, I could assume it would be much less of an issue, but what happens if you're in a smaller community and you aren't able to find those representatives?"

Welch: "Well, the law requires that you at least try to, right?"

Pritchard: "Excuse me?"

Welch: "You know, at least in that scenario, another hypothetical, as you pointed out. They'd at least try to comply with the law. There's not willful, you know, avoidance of the law."

Pritchard: "So, if they can't find someone that would be okay?"

Welch: "I'm not... I'm not saying that. The goal is compliance. But clearly, if they tried and they can't find someone, they're not willfully disobeying the law."

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Pritchard: "Because I know a number of organizations in our community are trying to find Hispanic and Latino members to be on organizations, and they're just not able to find people willing and able during the times that the organizations normally meet to donate their time. So, while we may agree with your objective here, getting compliance may be another issue. I... I appreciate your comments and I would look for you... forward to your clarification in your trailer Bill. I would add requests, like the others had mentioned, that if this Bill isn't ready yet, maybe you ought to pull it and wait until you have your full thoughts and... and the parameters of the Bill put together. Thank you."

Speaker Lang: "Mr. Wheeler."

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

Speaker Lang: "Sponsor yields."

Wheeler, K.: "Representative, I was... it was hard to hear earlier about this trailer Bill. Could you mind giving us a very brief overview of what this trailer Bill concept is?"

Welch: "A trailer Bill will be filed very shortly that removes opposition of IRMA and the IMA. This was negotiated language. It will specifically define any leasing and public money. And for the record I can tell you, the trailer Bill will define an 'economic development corporation' to mean a local nonprofit, public-private partnership that receives public money to promote the development, establishment, or expansion of industries. A trade association industry group or business association that is founded and funded by businesses operating in a specific industry is not an economic development corporation. Public money does not include funds

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received for job training, apprenticeships, and federally required education. That is the agreed upon language."

Wheeler, K.: "Between IMA, IRMA..."

Welch: "Correct."

Wheeler, K.: "...not the Chamber..."

Welch: "Correct."

Wheeler, K.: "...none of the local Chambers and none of the local agencies have agreed to that."

Welch: "The Chamber..."

Wheeler, K.: "This doesn't resolve the issue."

Welch: "...the Chamber has been asked. They... I've asked them personally. Others have asked them to present language that they would be amenable to and they have offered nothing. They have basically said we don't like the Bill; we're going to kill it. And that's why you guys are all up here talking to me the way you are today..."

Wheeler, K.: "Well..."

Welch: "...because the Chamber doesn't like the Bill."

Wheeler, K.: "Well, then..."

Welch: "That's not how we get things done in Springfield."

Wheeler, K.: "Hold on. I'm just talking from the perspective of being a former Chamber Board chairman, because that's one of the ways that I found my path to being involved in this wonderful chamber here with all of you. I certainly and would... it's a pretty big chamber. It's the second biggest city in the state. We had labor representation on our board. I was glad that they were there. That balance of communication I think has value. At the same time, I think it's important for government entities... those local government entities to be

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involved as well. And this presides a disincentive, Chris, for them not to be a part of the program because when you're... when you're..."

Welch: "I... I don't... I don't agree with that. If the... if the... if they're paying the fees now, why would they not pay the fees?"

Wheeler, K.: "Because you're going to trigger a recomposition of a board that's unnecessary. For instance... Okay. Let me ask a question here. If this... if this Bill were to take effect, would it mean that public moneys were ever taken by that entity or only in the future if they took moneys from public entities?"

Welch: "It's going forward."

Wheeler, K.: "Just going forward."

Welch: "Correct."

Wheeler, K.: "So, if... rewind the clock from... you know, I'm back on the Aurora Board chairman... or that old hat I used to wear... and say, Aurora wants to come and sponsor some event that the Aurora Chamber's having. If we just allow them to sponsor that event, we trigger a whole reorganization of our board then."

Welch: "Okay. Again..."

Wheeler, K.: "I'm... I'm asking a question..."

Welch: "...again, you guys are asking hypotheticals..."

Wheeler, K.: "No, that's not a hypothetical..."

Welch: "...that are hard to answer anything."

Wheeler, K.: "...because that is set to the Bill."

Welch: "I mean, is it... is it the sponsorship a membership fee? Are they accepting membership fees from the City of Aurora?"

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Wheeler, K.: "Is it a membership fee or a sponsorship fee because you said if they take public moneys..."

Welch: "Correct."

Wheeler, K.: "...and if you take public money and they want to sponsor the parade we're doing or a small business day, then you're effectively saying, well, guess what, now you guys got to... reposition your board based on our mandate. And that would hold true then for every single small Chamber in the State of Illinois. Are you following me, Chris?"

Welch: "Under this Bill, it is any public money. Under the trailer Bill, as I had... public money does not include public funds received for job training, apprenticeships, and federally required education. So, under your hypothetical, sponsorships would probably trigger the requirement then."

Wheeler, K.: "That's my concern because we're taking and... and when you do that, the following part of that then is if I'm a business, and I'm investing in that organization because I believe in the mission that they're trying to accomplish. They're trying to grow economic development in our area. They're trying to create business opportunities for people to come in, invest in our area and then create jobs, the most important part of this whole process for people. And then, I have invested my time, my effort, my money and at the same time then we're going to trigger a state mandate that comes down from Springfield and says, by the way, now your seat on the board is going to be diminished by the addition of four people who haven't paid and aren't invested in the same way that you are."

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Welch: "And I think that's the issue here today. I think you all see this as a diminishment. This is an enhancement to add two members from a labor council and two members from separate minority groups. It's not a diminishment."

Wheeler, K.: "Okay."

Welch: "Let's get that out of your minds..."

Wheeler, K.: "Now, it's an issue..."

Welch: "...right now. This is an enhancement. You're going to bring different perspectives to the table and help all of these organizations be better organizations. And as long as you continue to look at it as a diminishment, this argument's going to continue."

Wheeler, K.: "But there's a difference, Chris, in that one is that people invest in something that they believe in and they're committed to. The labor organizations that I served with on the Aurora Chamber, they pay the membership fee. You know why? Because they got value from that for their own members. And the whole community benefited from that. That's a good thing. Everybody comes in and everybody invests together. That's how we have a little skin in the game and we all work on this. I asked this question in committee. And the question came up of we are bringing labor in for free. Okay? There's... based on what I've seen in my short time in Springfield, my friends in labor have plenty of money that they generously send in all different directions. I think that they've got the money to invest in this and be a part of the process that already exists. This part I don't understand and I don't think it's necessary. The other question I have is you're talking about these... some of these small EDCs,



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Chris, have very little money. They don't have a big budget. Now, they've got to go change their Articles of Incorporation, if they don't have enough board seats as state mandated, unfunded as usual, just so we can accommodate a state mandate that, again, I just think this is a massive overreach. I wish you'd go back and work this through another way. I really do. I'm... I appreciate the effort and I appreciate your friendship. I just don't support this legislation. Thanks, Chris."

Speaker Lang: "Mr. Dunkin."

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

Speaker Lang: "Sponsor yields."

Dunkin: "Representative, a number of Members have asked if you could pull this from the record 'cause I think you mentioned that there's going to be a trailer Bill. Have you considered that?"

Welch: "I have considered a trailer Bill and that's why I'm doing it, but I'm not going to pull this one from the record."

Dunkin: "Okay. Traditionally, under sort of courtesy and consideration of colleagues, especially if you know you're coming back with legislation, it's usually good practice to try to work with other Members on trying to get the right piece of legislation that folk can agree on."

Welch: "Well, and that's what I'm doing here. This issue was discussed and vetted in committee. Some things were brought up then and negotiations took place following that healthy discussion and that's what led us to the agreed language that's going to be contained in the trailer Bill."

Dunkin: "Did you commit..."

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Welch: "You know, we are approaching regular Session deadline. You know, deadlines are a real issue right now. And... and I'm asking for consideration on this Bill today, right now. A trailer Bill, you have my commitment. It's being worked on and hopefully, we can get that done before next Tuesday."

Dunkin: "So, what will the trailer Bill entail?"

Welch: "For the fourth or fifth time, we are going to narrow the scope as specifically defined what 'EDC' means and more define what 'public money' means."

Dunkin: "Well, I made my suggestion earlier. Who brought this Bill to you, Representative?"

Welch: "This is an initiative of the AFL-CIO."

Dunkin: "Okay. Do you know the top leadership's diversity of AFL-CIO?"

Welch: "I don't, but I'm sure you're prepared to tell me."

Dunkin: "No. That's a legitimate question. I'm not being facetious. Do you have an idea of what their level of diversity is when it comes to black and Hispanics?"

Welch: "I don't."

Dunkin: "I think you should find that answer out. It's not many at all. Do you have a sense of how much money these unions that you have listed here have in their coffers, in their treasury?"

Welch: "I do not."

Dunkin: "Okay. Well, Representative, the Bill... the purpose of the Bill as you stated was that they cannot afford sums of money, the 50 thousand, the hundred-plus thousand, to join some of these economic boards. Is that your still debate on how the

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money or... in that treasury to afford this type of commission engagement that they're interested in?"

Welch: "I don't think you heard me state that on the record at any point today. But since you've given me the opportunity, let me say that I believe that this money is about when public money is being spent. And when public money is being spent, we should have a say... and what these boards should look like. These boards are saying that they're accepting moneys 'cause they want to redevelop blighted areas. But in practice they're receiving moneys, in many cases public moneys, in developing nonblighted areas. And you stand up here all the time and say, what's in it for black people? There's a lot of black people living in those blighted areas that these EDCs are not developing even though they should be."

Dunkin: "Yeah. And so, Representative, I mean..."

Welch: "And what these folks, what..."

Dunkin: "...I'm... don't saying black people don't talk about their part of the leadership of AFL-CIO?"

Welch: "I don't know what... I don't know what the makeup of the AFL-CIO is."

Dunkin: "There's going to be a trade union. See... if that's what you're talking about. Are they a part of that?"

Welch: "I can tell you right now about..."

Dunkin: "That's a yes or a no?"

Welch: "I can tell you about the Bill that's before us. And what we're trying to do is ensure that when public moneys are being spent, minorities and labor councils are represented."

Dunkin: "The AFL-CIO and some of these unions that you're mentioning here or that's listed in the... in the analysis. You

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have the Firefighters of Illinois, the Painters District. You have Electrical Workers of McLean County, Chicago Laborers and District Council, Illinois Pipe Trades Association, SEIU, Roofers and Water Proofers, International Brotherhood of Teamsters, Illinois Federation of Teachers. What is their level of diversity with their top leadership and are they receiving public moneys, any of these unions? Do they benefit from public moneys, some of these unions? Let's say the Painters or the Roofers and Water Proofers, the Electrical Brotherhood. Do they receive any kind of public money? Are they... do they... are some of the public employees a part of these unions?"

Welch: "Are you asking me rhetorical questions?"

Dunkin: "No, I'm asking a question."

Welch: "Yeah. I... Why don't we deal with the Bill that's before us?"

Dunkin: "Well, I'm speaking of the genesis of the individuals or the organization that came to you that you're trying to benefit. I asked you first off, AFL-CIO's leadership and what's in their treasury and the diversity of these respective unions that are asking us by way of you to give them complete consideration of mandating that these particular economic commissions across this state reinsert them as a mandate to be a part of their commission. So, I think these are right along the lines of what it is that we're discussing here with this piece of legislation."

Welch: "I don't know what's in these unions' bank accounts."

Dunkin: "Do you have any idea of what's in their..."

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Welch: "I don't know what their racial makeup is, but I can tell you that the makeup of these organizations are middle class, working class people that you should be standing up on this floor fighting for here today."

Dunkin: "Representative, let me tell you something. In my 14 years-plus years here, I have fought long and hard consistently for minorities and people in the labor unions and the service unions across this state throughout my entire career. So, I don't need you or anyone else trying to tell me what I should be fighting for. My record speaks for itself. So, my question is..."

Welch: "It does."

Dunkin: "...do you have an idea of what is in the financial coffers of these respective unions and why we should give them a pass of their not paying?"

Welch: "I do not know what's in their bank accounts."

Dunkin: "You don't know what's in there, but we should... but the... Representative, my suggestion to you earlier, before you made this sort of personal, was that you pull this from the record and tighten the Bill up so it can be a better Bill or at least reach the intent of the unions who asked you for us to mandate this to be a part of their respective, you know, interpretation of how things should go across the state? Can you at least consider that?"

Welch: "I considered it. And what we decided to do was run a trailer Bill."

Dunkin: "So, let me ask. Where is this being done, this type of legislation across this country? Are there any other states

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that are asking or mandating that they become a part of economic development plans, or organizations of commissions?"

Welch: "I don't know the answer to that."

Dunkin: "You don't... Excuse me?"

Welch: "I don't have the answer to that."

Dunkin: "So, there's a good chance that this... that that may be... that that may not be a precedent for this... this type of legislation, correct?"

Welch: "That's... it's possible, but I don't know the answer."

Dunkin: "All right. So, do you have an idea of these union organizations and what their economic development plans are for some of the communities or the constituents that they service in some of these blighted areas? Do they have a plan or an initiative because as you know as well as I do many of the unions listed on here have millions of dollars? As a matter of fact, they take in millions of dollars every 30 days some from public... a lot are from public employees. So, is there any idea of what their plans are for some of these communities for economic development, Representative?"

Welch: "I don't know what unions' specific plans are for specific communities. What we're talking about here today are the economic development corporations that exist in individual communities. And if they receive public moneys, I believe that this legislation will require that their board should be made up of at least two members from a labor council and two members of separate minority groups."

Dunkin: "To the Bill. Ladies and Gentlemen, I've never seen this type of proposal or legislation in my years down here. I think it is way over the top to mandate that economic development

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commissions mandate that there be trades people. There's no prohibition right now against anyone participating. You are either part of a Chamber of Commerce or a city or a county economic development apparatus or membership. Especially if they're dealing with public money. I'm sure most of those meetings are open. You can participate by way at least showing up or petitioning or lobbying or being part of the zoning hearings that take place across this state when it comes to economic development. Economic development as a largest scale or the smallest scale engages a number of citizens across the state irrespective of whether they're a trades person, unionized or not. I don't see the value of this type of legislation other than the unions know that they can come and bully their way by way of some of this legislation down the Chambers of these economic developments' throats. Outside of that, and it was short of me not being able to get a question answered by the wonderful and capable Sponsor, I don't think we should be voting on this legislation. On top of the fact..."

Speaker Lang: "Mr. Dunkin..."

Dunkin: "Yes."

Speaker Lang: "...time to bring your remarks to a close, Sir."

Dunkin: "You know, Mr. Speaker, the several times that I've spoken you... I'll bring my remarks to a close, Mr. Chair. I guess this is such an unprecedented piece of legislation. It doesn't exist anywhere in this country or at least any one of the... in any of the states that the Sponsor can cite. This is special interest legislation at its worst especially with these multimillion... million dollar treasuries of these unions out here who engage in the hundreds of thousands and the millions

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when it comes to campaigns, in particular. And even though these unions who have members that are part of the public payroll at the county at the municipal at the state level. So, I definitely don't think they should get a free pass on joining any economic development or any organization just because they're the trades. Vote 'no'."

Speaker Lang: "Mr. Turner in the Chair."

Speaker Turner: "Representative Zalewski is recognized."

Zalewski: "Thank you, Mr. Speaker. A question of the Sponsor."

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

Zalewski: "Chris, we've been at this for over an hour about these taxpayer... funded boards that are... have exclusionary policies. And I want you to bring... I'd like to help you bring this back to the policy problem that we're trying to solve. My understanding is there are taxpayer funded boards that are excluding people and pricing people out of the ability to participate in these processes. Is that an accurate assessment?"

Welch: "That is accurate."

Zalewski: "How long has that been going on for?"

Welch: "Years."

Zalewski: "How many?"

Welch: "Too long, too long, too long."

Zalewski: "Too long. And is it... is there empirical evidence? Was there committee testimony that this has happened in specific instances?"

Welch: "There was committee specifics given. There were specifics given in committee. I've given a few specifics here today. And I'm sure, given more time, we can come up with a whole



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lot more specifics. The point is, is that public moneys are being spent in ways that they were not intended to be spent."  
Zalewski: "Quite frankly, Chris, rather than wait for the trailer Bill, I wish you would have brought this Bill sooner. And to the Bill. If I had known that any economic development corporation in my district was... is doing pay-to-play access for these boards, I would immediately draft the same Bill that Mr. Welch has. That is an absolutely unacceptable way to operate taxpayer funded operations. And for the last hour we've heard why this is such a bad idea. And I think as Members we need to think deeply about what kind of statement we want to make when we say that taxpayer funded boards can exclude anyone for no reason other than they can't afford to participate in the process. The Gentleman's brought forth a good Bill and it deserves an 'aye' vote. I urge an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Kay."

Kay: "Thank you, Mr. Speaker. Would the Sponsor yield for a few questions?"

Speaker Turner: "He indicates that he will."

Kay: "Chris, you mentioned several times this afternoon that we were only dealing in hypotheticals: that you couldn't give definitive answers. And I guess my question to you is, what other benchmark or... framework do we have besides hypotheticals to deal with in question and answer?"

Welch: "Can you repeat your question?"

Kay: "Yes. You mentioned several times this afternoon that we were dealing in hypotheticals. And hypotheticals didn't seem to have a lot of value. But I... I guess I want to begin my... my

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conversation with you by saying the only thing we have to deal with today is hypotheticals because we have no context or framework to operate in. Would you agree with that?"

Welch: "Not necessarily, no."

Kay: "Why not?"

Welch: "Because I don't think you need a hypothetical to know that EDCs exist and EDCs are accepting public moneys to be a part of this organization. And so, if you take public money then you are required to do A and B. That's the..."

Kay: "Okay."

Welch: "There's no hypothetical needed."

Kay: "Okay."

Welch: "And... and it's an enhancement not a diminishment."

Kay: "Okay. So, unions have, in the State of Illinois, what I understand to be direct draw."

Welch: "They have what?"

Kay: "Direct draw. Is that correct?"

Welch: "I don't know what that is. What is that?"

Kay: "Well, that's where funds are taken out of their paycheck and funneled to the unions."

Welch: "I'm not going to say funneled, but yes, they do have direct draw."

Kay: "Well, it's passed on. My... I don't know what the terminology is, but it's passed on. My question is, you've been very, very critical of people who... and I'm not sure whether you call it donation or buy-in, influence, whatever you want to call it. My question is, are we now saying that unions are going to also match the money that you have alleged that, as

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an example, DeKalb is putting into their economic development programs to match that fund. Are we trying to make it equal?"

Welch: "This Bill does not require funding from the labor councils."

Kay: "Well, then, why is it such a big deal that, if indeed we're talking about influence peddling. I think that's the way you put it. why in the world wouldn't we ask the unions to put in the same sort of money to fund their representation as the other side is?"

Welch: "This Bill is about when public moneys are being received. We're not..."

Kay: "Chris, I can't hardly hear you. I'm sorry."

Welch: "This Bill is about when public moneys are received what we believe your board should look like."

Kay: "Okay. So, it... following that concept, public money equals labor representation on boards."

Welch: "And minority..."

Kay: "Is that correct?"

Welch: "And minority groups."

Kay: "I can't hear you."

Welch: "And at least two minority groups."

Kay: "I still can't hear you."

Welch: "And at least two minority groups."

Kay: "Okay."

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

Kay: "So, I asked this question the other day in... in committee and I don't know that I got very clear answers. But we talked about union representation and I used the example of Madison

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County. And I said, would the union representation come from Madison County or would it come from somewhere else? And there was no responsive answer. So, I'm going to ask you today. Would that representation, geographically speaking, come from Chicago to Madison County or would it come from Madison County?"

Welch: "My read here, Representative, is that there is no specific dictate where the person has to come from. But I do believe that is the intent is to have them come from the local community, but it... it's not required. What is required is that it's at least two members from labor councils and two separate minority groups."

Kay: "Well, wouldn't it be fair though... and again, I think this is part of the reason that a number of Representatives are asking you to pull this Bill subject to some further information. But wouldn't it be useful to pin it down as to whether or not Madison or St. Clair County was going to be represented should this pass by labor representatives from Chicago?"

Welch: "It's loud in here. I'm going to ask you..."

Kay: "I know it is."

Welch: "...can you repeat your question, again?"

Kay: "Wouldn't it be useful... I mean, several Representatives have asked you to pull this Bill subject to a trailer Bill or further clarification. Wouldn't it be useful... I think this is a big issue... wouldn't it be useful to know whether Madison or St. Clair or Bond County, should this Bill pass, have local union representative... representatives as opposed to those from Chicago, Illinois?"

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Welch: "I... I think it's pretty clear from the intent. We're stating that intent here on the record. And you know, again, I'm going to ask for a vote on this Bill today."

Kay: "The other day in committee I asked about several organizations whom you were unable to really speak to as to who might be or would not be inclusive in your Bill. So, let me... let me go back to... and I used I think Aurora. Do you recall that?"

Welch: "State the group again?"

Kay: "I used... I was using examples from Aurora, the 501(C)(3)s, asking whether or not they, indeed, would have to have, I guess, now you've said local union representation. How about Habitat for Humanity? They're a 501(C)(3). They take state and federal money. Would they have labor representation?"

Welch: "Well, first of all, I didn't say local labor council, even though that's the intent is for it to come from the local community. The Bill as written..."

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

Welch: "I... I didn't say local labor council. That's your wording. That's my..."

Speaker Turner: "Excuse me, Representative. Excuse me. Members, we're hearing complaints that they can't hear the debate in the chambers. Can you please take all conversations to the rear of the chamber while the debate concludes? Thank you. Representative Welch."

Kay: "Let me repeat the question because I think it's a little quieter now. Would Habitat for Humanity, as a 501(C)(3) accepting public funds, require a union representative to sit

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on their board or representatives because they take public money and they're a 501(C)?"

Welch: "I'm reading the language in the trailer Bill and I don't believe Habitat for Humanity would be an EDC."

Kay: "Well, I don't have the trailer Bill. I don't have the trailer Bill in front of me."

Welch: "I understand that."

Kay: "So, okay. Let's forget Habitat for Humanity. How about the Joseph Corporation. Would they require union representation?"

Welch: "I don't know what the Joseph Corporation is? Is that an economic development corporation?"

Kay: "Yes."

Welch: "Yes, if they receive public money."

Kay: "How about Mutual Ground Inc.?"

Welch: "I don't know what Mutual Ground Inc. is. Is that an economic development corporation?"

Kay: "Well, some would say it is and some would say it isn't."

Welch: "If they receive public money..."

Kay: "Okay."

Welch: "...and it is, then yes."

Kay: "How about the Association for Individual Development of Aurora?"

Welch: "Are... are they an economic development corporation that receives public money?"

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

Welch: "Are they an economic development corporation?"

Kay: "Possibly."

Welch: "And they receive public money, then this Bill will..."

Kay: "They do."

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Welch: "...this Bill would apply."

Kay: "All of these examples receive public money."

Speaker Turner: "Representative Kay, can you bring..."

Kay: "How about..."

Speaker Turner: "...your remarks to a close, please?"

Kay: "Well, everyone's had an awful lot of time to speak today..."

Speaker Turner: "I know, Representative."

Kay: "...and I've waited for 14 people to speak."

Speaker Turner: "We've had an extended debate around this and you guys are going through examples of the piece."

Kay: "I understand, but I'm going to take my time, if you don't mind, Mr. Speaker."

Speaker Turner: "Okay. We got a lot of people seeking recognition and going forward we will go to the timer and the timer will be strictly enforced after you finish your comments, Representative."

Kay: "That's all right. I haven't gotten many definitive answers anyway. To the Bill. This is the most unnecessary Bill I've seen. I haven't got questions answered that are of material consequence to the business community as well as to the union community. And I think when you're talking about geographical area, you're talking about money, and you're talking about influence peddling, which has been suggested here, I'd say I'm entitled to some answers. So, I'm going to stop talking and I'm going to simply say vote 'no'."

Speaker Turner: "Representative Wallace is recognized."

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

Speaker Turner: "He indicates that he will."

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Wallace: "I only have two questions, I believe. The first being, can you describe a little bit about what the economic development councils look like in your district or surrounding area? Do they somewhat comply with these things you're suggesting or do you see that there's absolutely no semblance to what you have placed in the legislation?"

Welch: "I think in my district... to answer your question, in my district this would be not... this would be a nonissue because they already look like this. You know, and I think in most other areas those that don't look like this it'll be easy to... to comply with the law."

Wallace: "Thank you. I also ask... may I offer a definition for minorities since that seems to be a source of debate here."

Welch: "Please."

Wallace: "So, I'll offer this definition. And this is just me. But a minority as being a historical, social... an individual who has historically, socially, economically or politically been marginalized due to institutional historic and systemic oppression in the form of racism and sexism. That's what I think sums up the categories that you placed in your legislation. As I am speaking, I cannot believe just how rude things are. Anyway, I am going to state that my own economic development council ironically has an issue with meeting the labor portion as laid out in your Bill, because of their own dinner they hosted and having someone speak so... they spoke about anti-labor. The rhetoric was extremely too far to the right, if you will, and the labor individuals who are already part of our EDC left because of a dinner that was hosted and these things were said by an individual sent by the Governor's



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administration to my district. And so, the irony is they had this representation. The rhetoric drove those individuals away and now the EDC is asking me not support this Bill. I will say... to the Bill. I hear some rumblings around here about women of all ethnic groups. White women also being part of this particular categorization of minority. And yes, it is the truth, because as I stated historically, socially, economically, and politically marginalized. So, it doesn't matter what type of woman. It also does not matter if it is a man who also happens to be a man of color. I would hope that moving forward as individuals are speaking. Other people don't speak to them. I also would hope that moving forward people with respect to the Chair has stated, and I will close my remarks. Thank you. I encourage an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Wehrli."

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

Speaker Turner: "He indicates that he will."

Wehrli: "Representative, there are many examples of economic development partnerships that work that don't have labor currently on them. Can you give me an example of an economic development partnership that has labor on it and is working currently? Give me some success stories where organized labor was part of the equation."

Welch: "I... I think one of your colleagues, without naming his name, gave examples earlier, said he was a member of one and I'm going to accept that as an example."

Wehrli: "But they paid their dues. I mean, they paid their dues like everyone else did at that Chamber of Commerce, correct?"

Welch: "But he said it worked."

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Wehrli: "Okay. To the Bill. There are many examples of economic development corporations out there that work. They're doing a good job. And in this state, that is a tremendous challenge, a tremendous headwind to overcome. But what these boards have on them is typically school districts, the cities, park districts, libraries. And they all get together when they're trying to attract and retain business and they work out deals. Sometimes they have to be done under nondisclosure agreements. And it's in that partnership that everybody's skin is in the game, everybody pays their dues, you have everybody... all the decision makers for how that economic development is going to impact the city, in which it's trying to get it. They're at the table to answer questions. Mandating that organized labor be part of this is unacceptable. This is nothing but a special interest Bill to placate organized labor. Instead of... instead of breaking what's working, this Bill aims... oh, I'm sorry... instead of... instead of learning from what works, this Bill breaks what is working. I strongly urge a 'no' vote. This is a bad Bill. It's not ready to be on this floor yet. Please vote 'no'."

Speaker Turner: "Representative Batinick is recognized."

Batinick: "Thank you, Mr. Speaker. Should the Bill pass, I request an immediate verification."

Speaker Turner: "The Representative has requested a verification on the Bill. Representative Welch to close."

Welch: "Mr. Speaker, first I want to address the fact that minority groups, as defined in the Bill, if you go to the specific legislation in Section (k-5) 'minority groups' mean a group that is readily identifiable subset of the U.S."

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population and that's made up of persons who are any of the following: (1) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who... maintains tribal affiliation or community attachment). (2) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam). (3) Black or African American (a person having origins in any of the black racial groups of Africa). Terms such as 'Haitian' or 'Negro' can be used in addition to 'Black or African American'. (4) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race). Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands). Also listed is a woman as a minority group, specifically defined in the legislation. I think it's extremely important... one moment... I... I think it's important that we are talking about economic development corporations. Currently, there are economic development corporations that are taking public dollars to be a part of these boards. And there should be full public participation if you're taking money from public entities. These boards should not just be for the wealthy. If these boards wish to operate without two labor spots and two minority spots, there's a simple fix. Don't take public moneys. In many communities across the state, we are finding examples of where this is happening. In

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Peoria, they're taking upwards of a hundred thousand dollars in public money. In Decatur, \$75 thousand. And based on the information that's been provided to me, in DeKalb County, they're taking \$45 thousand. In Rockford and Ottawa, membership fees as high as \$25 thousand. And most recently, we saw in the City of Effingham, the city just authorized \$50 thousand to go to the Effingham EDC. This is public money, people. And when public money is being taken, we should be allowed to pass policy that speaks to that. I have committed and I continue to be committed to filing a trailer Bill. The trailer Bill will specifically define further what an 'economic development corporation' is. An 'economic development corporation' will be defined to mean a local nonprofit, public-private partnership that receives public money to promote the development, establishment, or expansion of industries. A trade association, industry trade group, or business association that is founded and funded by businesses operating in a specific industry is not an economic development corporation. The trailer Bill will also define public money. Public money does not include funds received for job training, apprenticeships, and federally required education. I think it's extremely important that we're standing up here talking about corporations that are supposed to be..."

Speaker Turner: "Please be respectful, Members."

Welch: "We are talking about corporations that are supposed to be accepting money to develop blighted areas. Many of these corporations, currently, are taking moneys and developing nonblighted areas. I think the General Assembly should

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address that by passage of this legislation. The reason these two Bills this year is the... is that some of our labor leaders around the state particularly in the medium-size cities where corporate anchors, you know, for instance Decatur with ADM, beginning to get priced out of these economic development corporations. Is that fair? I don't think that's fair. In some instances, the discussions and decisions coming from these boards seem to benefit the businesses that pay to sit on these boards. Is that fair? I don't think so. I think we should have community voices on these boards to balance this out. So, Mr. Speaker, I ask for an 'aye' vote on Senate Bill 2531."

Speaker Turner: "Members, a verification has been requested by Representative Batinick. All Members are asked to be at their seats and vote their own switch. The question is, 'Shall Senate Bill 2531 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 66 voting 'yes', 48 voting 'no', 0 voting 'present', Senate Bill 2531, having received the Constitutional Majority... Representative Batinick, would you like to proceed with your verification?"

Batinick: "I'm... I'm consulting somebody right now on answering."

Speaker Turner: "Mr. Clerk, please read the affirmative votes."

Clerk Hollman: "A poll of those voting in the affirmative.

Representative	Acevedo;	Representative	Ammons;
Representative	Andrade;	Representative	Arroyo;
Representative	Beiser;	Representative	Bradley;
Representative	Burke, D.;	Representative	Burke, K.;

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Representative Cassidy; Representative Chapa LaVia;  
Representative Cloonen; Representative Conroy;  
Representative Costello; Representative Crespo;  
Representative Currie; Representative D'Amico;  
Representative Davis, M.; Representative Davis, W.;  
Representative DeLuca; Representative Evans; Representative  
Feigenholtz; Representative Flowers; Representative Ford;  
Representative Franks; Representative Gabel; Representative  
Gordon-Booth; Representative Guzzardi; Representative  
Harper; Representative Harris, G.; Representative Hernandez;  
Representative Hoffman; Representative Hurley;  
Representative Jackson; Representative Jones; Representative  
Kifowit; Representative Lang; Representative Lilly;  
Representative Manley; Representative Martwick;  
Representative Mayfield; Representative McAsey;  
Representative Mitchell, B.; Representative Mitchell, C.;  
Representative Moylan; Representative Mussman;  
Representative Phelps; Representative Reaves-Harris;  
Representative Riley; Representative Rita; Representative  
Scherer; Representative Sims; Representative Skoog;  
Representative Smiddy; Representative Soto; Representative  
Tabares; Representative Thapedi; Representative Turner;  
Representative Verschoore; Representative Wallace;  
Representative Walsh; Representative Welch; Representative  
Williams; Representative Willis; Representative Yingling;  
Representative Zalewski, Mr. Speaker."

Speaker Turner: "Representative Batinick."

Batinick: "Who you... who's not... you said who's not here?  
Feigenholtz?"

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Speaker Turner: "Representative Feigenholtz? Representative Feigenholtz is in the back of the chamber."

Batinick: "Bradley."

Speaker Turner: "Representative Bradley is here."

Batinick: "Conroy."

Speaker Turner: "Representative Conroy's in her chair. Would you like to withdraw?"

Batinick: "I'll withdraw."

Speaker Turner: "The Gentleman withdraws his Motion. On a count of 66 voting 'yes', 48 voting 'no', 0 voting 'present', Senate Bill 2531, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Hollman: "Rules Report. Committee... Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 25, 2016: recommends be adopted, referred to the floor is Floor Amendment #2 to Senate Bill 2048; recommends be adopted is a Motion to Concur with Senate Amendment #1 to House Bill 4648."

Speaker Turner: "Representative... Leader Currie for a Motion. Leader Currie."

Currie: "Thank you, Speaker. I move to suspend the posting requirements so that Senate Bill 3112 can be heard in Judiciary-Civil, Senate Bill 2920 in Environment, Senate Bill 2049 and Senate Bill 2932 in Executive."

Speaker Turner: "Representative Sandack."

Sandack: "Obviously, the Republicans object to those Motions."

Speaker Turner: "The question is, 'Shall the Lady's Motion pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Mr. Clerk, please take the record. On a count of 69 voting 'yes', 46 voting 'no', and 0 voting 'present', the Motion carries. The Lady... the Lady's Motion prevails. Mr. Clerk."

Clerk Hollman: "The following committees will be meeting immediately. Labor & Commerce will be meeting in Room 114; Human Services is meeting in C-1; Judiciary-Civil in 122; and Health Care Licenses in D-1."

Speaker Turner: "And now, the House will be in recess until 5:30. The House shall come to order. Pa... On page 9 of the Calendar, under Senate Bills on Second Reading, we have Senate Bill 2797, Representative Lang. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2797, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Zalewski, has been approved for consideration."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. I move the adoption of Floor Amendment #1. It becomes the agreed upon legislation between... with the... the ADDI, the craft distillers association, and other interested parties and the craft brewers association. I'd ask for its adoption."

Speaker Turner: "The Gentleman mo... Representative Davis, would you like to speak on the Floor Amendment? Gentleman moves for the adoption of Floor Amendment #1 to Senate Bill 2797. 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."



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Speaker Turner: "Third Reading. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on May 25, 2016: do pass as amended Short Debate is Senate Bill 3163. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on May 25, 2016: recommends be adopted is Floor Amendment #1 to Senate Bill 2610. Representative Nekritz, Chairperson from the Committee on Judiciary-Civil reports the following committee action taken on May 25, 2016: recommends be adopted is a Motion to Concur with Senate Amendments #1 and 2 to House Bill 4715, Floor Amendment #1 to Senate Bill 2300. Representative Zaleski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on May 25, 2016: do pass Short Debate is Senate Bill 2899."

Speaker Turner: "On page 5 of the Calendar, we have Senate Bill 2584, Representative Riley. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2584, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Turner: "Representative Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. 2584 essentially states that the Chicago Teachers Pension Fund member's pension shall not start more than a year prior to that member's actual retirement for submittal of all of the forms necessary for retirement benefits. And what this essentially does is gets rid of a lapse period between the time that that member says they're going to retire and when they actually retire. It's getting rid of a loophole. This is

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an agreed upon Bill. And if you have any questions, I will answer them, but I think this is a good Bill and I'd like 'aye' votes."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 2584 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 2584, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2704, Leader Bellock. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2704, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "Leader Bellock."

Bellock: "Thank you very much, Mr. Speaker. This is Senate Bill 2704 and it amends the Emergency Medical Services Act. And already in that Act there are two terms that are in statute already and they're 'clinical observation' and 'medical monitoring'. And all this Bill does is now to define what those terms actually mean."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 2704 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 2704, having received the Constitutional Majority, is hereby declared passed.

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Senate Bill 2734, Representative Gabel. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2734, a Bill for an Act concerning health. Third Reading of this Senate... Senate Bill."

Speaker Turner: "Representative Gabel."

Gabel: "Thank... thank you, Mr. Speaker. This Bill just codifies the movement of some Maternal and Child Health Programs from the Department of Human Services to the Department of Public Health. The staff has been moved. Everything's been moved. The federal Maternal and Child Health Grant... Title V and Title X Grant Program require that all the programs are in the same department. Appreciate an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 2734 pass?' All in favor will 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 113 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 2734, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2589, Representative Acevedo. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2589, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Speaker, I believe you caught me again. Last time they were doing a verification you caught me coming out of the bathroom and you caught me again. Thanks. Anyways, Senate Bill 2589... it amends the current Illinois Risk Preservation

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to comply with the National Association of Insurance Commissioners. Basically what it does is puts... it puts the director of insurance with... it gives them greater authority and oversight over the approving the risk retention groups in corporate governance procedures and structures. I'll be happy to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 2589 pass?' All in favor will 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 116 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 2589, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2743, Representative Burke. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2743, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "Representative Burke."

Burke, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has to do with the practice of yoga and those that would engage in it and sometimes train individuals in Illinois and across the country. The vast majority of individuals who lead yoga classes are not full-time instructors and do not earn a living from teaching it. Yoga studios and practitioners host advanced yoga training classes that the yoga community often refers to as a yoga teacher training program or YTT. The name teacher training, however, is a misnomer because most participants attend to only to deepen their personal practice or practice yoga in group

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settings. Further completion of a YTT is not a prerequisite to teach yoga and yoga instruction and is not a licensed profession in Illinois. What this Bill would say is that they are not to... to be licensed and that the state would not have any kind of authority over the practice of yoga or the so-called teaching of yoga teacher training. Be happy to answer any questions."

Speaker Turner: "The Chair recognizes Representative Sandack."

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

Speaker Turner: "He indicates that he will."

Sandack: "Representative, as we stand here right now, are yoga schools licensed?"

Burke, D.: "No."

Sandack: "Is it... are they permitted or is there a certification? Is there any type of connection with state processes?"

Burke, D.: "No."

Sandack: "So, does your Bill basically say they can't be licensed?"

Burke, D.: "That is what we're suggesting. Now, I agreed with the department if there were to be a proliferation of these schools, as you described them, where they are charging tuition, that would be a whole different situation. That is not the case today."

Sandack: "So, I'm just trying to get my head around. So, this is a piece of legislation to prohibit licensure of something that isn't licensed."

Burke, D.: "That is correct."

Sandack: "Was there..."

Burke, D.: "It's being done across the country..."

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Sandack: "Okay."

Burke, D.: "...as a matter of fact. And this matter came out of the Senate with unanimous consideration, if that makes any difference."

Sandack: "I'm just asking it was there a threat to license... license them in Illinois?"

Burke, D.: "Well, what happens is they... these are, for the most part, women-owned studios. It's a very small business. They very seldom charge a fee. On occasion there might be some minor fees incurred for the mat or whatever the... they may be using, but..."

Sandack: "Dan, I'm just... I'm just... look, I'm going to vote for it. I'm just curious..."

Burke, D.: "Wonderful."

Sandack: "...because karate. I mean, are we... is karate schools next, aerobic classes next. I... I'm just wondering why we want to pass legislation to prohibit something that isn't licensed in the first place."

Burke, D.: "Because it really doesn't meet the definition."

Sandack: "So, the higher ed... does higher ed have an opinion? Is... is there a state governing office? Is there any department that has a problem with your Bill?"

Burke, D.: "It's the Board of Higher Ed."

Sandack: "So, they think it should be licensed?"

Burke, D.: "Yes."

Sandack: "Have they tried to license it?"

Burke, D.: "Okay. It's currently licensed..."

Sandack: "Oh."

Burke, D.: "...and this Bill would exempt."

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Sandack: "So, but right now they fall..."

Burke, D.: "From the school."

Sandack: "I got it. So, right now, there's an argument that this should... that they fall under the existing license statute and you're exempting it?"

Burke, D.: "From the Private Business and Vocational Schools Act all business regulations must be complied with."

Sandack: "All right. Thank you for answering my questions."

Speaker Turner: "Chair recognizes Representative Ives."

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

Speaker Turner: "He indicates that he will."

Ives: "So, Representative Burke, it... am I to remember correctly, did you not run the Bill last year about requiring eyelash technicians to have over 300 hours of training?"

Burke, D.: "You're right, I did."

Ives: "Okay. So, I, again, I have no problem with this Bill either. I just think that we're regulating a lot of businesses and requiring a lot of licensure for areas that I think that we really should stay out of. So, it just seems to me a little bit inconsistent to file a... run a Bill on eyelash technicians and then exempt yoga instructors. But I'm in favor of your Bill. In fact, I'm in favor of rolling back all sorts of licensure requirements on all these people and I just wanted to point that out. So, thank you."

Burke, D.: "Thank you."

Speaker Turner: "The Chair recognizes Representative Leitch."

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

Speaker Turner: "The Sponsor will yield."

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Leitch: "Representative, are you afraid of ruining your reputation? I have never... you and I've been around here a long time. You were the last person in the chamber I would ever expect to see a measure like this to prohibit a licensure. So, please know I'm mightily amused by this and can't wait to vote for it."

Burke, D.: "Thank you so much."

Speaker Turner: "Representative Franks is recognized."

Franks: "Thank you. I'll speak to the Bill. I appreciate what the previous speakers have said. Folks, we are totally overregulated in this state. You wonder why we're losing businesses and why we're losing population. It's because we meddle in areas which we don't belong in. And Representative Burke, I really appreciate you bringing this forward. There's a lot of folks who avail themselves to yoga and how important it is. And I think that we ought to leave an industry alone that isn't broken. And all we can do is screw it up. So, for once, we ought to stand together and say, let's not regulate something that doesn't need regulation. Let's not screw up a business. Let's not screw up an industry. Let's leave somebody alone who ought to be left alone. So, please vote 'aye'."

Speaker Turner: "Representative Kay is recognized."

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

Speaker Turner: "He indicates that he will, Sir."

Kay: "Representative, I think this is a marvelous Bill. It seems to me that we've had 28 mandates on business that are really, really serious. And you're the first one that recognizes that we don't need another mandate. Thank you, Representative."



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Speaker Turner: "Representative Sullivan is recognized."

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

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

Sullivan: "Representative, on these yoga facilities, do they have to, for membership, have two union members and two minorities that'll be part of it?"

Burke, D.: "Maybe that'll be my trailer Bill, huh."

Sullivan: "Well, I just saw... I saw the gentleman farmer from McHenry say that we got to do too much to inhibit economic development, but I think he voted for the previous Bill that inhibited economic development. Does anybody see the contradiction in that this previous Bill that took place? Oh, I'm not going to use your name, big guy. But Representative, I applaud you for this Bill because this is the right way to do it and I appreciate that. Thank you."

Speaker Turner: "Leader Burke to close."

Burke, D.: "Maybe Representative Franks said it best. Let's not... Strike that, Mr. Speaker. Franks has nothing to do with this matter. I... I would appreciate your 'aye' vote on this. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 2743 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 2743, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

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Clerk Hollman: "Agreed Resolutions. House Resolution 1274, offered by Representative Cabello. House Resolution 1275, offered by Representative Hammond. House Resolution 1276, offered by Representative Gordon-Booth. House Resolution 1277, offered by Representative Skoog. House Resolution 1278, offered by Representative Skoog. House Resolution 1279, offered by Representative Wehrli. House Resolution 1280, offered by Representative Walsh. House Resolution 1281, offered by Representative Jones. House Resolution 1282, offered by Representative Chapa LaVia. House Resolution 1284, offered by Representative Crespo."

Speaker Turner: "Leader Currie moves for the adoption of 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. Senate Bill 2048, Leader Currie. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2048, a Bill for an Act concerning appropriations. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "Representative Sandack."

Sandack: "Thank you, Mr. Speaker. Republicans will take a caucus, please. No, we didn't. We were in committee. Now, it's a caucus."

Speaker Turner: "Leader Currie. Leader Currie."

Currie: "Can we just adopt the Amendment and then we'll be ready to roll on... on the Bill when you've finished your caucus?"

Speaker Turner: "Leader Currie on Floor Amendment #2."

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Currie: "I would ask that we just attach the Amendment to the Bill and discuss it on Third Reading. The Amendment is the Bill... will be the Bill."

Speaker Turner: "Leader Currie moves for the adoption of Floor Amendment #2 to Senate Bill 2048. 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: "Fur... No further Amendments. No Motions are filed."

Speaker Turner: "Republicans will caucus immediate... Sorry. Excuse me. Third Reading. The Republicans will caucus in Room 118. On page 8 of the Calendar, under Senate... we have Senate Bill 2048, Leader Currie. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2048, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Turner: "Leader Currie."

Currie: "Thank you very much, Speaker and Members of the House. This Bill would contain appropriations for the coming fiscal year, fiscal '17. Much of the appropriation level is set by what we did last year, the budget that was approved by the Assembly, in... for fiscal '16. And other funds appropriations are based primarily on what the Governor's proposed spending would have been for fiscal '17. It's important for you to note that this measure does not include those items that had been the subject of court-ordered consent decrees. Those... payments are continuing and we have heard from many providers that they are concerned about the future of those payments given the fiscal problems that face the state. I'd like to say a few words for the record about the way the education elementary and secondary budget is funded. There's a single

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appropriation of nearly 5.5 billion for elementary and secondary schools. This money is being made basically in lieu of the traditional general state aid formula, but nothing in the Bill either ends or changes in the long run that current formula. But it does recognize that there are very serious inequities across the state from one school district to another. And in our education task force as well as in all of our education committees. Every observer recognizes and rues the fact that Illinois formula funding is so inequitable for children in low-income areas and for children who themselves are poor. The way the new appropriation will operate is described in the... in the Bill. First, the current general state aid payments that schools are getting in this fiscal year would be frozen. And that would include any portion they're getting of the 85 million that we added to stop lost payments as part of the current year's budget. There's additional money, some 700 million, for an equity grant. Every school district would be eligible to apply for an equity grant, but the bulk of those moneys would be directed most heavily to the students who are in those areas where there are high concentrations of poverty. Third, any district that under those two pieces of the program would lose resources compared to what they would expect in the coming fiscal year would be made whole. So, according to the figures that ISBE has given us, this appropriation would be... would be adequate to cover the three categories. If there's additional money left, that would be distributed to the current general state aid formula. Again, this appropriation is for all school districts, all the entities that currently get general state

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aid today. No school would lose any general state aid compared to what they're getting this year. No school would lose any general state aid compared to what their claims could be for the fiscal '17 school year. And many, many, many school districts will receive significantly more money under this proposal than they do today. So, why are we offering this proposal today, this full funding budget for fiscal '17? We're offering it because today is May 25, Speaker and Members of this House. May 25, 2016 and we still don't have a budget for the current fiscal year which comes to a close June 30. I am worried for the people of the State of Illinois if we leave this Assembly at the end of May without a budget that is adequate to the needs of our low-income seniors, our fragile children, our vulnerable populations. I am appalled at the prospect that we would leave this Legislature, this spring Session, without providing stable funding for the operations of State Government, let alone providing for the resources for those who do not have resources themselves that make them able to thrive and survive in this state. There are many important programs of State Government that have been funded through the court system through consent decrees, but many others have not and you all know what they are. They're programs to provide tuition help for low-income college kids. Money to keep the state universities running. Money to see to it that families suffering from problems of autism and epilepsy get some help. It was not until late in the fiscal year that we were able to fund domestic violence shelters. And we only recently have sent to the Governor a Bill that will provide funding for those people who are victims of rape.

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It is unconscionable that this state has failed to do its job during the current fiscal year. And it would be even more unconscionable for us to leave this Assembly without taking care of our responsibilities for the fiscal year to come. I am, of course, always hopeful that there still is time for us to work cooperatively. I, myself, have been a member of several of the Governor's working groups, and I am hopeful that we might be able to come to compromise and find a way that we can all agree on funding levels and programs for fiscal '17, which begins July 1. But I don't think we can afford to count on compromise. It didn't work in the current fiscal year and there's no guarantee that it will in the next. And for us to turn our backs on our responsibilities and fail to leave an insurance policy in place in the event that there is no further compromise would, I think, be a significant disservice to the people of the State of Illinois, particularly to those who are vulnerable, who are fragile, who have no place but to us to turn. With that, Speaker and Members of the House, I'm happy to answer your questions. I would appreciate your questions and I certainly would appreciate your 'yes' vote for passage of Senate Bill 2048."

Speaker Turner: "The Chair recognizes Leader Durkin."

Durkin: "Oh, for crying out loud. This is absolutely the biggest joke that I've witnessed in my 18 years in Springfield. Inquiry of the Clerk. When was the Rules Report posted regarding this Bill?"

Speaker Turner: "Mr. Clerk. Is... is the question when was the Rules Report submitted..."

Durkin: "Posted..."

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Speaker Turner: "...read?"

Durkin: "...on this Bill. On the Amendment."

Clerk Hollman: "The Rules Committee met this afternoon and the report was read into the record at 4:57 p.m."

Durkin: "And it is 5:46... 6:47, excuse me. Okay. Representative Currie, here's a basic question. I'm sure you have a very thoughtful and witty answer... witty. Could you tell me what Appropriation Committee this Bill was assigned to that vetted this 500-page Bill?"

Currie: "Representative, the Appropriations Committees have met. This year and last year they discussed all manner of funding. And while this particular Bill didn't go to a particular committee, it is, as you know, since I explained it, it covers the Water Fund that we have five Appropriations Committees. There wasn't one to which it particularly belonged, but all the Appropriations Committees have been busy at work..."

Durkin: "So, the answer is no."

Currie: "...during the spring."

Durkin: "There was no Appropriation Committee that heard this Amendment, correct?"

Currie: "But every... everything in this appropriation..."

Durkin: "It... I'm not going to rely upon you..."

Currie: "...has been considered by our Appropriations Committee."

Durkin: "...when our staff... I'm not going to rely upon you and ask you one substantive question about the staff... about this Amendment when our staff received this 4:57. It's 500 pages; it's right there. From all respects, we believe it's approximately \$7 billion of additional spending. The Governor's Office, GOMB, has not been able to completely read

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through this. And I'm sorry, I'm not going to rely upon you no one should anybody in this... in this chamber who is not had, at least on this side of the aisle, we have not had a chance to review it. And folks, we shouldn't take their representation as to what this Bill is, 'cause we have no idea what's in it. All we know is a lot of spending. So, what I want to do is go back in the time machine a little bit to 2010, which is probably one of the most despicable and embarrassing moments in Congressional history when, at that time, it was then Nancy Pelosi who stated with regarded to the ACA Bill. We have to pass the Bill so you can find out what is in it. And that is what you are asking of us right now. We have been working diligently for the past three weeks to bring resolution to the budget impasse with our working groups on revenue but also on reforms. I believe we're making progress. This is a slap in the face to the hard work of men and women who have been working on this. But also, and more importantly, a slap in the face to every Illinoisan who wants honest government, who wants transparent government, who does not want to see a repeat of last year. And this is a repeat of last year on steroids. As an Illinoisan, as a taxpayer, and also a Member of the Legislature, I'm deeply embarrassed. And I guess I want to be angry but this is an absolute joke. And I don't know how anybody can vote... vote for this thing. Representative Skoog, do you think this is transparent since you've been down here for a few months? Is this really a good vote for you? Representative Cloonen, likewise. Is this a good vote for transparency and for sound government? Folks, stop the madness. Let's get back to work instead of playing



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games. I was going to say this is a phony Bill, but I don't know what good... is worse than phony. So, anyway, I've had it. I'm not going to vote for this thing. No one in this building should vote... no one in this chamber should vote for this thing. This is a joke."

Speaker Turner: "Chair recognizes Representative Sandack."

Sandack: "Thank you. Will the Majority Leader yield for some questions?"

Speaker Turner: "She indicates that she will yield."

Sandack: "So, Representative, I'm certain, because you're the Sponsor of the Amendment, you've read this Bill, correct?"

Currie: "I have."

Sandack: "You've read all 500 pages?"

Currie: "I... Well, over the last couple of days as we've worked on it. I paid a lot of attention to the details..."

Sandack: "So, let's look at page..."

Currie: "...and the most important thing is that much of this measure is based, first of all, on other state funds as proposed by the Governor in his budget for fiscal '17..."

Sandack: "Representative, this is your Amendment."

Currie: "...and on moneys that we appropriated this time last year."

Sandack: "Okay. So..."

Currie: "So, there's not a lot that's new under this particular sun. I pointed to the education funding as something that is different, but much of it is numbers, material, programs that we've been looking at for well more than a year."

Sandack: "So, your answer is... I'm going to make sure that, please, just if you wouldn't mind, confine yourself to my question. You read the 500-page Bill that you filed..."

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Currie: "I looked... I looked..."

Sandack: "...two hours ago."

Currie: "I looked through the Bill."

Sandack: "Oh."

Currie: "I checked the numbers..."

Sandack: "Okay."

Currie: "...compared to last year's plan..."

Sandack: "Has any Member of your caucus read the Bill that you're putting on the board right now in full? Has anyone read the full Bill? The answer's no and you know it. How much is the full spend..."

Currie: "How often..."

Sandack: "...of your... of your Amendment, Ma'am?"

Currie: "The total spending in other state funds as well as general funds is 47.8 billion. GRF..."

Sandack: "How much is expected revenue..."

Currie: "...GRF is 14.1."

Sandack: "How much is expected revenue in fiscal year 2017?"

Currie: "Well, as you know, Representative, we've had a lot of discussions as had the Governor about the need for..."

Sandack: "How about just answering the question."

Currie: "...additional revenue in order to meet our responsibilities to needy, vulnerable populations. And I would certainly agree that we need... I agree with the Governor, I agree with others you've pointed out that we need new revenue."

Sandack: "How much is the budget you proposed out of balance, Ma'am? I asked you what the revenue expectation is for fiscal year 2017."

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Currie: "Since I don't know... I don't know what the dollars are that are going out under the..."

Sandack: "Give me an approximation."

Currie: "...many, many consent decrees that your Governor has entered into, it's hard for me to get a handle on the total moneys that will be available, total moneys that are available."

Sandack: "Give me an expectation in your mind, an approximation, Ma'am, of how much you think the state will receive in revenues in fiscal year 2017?"

Currie: "Well, if we do our work and if we decide that we're going to be..."

Sandack: "God, can you answer a question, please?"

Currie: "The... the answer, I can't tell 'cause I don't know what's in the Comptroller's Office..."

Sandack: "Okay. You don't know what your budget Bill expects to spend..."

Currie: "...what's out of the Comptroller's Office..."

Sandack: "...you don't know what your budget Bill expects to bring in. Why are we doing this right now?"

Currie: "I told you why we're doing this right now. Because we need an insurance policy..."

Sandack: "This is an insurance policy?"

Currie: "...for the people of the State of Illinois who depend upon us, people who need a stable, solid budget. I am hopeful that there will be further discussions and compromises with the Governor. As I said, I've been part of several of his working groups, but I don't think, since we never reached compromise a year ago, that we can count on that. I think it is critical

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for those whose programs have not been funded through consent decrees, for those whose programs have not been funded by continuing appropriations, that we give them the security of knowing that there is the possibility of a state budget in place in the coming fiscal year. It was shocking that there was not during the current fiscal year."

Sandack: "It is shocking because you didn't put one on the board. You haven't engaged in conversation."

Currie: "That's not right."

Sandack: "It's an outrage actually."

Currie: "We actually passed a budget. We sent the budget to the Governor's desk."

Sandack: "Okay. To the Bill."

Currie: "A full budget..."

Sandack: "Excuse me, to the Amendment."

Currie: "...he signed one portion of it and since then, we've actually agreed with the Governor on some six spending plans. Cooperation is possible. But it is not possible for us to walk away from this chamber without having offered some security to the people of the State of Illinois that there will be a budget, that we can govern the state and the vulnerable populations will find that their needs can be met."

Sandack: "Thank you for the filibuster and the nonanswers, Majority Leader. To the Amendment, Mr. Speaker. I want to talk to my colleagues for a second particularly those that I had the pleasure of working with and hope that I can continue to work with in the reform working groups that I've been involved in for the last week. And I'm... I'm not sure there's anything more important that we're going to do maybe today

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for sure, but... So, I've worked with Democrats and Republicans in this chamber and the Senate for about a week, maybe a week and a day. I think I've met 15 times with people on a variety of matters. Not one time was there anything not collegial, not one time was there anything unprofessional. At all times, our discussions were substantive, thoughtful, and much gains had been made, many gains. I'm not going to say full agreement because that wouldn't be correct, but on a couple of topics we were darn close to finishing those matters and moving on to other things. In fact, I'm supposed to be in a meeting right now on workers' comp. We have made gains. Rank and file people who represent our constituents. This Amendment is a joke. It is infuriating because we have a framework, a budget framework and a reform framework that can turn the state around and stop the hemorrhaging. But my goodness, if you're going to vote for this, you're putting \$7.2 billion more of unfunded, unbalanced, illusory spending. This is a horrible message. Please search your consciousness, search your souls. This is exactly what we should not be doing. This is pouring cold water on progress. Don't take the bait. Don't be bullied or threatened. Vote 'no' on this nonsense. And then, let's continue... continue to have thoughtful, engaging, collegial, professional, substantive budget and reform conversations. That's what we're elected to do. That's what all of our constituents expect of us. This is absolutely an embarrassment. Don't do it. You're going to be held accountable... accountable for it. It is absolutely the wrong thing to do. Search your souls. Vote 'no'."

Speaker Turner: "Representative Demmer is recognized."

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

Speaker Turner: "She indicates that she will."

Demmer: "Leader Currie, it's 6:58 p.m. right now. We had confirmation from the Clerk that this Amendment was released from the Rules Committee at 4:57 p.m., and it's 500 pages long. Do you believe it's reasonable that in the course of two hours Members on our side of the aisle would have a chance to review a 500-page Amendment that was..."

Currie: "Yeah. I believe that your staff would have been very familiar with the budget that passed a year ago and much of the spending in this Bill reflects those dollars."

Demmer: "And how would we know that?"

Currie: "Your staff, I assume, has analyzed the Governor's proposed spending for fiscal '17. Much of the money in other state funds comes directly from his proposals."

Demmer: "Oh, we've analyzed..."

Currie: "There's nothing new in this Bill."

Demmer: "...we've analyzed the other budgets. We've analyzed the other budgets. 500 pages..."

Currie: "There's nothing new that you haven't seen before."

Demmer: "...500 pages in two hours."

Currie: "Let me..."

Demmer: "That doesn't seem fair. That doesn't seem reasonable. That doesn't seem possible..."

Currie: "Your staff knew all these numbers."

Demmer: "...to review 500 pages in two hours. Representative, when... when you add... you mentioned earlier that programs that are covered by court orders or consent decrees are not included in this appropriation. Is that correct?"

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Currie: "That is correct."

Demmer: "What is the total appropriation that you've offered in this Amendment?"

Currie: "In general funds, it is 14.1 billion. COGFA anticipates that we will see about 33 billion in general funds during the coming fiscal year."

Demmer: "Excellent. So, out of 33 billion..."

Currie: "In all funds... in all funds, the total is 47.8."

Demmer: "Okay. So, great. So, we've got a revenue estimate. \$33 billion in General Revenue Funds in 2017. You have 13... 13..."

Currie: "And this is 14.1 billion..."

Demmer: "...14 billion."

Currie: "...in this Bill."

Demmer: "Fourteen billion in this Bill. All right. So, that brings us down to 19 billion left. What is the estimated spend in FY17 for programs covered by court orders and consent decrees?"

Currie: "We don't know. We've tried to get that information. We don't know what's in..."

Demmer: "Does it exceed \$19 billion?"

Currie: "...what's in the Comptroller's Office and we're not privy... we were not... we were not part of any of those court-ordered consent decrees. So, we are... we're not... we're not sure."

Demmer: "So, you're comfortable appropriating \$14 billion..."

Currie: "We do... we do believe..."

Demmer: "...without knowing what we have?"

Currie: "As I said, we're not covering the consent decrees because those are already out there."

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Demmer: "But those consent decrees and court orders require that we spend money out of the General Revenue Fund. Is that correct?"

Currie: "Under this budget Bill, yes, we would spend money from General Revenue, 14.1 billion..."

Demmer: "And you give us a number of \$33 billion."

Currie: "...compared to 33 billion, which COGFA believes is more com..."

Demmer: "Thirty-three billion dollars in income, \$14 billion covered by this. Yet, no one can answer how much is covered by court orders and consent decrees. So, you can't tell me if this is a balanced budget."

Currie: "I can tell you that I told you from the beginning that I do believe I agree with the Governor that we need additional revenues in the state in order to meet all of our obligations."

Demmer: "Where's that Bill?"

Currie: "I'm waiting for the Governor to offer it. It's part of his grand bargain."

Demmer: "Does the Governor offer Bills in the Legislature?"

Currie: "The Governor has... has... has cost the introduced and..."

Demmer: "Don't Representatives and Senators offer Bills in the Legislature?"

Currie: "Don't we talk about the Governor's introduced budget even though the Governor doesn't, in fact, introduce it?"

Demmer: "Have you read any fiscal analysis of this Bill that suggests that when you combine what's appropriated from General Revenue Funds in this Bill, when you combine that with what's covered by court orders and consent decrees, what



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we're proposing tonight for the first time in Illinois history would spend more than \$40 billion in a single fiscal year."

Currie: "That's not my understanding from the... from the limited analysis we have seen."

Demmer: "More than \$40 billion. For the first time in Illinois history..."

Currie: "Yeah, I said that. I said that. I did say that earlier."

Demmer: "...more than \$40 billion on what you have conceded is \$33 billion in revenue."

Currie: "Yeah. And..."

Demmer: "That'd be a \$7 billion deficit. And just for... just for those keeping score at home, the Comptroller's website today reflects that there are \$7,055,000,000 in unpaid bills. We will double the stack of unpaid bills by approving this Bill tonight."

Currie: "Right."

Demmer: "You will double..."

Currie: "But unfortunately, it was the Governor that offered to enter into these consent decrees. The Legislature was not part of it. I would also say that I don't know... we don't have actual spending levels from each of those consent decrees. Medicaid bills are paid, but we don't know the size of the Medicaid bills that will come in."

Demmer: "A majority of these consent decrees were entered into by the Blagojevich and Quinn administrations. And yet, they still govern spending under the General Revenue Fund today. So, we must... as Legislators we must take into account the spending that's required out of the General Revenue Fund by court orders and consent decrees before we can consider what

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money remains for us to appropriate. We've heard tonight, \$33 billion is the revenue estimate for fiscal year '17. Yet, this Bill, when taken in its entirety, would spend more than \$40 billion out of the General Revenue Fund. Representative, I, too, was in the budget working groups. I sat with Republicans and Democrats from both the House and the Senate and the discussions that we had in those groups never approached \$40 billion in General Revenue spending in a single fiscal year."

Currie: "Well, I..."

Demmer: "I can't imagine how anyone goes back to their districts and can sell to voters the idea that we would spend \$7 billion more than what we're taking in. I can't imagine how you sell that. I can't imagine how after year, after year of unbalanced budgets that have led us to a point where vendors are waiting hundreds of days to get payment out of the General Revenue Fund. I can't imagine how we vote on a Bill like this tonight. Vote 'no', Ladies and Gentlemen. Vote 'no' until you've had a chance to read 500 pages of Appropriations Bills. We can't pass this Bill to find out what's in it. We have to know what's in it before we vote on the Bill. Vote 'no'."

Currie: "And... and I would just say that I do not accept..."

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

Currie: "I do not accept the \$40 billion that the prior speaker bandied about. That was certainly not a number that the director of the Governor's Office of Management and Budget ever came close to in our discussions in the budget working group."

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Speaker Turner: "Representative Demmer has requested a verification. The Chair recognizes Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I... I wanted to just kind of address some of the previous speakers with regard to the working groups. Now, we have been working for the last week and a half. To my mind, we should have started sooner. I wish we would have started sooner. I think everybody on that side of the aisle would have agreed. However, what we're here to discuss today is making sure that we don't shirk our responsibilities as Legislators in case we're not successful. That's what this is all about. Have the working groups been cordial? Yes. Have we worked in good faith? I would say yes we have. Have we come to a conclusion in all these working groups? We haven't. We haven't. We have a few days left, and I'm committed to continue to work with the working groups to try and discuss on issues with regard to workers' compensation, issues with regard to trying to find some reasonable ground on ancillary issues with regard to collective bargaining. But can I tell you, these are difficult issues. We're not pulling the plug. We're not saying we're not going to keep from working together. We're saying, if we don't move the ball forward and for some reason we fail in the working group process, we want to have a spending plan in place. Period, end of discussion, exclamation point. That's what this Bill would do. I know you don't agree with it. But why do we want to take ourselves to the eleventh hour while Rome is burning and we're not... we're not going to know what we're going to do next because our school districts, our universities, our public institutions,

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our social service agencies don't have a spending plan. I'm not willing to do that. I'm going right back upstairs in Room 400 where we have business and labor, the Governor's Office, your caucus, our caucus, Senate Dems, Senate Republicans, and I'm going to continue to work through the night, like we did last night, on trying to find a solution on the issue of workers' compensation reform. But it is difficult. It is difficult. And as we face these difficult issues, we're going to continue to be committed to working with you, with the Governor's Office, with the Senate Dems, with the Senate Republicans to reach consensus that can move us forward. But we're not going to stand by and let Rome burn and let the State of Illinois's budget and no spending plan be put forward. That's what this does. That's why I'm voting 'aye'. And that's why I ask you to vote 'aye' as well."

Speaker Turner: "The Chair recognizes Representative Bill Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen. Madam Leader, I have a question that someone didn't like. Can you move out... The guy right there move. I can't see the Leader. Okay. I will... Thank you. Thank you. Madam Leader, I think you have a difficult job today. You've got to sell something that's really unsaleable, but none the less, I have that question. How much money did the State of Illinois have in the bank this morning?"

Currie: "I don't have that information. You might want to call the Comptroller; you might want to call the Treasurer."

Mitchell, B.: "I know. It's online; it's online. Ladies and Gentlemen of the House, it's \$182 million. Okay. We have \$182

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million in our bank account. And we had \$7.1 billion of unpaid bills. We had 36 thousand vendors owed money. And yet, you want to spend \$40,455,000,000. Is that correct, Madam Leader? Does that sound good?"

Currie: "No, that doesn't..."

Mitchell, B.: "Is that okay?"

Currie: "It doesn't sound right at all."

Mitchell, B.: "Well, these... these are facts. These are facts. You know, you... everyone has an opinion, but these are facts."

Currie: "Well, except that the facts that the director of the Governor's Office of Management and Budget does not match the figures you are reporting on the House Floor."

Mitchell, B.: "Then under this budget, what would be the deficit?"

Currie: "As I say, I don't have access to all those numbers, but the numbers that we've heard do not reach anything like the amount you're describing."

Mitchell, B.: "You're proposing something and you tell the people of Illinois we don't know how much it's going to cost?"

Currie: "What I said is that we don't know what the actual cost of those decrees that the Governor entered into, that the Governor said yes to, ultimately will cost. It depends on what services, for example, the Medicaid providers offer. We don't just say, okay, everybody gets a check for a hundred bucks. You only get reimbursed for the services you provide our clients as an example."

Mitchell, B.: "Madam Leader, I think the director of GOMB was in your group and said this is the numbers, 40,455,000,000."

Currie: "He did not... I'm sorry, he did not say that."

Mitchell, B.: "What did he say?"

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Currie: "You know... I think there was... he didn't discuss that specifically. He did talk about... about owing moneys beyond what we anticipate or COGFA anticipates will come in next year, but it wasn't to the tune of \$8 billion or \$7 billion."

Mitchell, B.: "One thing I think everyone in this chamber will agree. This is not a balanced budget. Is that correct? Will expenditures..."

Currie: "We're... we're appropriating \$14.1 billion out of General Revenue. We're told... we're told that the... by G... by COGFA that we'll have \$33 billion in General Revenue Funds in the coming fiscal year."

Mitchell, B.: "You're... you're very creative. I'll give you that. An A for that. Madam Leader, and you've been here for a while and so have I and I appreciate the job you've done. But one thing that... that is our obligation, every two years we raise our hands and we take an oath to the Constitution of the United States and the State of Illinois. In one of it says... in our Constitution of the State of Illinois says we have to pass a balanced budget. This is not a balanced budget. Everyone will... knows that. We all know that. Let's stop the charade. We know we're spending more money under this budget than the revenue. Now, you have... the voters of the State of Illinois in their infinite wisdom have given the Democratic Party 71 votes. You've got 71 votes in this chamber; it takes 60 votes to pass anything. If you want to spend 40 billion and some change, then you can do that and you can pass the revenues. What I'm saying, there is a difference in political Parties. You are certainly more aggressive in saying there's a problem. You want a government program. I differ with that."

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Okay? We have an honest difference of opinion. Governing is about making choices. This budget isn't making choices. This govern... this budget is saying we're going to be Santa Claus in May. And the people of Illinois are smart enough to know Santa Claus is in December, okay? This is a... a fraud. The people of Illinois are just sick and tired of fraudulent budgets, one after another. I urge this Assembly to vote 'no'. Thank you."

Speaker Turner: "Representative Ives is recognized."

Ives: "Thank you, Mr. Speaker. To the Bill. Most children are very fond of fairy tales. Maybe they, you know, sit up on the bed at night, and they've read the Brothers Grimm who first published in 1812 a collection of stories known as the *Grimm's... Fairy Tales*. Most of those stories began with, Once upon a time, and they usually ended with happily ever after. But we don't have a fair maiden that can spin straw into gold here in Illinois. And in 2016, what we have in this Bill is Speaker Madigan's fairy tale, except that it doesn't end happily ever after. It ends as a horror movie for taxpayers. Taxpayers are going to be destroyed by this Bill. How many more episodes or how many more tales are we going to have of unbalanced budget. The last time we had a balanced one... budget was in 2001. There's no way to pay for this spending plan without a massive tax increase... that Illinois has never seen. And unfortunately, this state has done nothing to reform its spending, to reform the way we do business. We have not earned the right to new revenue. This is all a fairy tale. It's one big bedtime story. We need to put it to rest and start back again with a new title."

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Speaker Turner: "Leader Lang is recognized."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I've heard a lot of interesting rhetoric on the other side of the aisle. Some of the most amusing and laughable were people complaining about only two hours to read this Bill. You only had two hours to read the Bill, I'll give you that. However, don't make it seem as if you had 500 hours to read the Bill or 5 thousand hours to read the Bill you'd be any... voting any differently when we vote on the Bill. So, you can say all of those things, but you're going to be 'no' or 'present' or whatever other button you can make up that isn't 'yes' when we go to vote on the Bill. Somebody said over there, well, you know, the Governor doesn't introduce Bills. Well, okay, but you know, every time we try to do something on workers' comp or property tax relief or any of those things, you guys over there are always saying, well, this isn't the Governor's language. Well, if the Governor doesn't have Bills, what do you mean when you say it's not the Governor's language? So, you should pick one position and stick with it. I think there's some value in sticking to a position. I think there's some value in not just making up things to say when you've spent the last year saying other things. Just stick to your position. Find some way to rationalize it or if you feel deeply that what you're saying is correct, then stick to it. You don't have to make up things on the House Floor to make your position sound good. Just say what you think. That's what this place is for. I found it interesting that many on that side of the aisle either completely ignored the consent decrees, the reason that we're so far in the hole now, or



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mentioned the consent decrees but just simply accepted them and then said that the proposal we make today blows a hole through the ceiling of whatever money we have. I didn't see the Governor or any of the Governor's lawyers or any of the Governor's staff or anybody representing the Governor go into any one of these courtrooms that have issued consent decrees and say, we don't want these consent decrees anymore. We can't afford them. In fact, the Governor has simply allowed these consent decrees to blow a hole through all the money we have. As we know, 90 or 92 or whatever percent of the money we have to spend is gone through these. And these courts have ordered us to pay, not based on current revenue, but based on revenue we don't even have. They've required us to pay based on fiscal '15 numbers where we had a five percent income tax that we no longer have. And yet, instead of going into a courtroom with his battery of lawyers to say, your Honors, we can't do this anymore. We want to make a Motion to vacate these consent decrees, because the State of Illinois can't afford to pay these dollars. Instead of doing that, he just sits on the sideline and allows us to overspend and overspend and overspend, not because of a budget, but because the courts have ordered us to spend money we don't have. And yet, not a single effort by this Governor or this administration to file a single Motion in a single courtroom before a single judge saying, we give, your Honor. We can't do this anymore. But the other side of the aisle, my good friends over there, have decided that we're going to accept that overspending, because apparently because the Governor thinks that's okay. We're going to accept that... that billions of dollars of overspending

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ordered by court under consent decrees. Consent means we agreed to pay that money. And if we're not going to agree to pay that money anymore, the Chief Executive of the State of Illinois needs only to send his lawyers into those courtrooms and argue that we never should have made those agreements in the first place. But I don't see that happening. Instead, we simply accept those numbers and rail against these numbers. Well, Ladies and Gentlemen, you can argue that these numbers blow a hole in the ceiling of the revenue we have, if you want and maybe does, but only because those other payments from those consent decrees are still out there. If you want to be real about this, you have to accept the fact that those consent decrees are costing us some of this deficit we have, some of this debt we have. The ballooning problem we have is as a result of (a) not enough revenue and (b) consent decrees. And you can say we're overspending, but you better include, when you're talking about overspending, the lack of action by the second floor of this building regarding these consent decrees. Because if you ignore that, you're just simply accepting the political reality that I guess you all accept that, well, the Governor doesn't want to do anything about the consent decrees and therefore, we'll just rail on the other stuff. Get real. Include all of it. If you're going to try to be fair, then it seems to me you'll have to include all of it not just the parts that are convenient for you. Finally, we wouldn't be where we are today if the Governor of the State of Illinois hadn't decided to put his personal political agenda ahead of the people of the State of Illinois. It's just that simple. You and I all know we'd had a budget

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a year ago if the Governor didn't order all of you to stand down and get away from the budget while he tries to manipulate the General Assembly and the people of the State of Illinois into believing that the Turnaround Agenda is as important as feeding a child, as taking care of a sick person, as dealing with those of mental illness, as dealing with those of epilepsy, paying for MAP grants, paying for higher education. Now, if you don't want to include that in the discussion, then you're being disingenuous. No one on this side of the aisle said that we have all of the money to pay for what's in Senate Bill 2048. In fact, we have said, as we said last year, we believe that we need a budget that relies on cuts and a budget that relies on new revenue, just as your beloved Governor has said. Just as the Governor has said, we need cuts and we need new revenue. Now, if you don't want to be disingenuous about it, you have to accept the fact that that's what the Governor of the State of Illinois said. And so, my friends, let's have a real debate on the floor, if you want to have one, but let's include all the facts. You can say whatever you want about Senate Bill 2048. And you will. And you'll say it whether you had five minutes, five hours or five years to read it, your votes are all going to be the same. Just as they were on the education budget last year that you all voted 'no' on that the Governor signed declaring it his greatest achievement in his first year in office. So, let's be real. Let's talk about all the facts, not just the convenient political ones. I would recommend an 'aye' vote."

Speaker Turner: "The Chair recognizes Representative Rita."

Rita: "Mr... Mr. Speaker, I move to the previous question."

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Speaker Turner: "Gentleman moves the previous question. The previous question is put. The question is, 'Shall Senate Bill 2048 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 63 voting 'yes', 53 voting 'no', and 1 voting 'present', Senate Bill 2048, having... having received the Constitutional Majority, is hereby declared passed. And now, allowing perfunctory time for the Clerk, the House adjourns until Thursday... Leader Currie moves that the House adjourn until Thursday, May 25 (sic-26) at the hour of 1 p.m."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 553, offered by Representative Phelps, a Bill for an Act concerning safety. Senate Bill 3025, offered by Representative Moffitt, a Bill for an Act concerning local government. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."