

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

152nd Legislative Day

11/30/2016

Speaker Lang: "The House will be in order. The House will be in order. Members will be in their chairs. We shall be led in prayer today by Wayne Padget, the assistant doorkeeper. Members and guests are asked to refrain from starting their laptops, turn off cell phones, and rise for the invocation and Pledge of Allegiance. Mr. Padget."

Wayne Padget: "Let us pray. Lord, as we prepare for Session today, I ask freshness of Your spirit to quicken our thinking. That out of confused issues, may come simplicity of plan. That out of fear, may come confidence. That out of hurry, may come deliberation. And that out of frustration, may come guidance. Let us get to work, not head first, but heart first. May we be able to disagree without being disagreeable, to differ without being difficult, to be honest without tension, and to be frank without offense in an atmosphere of team spirit. These things we ask in Your Son's name, Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Ammons and Reaves-Harris are excused today."

Speaker Lang: "Mr. Brown, good morning."

Brown: "Good morning, Mr. Speaker, thank you. Please let the record reflect that Representatives Bryant and Harris are excused this morning. Thank you."

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Speaker Lang: "Mr. Clerk, please take the record. There are 113 House Members answering the roll, and we do have a quorum. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on November 30, 2016: do pass Short Debate House Joint Resolution Constitutional Amendment 62; recommends be adopted House Resolution 1494."

Speaker Lang: "Chair recognizes Representative Bellock. For what reason do you rise?"

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

Speaker Lang: "Please proceed."

Bellock: "I'd like to ask the Members of the chamber to welcome today my Page for the day, and her name is Megan Michaels. And she's in 8th grade at the Hinsdale Middle school. She came down today with her mom to learn about how laws become laws in Illinois. So, I'd like everybody to give her a round of applause. Thank you."

Speaker Lang: "Welcome. Thanks for joining us today. Mr. Davidsmeyer. For what reason do you rise, Sir?"

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

Speaker Lang: "Please proceed."

Davidsmeyer: "I, too, have a Page today. I have Callie Howerton, who is also the winner of one of my art contests. She... she did a great cardinal that's hanging in my office here in Springfield, if you want to stop by and see it. We also have

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her grandmother up in the gallery, Rachelle, if you can wave for us? I'd like to give them a warm Springfield welcome."

Speaker Lang: "Thank you. Glad you're here with us today. Chair recognizes Mr. Brown. For what reason do you rise, Sir?"

Brown: "Thank you, Mr. Speaker. Please let the record also reflect that Representative David Reis is excused this morning. Thank you."

Speaker Lang: "The record will so reflect. Thank you, Sir. On page 3 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 1367. Mr. Tryon. Please read the Bill, Mr. Clerk."

Clerk Bolin: Senate Bill 1367, a Bill for an Act concerning public aid. The Bill is read for the second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motion are filed."

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

Clerk Bolin: "Senate Bill 1367, a Bill an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Tryon. Is this your last Bill, Sir?"

Tryon: "This would be my last Bill."

Speaker Lang: "All right. We'll pay attention."

Tryon: "Thank you. Please do because we've actually already voted on this in House Bill 1627. And there was some issues with the Governor... and the way the Bill was structured. And we agreed that there... that Bill had some issues and he amendatorily vetoed it. And we have come back with that language in this Bill. And to refresh your memories, this Bill would allow for an appropriation so that we might participate in the USDA SNAP program for individuals on

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Medicaid so they can use their SNAP cards at farmers markets. And we had this debate at the end of Session. Nothing's changed except we extended the date, and we included this Amendatory language, which dropped the appropriation from a million dollars to a half a million dollars and made this a pilot project. So, with that, I would answer any questions, or I would urge 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? Mr. Clerk, please take the record. There are 112 voting 'yes', 0 voting for 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Mr. Dunkin. For what reason do you rise, Sir?"

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

Speaker Lang: "Please proceed."

Dunkin: "Today, Ladies and Gentleman, we have with us, the Senate President leader, Mr. Ron Lewis. He's visiting us today all the way from Champaign-Urbana. The President of the states... of the University Senate, to my right, in the corner there. Welcome."

Speaker Lang: "Welcome. Along with many other University of Illinois leaders, thank you for joining us today. Senate Bills-Second Reading, page 4 of the Calendar. Senate Bill 1488, Representative Chapa LaVia. Please read the Bill."

Clerk Bolin: "Senate Bill 1488, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments

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

Speaker Lang: "Representative Chapa LaVia, can you handle this Amendment for Leader Currie?"

Chapa LaVia: "Yes, I think I can."

Speaker Lang: "Please proceed"

Chapa LaVia: "Actually, it just extends the tax credit program for one more year. And then..."

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: "Floor Amendment #3 offered by Representative Chapa LaVia."

Speaker Lang: "Representative Chapa LaVia on Amendment 3."

Chapa LaVia: Thank you, Speaker. Once again, #3 was a gut and a replacement. What it does is it amends and extends the River Edge Historic Preservation Tax Credit Program to January 2018. I'll take any questions. Thank you."

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. Please read the Bill."

Clerk Bolin: "Senate Bill 1488, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: Thank you. Once again, Speaker, the underlying Bill is... was generated about in 20... let's see... 2005 or '04 we started the River Edge Program. It's been extremely

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beneficial to the River Edge cities, which are East St. Louis, Peoria, Elgin, Rockford, and Aurora. And what we're asking and begging of the General Assembly is to extend this for one more year until we can look at different revenues and different... different avenues. So, I'll take any questions."

Speaker Lang: "Representative Wallace is recognized."

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

Speaker Lang: "Sponsor yields."

Wallace: "Thank you. Representative, do you know what the impact has been on some of these river cities, and the benefits that have already occurred under this credit?"

Chapa LaVia: "Oh, absolutely. And the bottom line is... it's estimated that it's 250 thousand construction labor hours, 100 workers have been utilized. This is just Peoria. If you want me to, I can go through Rockford, 8.6 million renovations. About 3 million in state historical tax credit on the budget for a 12 million project. Aurora, we have a St. Charles Hospital that was able to be eligible for 2.9 million. A lot of jobs, a lot of labor jobs. Elgin right now... Elgin aims to renovate the Elgin Tower. It's a luxury apartment... generates estimated to be 11.9 million and the economy activity, 69 full time jobs. And East St. Louis, we're yet to utilize any credits for the historical development purpose, but we're hoping to help them get on their way. So, that's just within this last year."

Wallace: "Thank you. So this credit has served to not only rid our cities of blight, but it has put individuals back to work. It's helped to pump dollars into areas that needed some economic development. Am I correct in that?"

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Chapa LaVia: "Yes. And also, there are quite a few projects that are in jeopardy if we don't extend this for this year that are right now in the balance of getting complete. So, it's really needed, and you know, those areas could be desperate."

Wallace: "Thank you."

Chapa LaVia: "Thank you."

Wallace: "To the Bill, I'd like to thank all of the individuals who represent areas that are going to be impacted by this particular Bill. I'd also like to thank Leadership. If you go into any of these riverfront towns, you'll see a ton of blight. You will see old warehouses that are just bringing down property values to the areas surrounding them. But this tax credit has actually helped to infuse the downtown area for Rockford. It looks like a completely different area than it did even five years ago. And so, I'm hoping that everyone here will support this particular extension so that we can put individuals back to work and continue to rid our cities of the blight that causes economic downturn. I encourage an 'aye' vote."

Speaker Lang: "Representative Gordon-Booth."

Gordon-Booth: "Thank you... thank you, Mr. Speaker. I just wanted to echo what Representative Wallace has reiterated about this legislation of the... the impetus of this legislation is so incredibly important for towns in downstate Illinois. And I wanted to really emphasize the bipartisan leadership that has always been behind moving this legislation forward between communities in Elgin, and Peoria, Rockford, Aurora, East St. Louis. This legislation has always had the ability to have incredible bipartisan cooperation. And it just shows what we

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can get done when we work collectively for a common goal. And I just wanted to encourage an 'aye' vote on this fantastic legislation."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, I think this Bill has been through a couple different iterations. I just want to clarify what we're dealing with right now. So, you've adopted Floor Amendment 3, which gutted and replaced everything else, right?"

Chapa LaVia: "Right. And it gives us ability to extend this for one more year until 19... 2018... until we can maybe figure out some new revenue sources."

Demmer: "Sure. And just a clarification 'cause... I think as we're looking through the analysis of the previous Bill..."

Chapa LaVia: "Yeah, pretty busy."

Demmer: "...right. It had some opposition."

Chapa LaVia: "Right."

Demmer: "This Bill, supported by the relators by the communities impacted, and there's no opposition to this Bill."

Chapa Lava: "No opposition, correct."

Demmer: "Thank you, Representative."

Chapa Lava: "Thank you."

Speaker Lang: "Mr. Leitch."

Leitch: "Thank you, Mr. Speaker. I, too, would like to offer a word of strong support for this measure. I know in Peoria we have a whole series of projects that can be moving very quickly if this measure passed. So, I can't tell you enough how important this is to the community of Peoria. And I would



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join my other colleagues in expressing strong support for this Bill. Thank you."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Could you just tell me, do you have an estimation of how much this income tax credit is worth?"

Chapa LaVia: "So, DCEO has yet to give us or our staff a number due to 25 percent of the expenditures from that tax credit from... it was \$10 million, but they're yet to give us exact number, Representative Ives. So we put in a request."

Ives: "Okay, thank you."

Speaker Lang: "Representative Chapa LaVia to close."

Chapa LaVia: "I appreciate all the support we've received for this over the years. It was an amazing program that we started. And as you can see if you've been throughout the state, especially Peoria, Rockford, Elgin, and Aurora, these tax benefit dollars that have gone into these communities have really sparked economic development. And it continues to grow. Not just what we put into the program, but also different businesses that want to now come to those areas, regardless if they're going to get a tax incentive or not, because the way we've grown the economy. This is one program that really works for Republicans, Democrats, and the State of Illinois. So, I appreciate your support. Thank you."

Speaker Lang: "Those in favor of the Lady's Bill 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? Costello. Mr. Clerk, please take the record. On this question,

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there are 110 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2537, Mr. Zalewski. Out of the record. Chair recognizes Representative Winger. For what reason do you rise?"

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

Speaker Lang: "Please proceed."

Winger: "Thank you. To my left is Mark Baloga from the DuPage Mayors and Managers and also the great mayor of Hanover Park. If you could please stand, and if we can give them a warm Springfield welcome."

Speaker Lang: "Welcome. Happy you're here, guys. Thank you. Mr. Clerk, Supplemental Calendar #1. I'm sorry... HJRCA62. Please read the Bill. Please read the Constitutional Amendment into the record."

Clerk Hollman: "Second Reading in full of House Joint Resolution Constitutional Amendment #62."

BE RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.5 to Article IV of the Illinois Constitution as follows:

ARTICLE IV

THE LEGISLATURE

SECTION 8.5. PASSAGE OF REVENUE BILLS

A bill passed on or after the date of a general election but on or before the second Wednesday of January following the

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general election that would result in the increase of revenue to the State by an increase of a tax on or measured by income or the selling price of any item of tangible personal property or any service may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was Second Reading in full of House Joint Resolution Constitutional Amendment #62."

Speaker Lang: "Third Reading. Page 7 of the Calendar, under the Order of the Resolutions, appears SJR50. Mr. Riley. Please proceed, Sir."

Riley: "Thank you, Mr. Speaker, Members of the House. SJR50, many of you have known in the past, we tried to run this Bill honoring the Tuskegee Airmen dedicating a stretch of I-57 to the Tuskegee Airmen. This Bill got caught up a couple of times in timing and other kinds of issues, but it's back now. And essentially what we're doing, a few years ago we dedicated part of the Dan Ryan Expressway all the way down the I-57 in Richton Park in honor of the Tuskegee... the famous Tuskegee Airmen. What we want to do now is to extend that road from Richton Park all the way down to Rantoul. One of the reasons that we're doing that is many people don't know the Tuskegee Airmen actually trained at Chanute Air Force Base in Rantoul. So we're going to extend it all the way down to essentially Representative Hays' area. And that's what the Bill does."

Speaker Lang: "Mr. Hays."

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Hays: "Thank you, Mr. Speaker. To the Bill. Representative, thank you so much for bringing this Legislation. We have a great deal of pride in the Rantoul area in relation to the Tuskegee Airmen and the heritage at Chanute Air Force Base. And I very much appreciate you bringing this legislation and enthusiastically support it. Thank you."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Please take the record, Mr. Clerk. There are 112 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on November 30, 2016: recommends be adopted is Floor Amendment #4 to Senate Bill 1941, Floor Amendment #2 to Senate Bill 2537. Representative Zalewski, Chairperson from the subcommittee on Judiciary-Criminal, Sentencing, Penalties and Criminal Procedures reports the following committee action taken on November 30, 2016: the do pass Motion failed for House Bill 6616 and is tabled."

Speaker Lang: "Page 3 of the Calendar, Senate Bills-Second Reading, Senate Bill 516, Leader Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 516, a Bill for an Act concerning revenue. The Bill is read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 516, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie has indicated Mr. Jackson is handling this. Mr. Jackson is recognized."

Jackson: Thank you, Mr. Speaker and Ladies and Gentlemen. Senate Bill 516 is an initiative of Mascoutah Community Unit School District #19... that amends the School Code. It amends the School Code so that District 19 can exceed the property tax rate caps in order to qualify for Federal Impact Aid grant. If a school district combined property tax rate does not total to at least 95 percent of the state's average, the district is not eligible for a Heavily Impact District grant. District 19 was unable to meet the 95 percent average for the 2014-2015 school year, but was held harmless. For fiscal year '16, District 19 would not meet the 95 percent average set by the state and will not qualify for Federal Heavily Impact Aid grant. This Bill allows the school district to levy certain taxes at a rate that exceeds the maximum rate set forth in the Code providing that the maximum aggregate tax rate for all of those taxes may not exceed the aggregate tax rate for all purposes set forth in the ordinance setting for the preliminary Tax Code. I'd ask for an 'aye' vote, and would entertain any questions that you may have. Thank you."

Speaker Lang: "Mr. Zalewski."

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

Speaker Lang: "Sponsor yields."

Zalewski: "Eddie, is this your last Bill?"

Jackson: "Yes, it is."

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Zalewski: "Well, good luck. We're going to miss you very much, Sir."

Jackson: "Thank you."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Sponsor will yield."

Sullivan: "Representative, the intent here is that because of a quirk in Federal Law and how the property values in your district are responding to the market conditions, you cannot meet federal standards of 95 percent of existing tax revenues per se. Is that correct?"

Jackson: "That's correct."

Sullivan: "And so, what this Bill does is by allowing you to go beyond a certain rate, you will then qualify, and so I believe the numbers \$4 million of Federal Impact Aid will come into the district. Is that correct?"

Jackson: "That's correct."

Sullivan: "But once that federal money comes back into the district, you then have to reduce your levy so that there's not a net tax increase. Is that also correct?"

Jackson: "What we do is... we're going to... with the tax levy, we're going to raise the areas above the tax cap, but the other parts of the levy will be decreased..."

Sullivan: "Sure."

Jackson: "...so that there is no net gain."

Sullivan: "Okay. That's... you actually defined it better than I could of. To the Bill. Ladies and Gentlemen, there's certain times we have Members of this Body that come to us with special problems in their district related to schools and how

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we fund them. This is a very unique situation where you have, and there's only two like this in the state, one up near my district with the Great Lakes Naval Base, and one down here at Scott Air Force Base, where they get Federal Income Tax dollars. Because a lot of these members' families live on base, they're not able to recoup the property tax values that you typically would in everybody else's district. And the impact aid comes in so that they, in essence, the Federal Government becomes the taxpayer for these kids because if you can't get property taxes, who else is going to pay for these kids to be educated? So we have a very unique situation here where... and a very good solution. The solution should be at the federal level, but they're not acting in time, and so the Representative has come forth and said, okay, we need a mechanism to get to their idea of 95 percent. Once we do that, we will make sure that we reduce everything else so that there's not a net tax increase under this legislation. And quite the contrary, you're bringing in federal dollars to help this school district. And so, with that, I was a little confused the other day on this and had some questions. I thank the Sponsor and those that have been working on his behalf to explain this a little further. I would urge an 'aye' vote on this issue."

Speaker Lang: "Representative Meier."

Meier: "Yes. I would just like to thank Representative Jackson for all of his work on this Bill. This has been something... I served part of the Mascoutah School District. The residents there are altogether on working for this Bill because it is not a tax increase to them. It just allows us to get the

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federal money. And we need to go ahead and get this Bill done this year. Thank you."

Speaker Lang: "Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. I just wanted to add a few comments to the Bill, no questions. I want to 1) thank the Sponsor for all the work that they've done... that he's done on behalf of the 114th District down in the Metro-East as not only an educator, as a superintendent, and then coming to this Body eight years ago as a policymaker. I just want to thank him for all the efforts that he has made, not just on behalf of his district, but for children all throughout the entire State of Illinois. And this last Bill that he's carrying is yet another example of the time, work, and energy that he has always put into making other people's lives better. And I just want to thank you for this Bill, and thank you for your service. And I ask for an 'aye' vote."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Representative, could you just give me a little bit of background here. Is this an ongoing issue? I mean, has this come up before? Is this new legislation from the Federal Government? Is... did you not meet the requirement before, but now you don't? Can you give me a little history?"

Jackson: "In several years prior to '16, we qualified for the Impact grant as well as the Heavy Impact grant. But as of the '16 school year, we did not meet the 95 percent. And it is projected that we will not meet the 95 percent in the next several years."



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Ives: "Okay. And when they're talking about the 95 percent, is that... is that the... that is basically 95 percent of what the state average is spent on education. Is that correct?"

Jackson: "That is correct."

Ives: "So, that's a total number. That's not just property tax revenue. That's also money from the state that supplements your district as well, correct?"

Jackson: "No. This is a... this is a tax rate that is levied by the state... that... no, all of the taxing bodies levy. And what the state will do is take the average of all the taxing bodies."

Ives: "Okay. So, you're looking at the tax rate and not the amount spent exactly."

Jackson: "That's correct."

Ives: "Okay. So this is a tax rate issue more than anything."

Jackson: "Thank you."

Ives: "And can you solve this via referendum instead of a property tax levy increase?"

Jackson: "Yes, you may."

Ives: "And have you attempted to solve it by referendum, getting buy in from the entire community via referendum?"

Jackson: "No, we have not."

Ives: "And can you tell me if there's been a public hearing in regards to this issue, so that folks are understanding of what's going on?"

Jackson: "If, in fact, we remove the property tax caps, there will be a public hearing every time that the property tax caps are removed."

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Ives: "So, you anticipate that prior to actually levying this additional amount if we give you the authority to do so, that you will have a public hearing prior to doing that?"

Jackson: "Now, repeat what your question. I'm not clear."

Ives: "Do you intend then to have a public hearing prior to lifting that tax cap if we give you the authority to lift the cap?"

Jackson: "If the authority is given to us to lift the cap, we would then we'll have the public hearing after the cap is lifted. We're not talking about an increase in the levy. We only talking about adjusting five categories within the tax levy and lowering the other categories, so that the total tax levy will remain the same."

Ives: "Okay. Thank you so much for your information. And I just also want to say congratulations to the Flyers on their 7A championship victory, football."

Jackson: "And thank you. That was the eighth championship."

Speaker Lang: "Mr. Jackson to close on your final Bill, Sir."

Jackson: "I would ask for an 'aye' vote."

Speaker Lang: "That was the best close I've ever heard. 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. Guzzardi, Hoffman. Mr. Clerk, please take the record. On this question, there are 81 voting 'yes', 30 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations, Sir. Chair recognizes Representative Acevedo. For what reason do you rise, Sir?"

Acevedo: "Mr. Speaker, I rise on a point of personal privilege."

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Speaker Lang: "Please proceed."

Acevedo: "Behind me is a very good friend of mine who actually has a lot to do with me being down here the last 20 years. He's with his wife and his son. It's Mr. Flavio Gonzalez, Flavio Gonzalez Jr. and their wife... Lourdes. And if you can stand up and give them a warm welcome, please."

Speaker Lang: "Welcome to the House chamber. Thank you for joining us today. Senate Bill 1673, Mr. Burke. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1673, a Bill for an Act concerning safety. The Bill is read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Dan Burke."

Speaker Lang: "Mr. Burke, on the Amendment."

Burke, D.: "Forgive me, Speaker. Ladies and Gentlemen, House Floor Amendment #2 would allow the Illinois Pollution Control Board to adopt time-limited water quality standards for a watershed and would define a time-limited water quality standards. A very technical matter passed out of the Executive Committee without any opposition. Be happy to answer questions if I could."

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

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

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

Clerk Bolin: "Senate Bill 1673, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Burke."

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Burke, D.: "As I said, Mr. Speaker, Ladies and Gentlemen, the Amendment would make changes to the Environmental Protection Act. And there's some technical matters. And as I said previously, that the matter passed out of the committee without any objection."

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? Jackson. Please take the record, Mr. Clerk. There are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 33... Senate Bill 3337, Leader Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 3337, a Bill for an Act concerning revenue. The Bill is read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Feigenholtz."

Speaker Lang: "Representative Feigenholtz on the Amendment."

Feigenholtz: "Thank you, Mr. Speaker. This Amendment is a gut and replace that addresses issues involving special service areas."

Speaker Lang: "Those in favor of the Amendment... saved by Representative Ives. Representative Ives with a question on the Amendment."

Ives: "Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "Sponsor yields".

Ives: "So, Representative Feigenholtz I don't know if you've been aware of it, but for the last four years I have ran a Bill in committee... in Revenue Committee. Of course, it only got

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subject matter hearing on reforming special services area.

Are you aware of that?"

Feigenholtz: "I am."

Ives: "And did you and I actually work hand in hand, about 18 months ago, to actually reform SSAs in a significant way?"

Feigenholtz: "That's correct."

Ives: "Yes, we did. And is any of the language that we worked on collaboratively in this Bill? Is any of my language included in this Bill?"

Feigenholtz: "Much of what's in this Bill, and what I... with both of us began working on is not in this Bill. This is... as I describe around here, things happen in increments. And I believe that there are elements of a lot of our discussions that are in here, certainly not the whole package that you and I would both want, but it is the beginning of at least raising awareness about special service areas as an additional body of government that taxpayers pay into. And I'm committed to continue to work on it with you.

Ives: "Well, I certainly appreciate your consideration. Because, in fact, this Bill is specifically... your language that you incorporated that deals with the governance of special services areas. Now, I know there's a lot of chatter on the floor right now, but I'll be honest with you, this is a very, very important piece of legislation. Our special services area need to be reformed. They absolutely need to be reformed. They hurt property tax owners in a big way. In DuPage County alone, 43 percent of the taxing districts in DuPage County are SSAs. And they are so easy to incorporate as to become a joke to any reasonable property owner who wants to oppose

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these. In fact, in order to put a SSA into place, all it takes is one property owner and a compliant council to allow for this to happen. Because when property owners don't oppose SSAs, they go into place. And we need significant reform on these SSAs. There are five major portions of the SSA reform that I wanted to do. They've been heard in committee before, but I think it's important that this entire Body hears exactly how bad a SSA is. Let me take... give you this example. In my hometown in Wheaton, a SSA bill required the city to track down nearly 100 voters, 25 percent of whom were no longer residents of the municipality. And in this case, in 2011 and in 2009, a gentleman named Conrad Frederick, twice voted in favor of a SSA in Wheaton. He wasn't a registered voter, and he failed to sign a petition opposing it; therefore, his vote defaulted to a 'yes' in favor of the tax. But in actuality, Mr. Frederick could not have signed a petition opposing a SSA because, guess what, he died in 2008. So, SSAs require 51 percent of the voters of record, 51 percent of the property owners, to oppose a SSA rather than to vote in favor of a SSA. And in Wheaton, these property taxes at one point were higher than property owners paid in for fire, police, and infrastructure. In DuPage County, where 43 percent of the taxing entities are SSAs, this is another thing that happened: the Fairview Fire Protection District was dissolved. This is a paper fire protection district that levy taxes and then outsourced the services. Under DuPage County's initiative to consolidate unit of government, they dissolved the fire protection district. Unfortunately, these 187 owners were actually then put into a SSA that charged them three times

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more than the fire protection district... paid for fire district that they were in, because it is that easy to implement a SSA. In the City of Chicago, there's 56 SSAs and they are governed boardly. They're covered by boards that are not-for-profit. There's no accountability. And what Representative Feigenholtz is doing here is she is actually adding some governance into the structure of SSA, which is fine, but it does nothing to diminish the fact that SSAs need to be reformed. And so, I thank you for bringing this Bill up, but I tell you what, it's wholly inadequate to property owners that are getting taken advantage by government who finds it very easy to tax people through SSAs with little or no objection. So, it's a first start. It's a decent Bill. And it shouldn't end here. SSAs need major reform. Thank you."

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

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

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

Clerk Bolin: "Senate Bill 3337, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Representative Feigenholtz on the Bill. The Amendment became the Bill. Is that right?"

Feigenholtz: "Correct."

Speaker Lang: "So, you fully debated it? Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Beiser. Please take the record, Mr. Clerk. There are 112 voting 'yes', 0 voting 'no'. And this Bill,

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having received the Constitutional Majority, is hereby declared passed. Senate Bill 845, Mr. Sims. Please read the Bill."

Clerk Bolin: "Senate Bill 845, a Bill for an Act concerning criminal law. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment... Floor Amendment #1 is offered by Representative Sims."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 845 is an extension... a trailer Bill, to our Law Enforcement... Law Enforcement Information Task Force that we passed last year. The original legislation called for the report to the General Assembly in December 15 of 2016. We are now extending the deadline to February 1, 2017. I know of no opposition. I ask for its... ask for its favorable passage."

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. Please read the Bill."

Clerk Bolin: "Senate Bill 845, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Sims. Was your explanation for the Bill?"

Sims: "It was for the Bill and for the Amendment."

Speaker Lang: "Is there debate? 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? Jesiel. Please take the record, Mr. Clerk. There are 112 voting 'yes, 0 voting 'no'. And this Bill, having received



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the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, Senate Bill 3368. Mr. Stewart is handling the Bill. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 3368, a Bill for an Act concerning the Secretary of State. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 3368, a Bill for an Act concerning the Secretary of State. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Stewart. Out of the record. Page 6 of the Calendar, under the Order of Concurrence, there appears House Bill 6074. Representative Mayfield. Please proceed on your Motion."

Mayfield: "Thank you so much. This Bill is a simple land conveyance from the Illinois Department of Transportation to the City of North Chicago for the purpose of our Navy Museum. There is no opposition. It's a great Bill. It's going to spur economic development in the community. And I would ask for an 'aye' vote."

Speaker Lang: "Lady moves that we concur in Senate Amendment #2 to House Bill 6074. Those in favor of the Lady's Motion will vote 'yes; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Drury? Please take the record. There are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 2 of the Calendar, Senate Bills-Third Reading, Senate Bill 565, Representative Lilly. Please read the Bill. Mr. Clerk, please

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return this Bill to the Order of Second Reading for an Amendment and please read the Bill on Second Reading."

Clerk Bolin: "Senate Bill 565, a Bill for an Act concerning State government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 has been adopted. Floor Amendment #2 is offered by Representative Lilly."

Speaker Lang: "Representative Lilly on Amendment 2."

Lilly: Ladies and Gentleman of the General Assembly, I rise to present Floor Amendment #2 to SB565. This Bill will empower students, parents, by allowing them to access developmental social and emotional screenings as part of their health assign... examination, should they do so. This Amendment is intended to address questions and concerns with House Floor Amendment #1. Currently, there is no opposition to this Bill that I'm aware of. Over the course of the last few months, I've worked with advocates and Representatives to develop the language of this Bill. I would like to clarify this Amendment and some of the questions... previous questions. There was a question, does this Bill create a mandate? This Bill is not a mandate. Students may present proof of their screening to the schools, and the schools may provide services to them if they choose to do so. This is... there is absolutely no punitive measures in this Bill for not completing the examination or the screening. There is no... this is absolutely not a mandate. It does not mandate follow up. This legislation is meant to empower parents by giving their child easy access to screening and the information from that screening. There were questions about confidentiality of the screening. The language

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clarifies that there's a checkmark of completing the screening only, if they even choose to complete the screening. The checkmark will clear on the certificate of child health examination. Again, no further information will be shared with anyone outside of the patient... the parent. There is a question... there was a question that this would be a uniform screening across grades. There's explicit language that state screenings will... screenings shall be age appropriate to the child's age and grade level. There was a question about who would administer the screening. This language limits the administration of this screening to licensed physician, advanced nurse practitioners, physician assistants. SB565 is intended again to empower parents by providing them with an option to have development, social, and emotional screening for their child as part of their regular examination. There are no punitive measures for undergoing the screening. The follow-up action to the screening is the responsibility of the parent. I believe that I have addressed all of the outstanding questions. However, for clarity, this... and legislative intent, House Floor Amendment #2 is not a mandate on students to undergo the screening. And it does not mandate school to provide follow-up services as a result of the screening. I ask for your support for SB565 to empower Illinois parents and improve the lives of our students. Thank you. And if you have no questions, I ask for your 'aye' vote."

Speaker Lang: "Lady moves for the adoption of the Amendment. Representative Bellock, can we move this to Third and then debate it on Third? Those in favor of the Amendment say 'yes';

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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. Please read the Bill."

Clerk Bolin: "Senate Bill 565, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Lilly has thoroughly described the Bill. The Chair recognizes Leader Bellock."

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

Speaker Lang: "Lady yields."

Bellock: "Thank you. And first of all, I want to say thank you to Representative Lilly for all the work that she's done on this Bill and working with me on it because I've had a lot of concerns from way back. And I just really appreciate that and her trying to address all the questions. So, I still have some serious concerns about the Bill. And I just want to ask you some of those questions right now, if that's okay? Okay. And I want to clarify that I'm a strong supporter of mental health and physical health being addressed as a whole, I just have concerns about it being addressed in this way with this approach. And so, the first thing I wanted to ask is in the place where it is in law right now, it goes according to screening for vision and hearing. And so, those pertain to certain grades starting with nursery school and then like sixth grade, ninth grade, or whatever. Would this mean that the children in our nursery schools would have to have the mental health screening also?"

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Lilly: "This is kindergarten, first grade, sixth grade, ninth grade, and if they choose to do so, is my understanding."

Bellock: "In the law where it fits in... in the statute..."

Lilly: "Kindergarten or first grade."

Bellock: "...it says... yeah, nursery school. So, four-year-olds would have to go to mental health screenings, correct?"

Lilly: "It's five... the age five, but if the parents choose to do a screening for their child earlier, that's a parent decision."

Bellock: "Okay. I thought it was pretty clear that it said nursery schools also, but anyway..."

Lilly: "No, it does not."

Bellock: "Okay. So, then... you were nice enough to clarify who does do the screenings, because initially it had whatever doctor, nurse, professional, nurse's assistant... or nurse physician. And you did take out that other part about other professionals, so I appreciate that. But there is one other part that you put in the Section on... I think's it's page 8. Regarding... and it was in your, you know, the information on the Bill, with parental... if the child does not have screening done by October 15 of the current school year, which sounds like a mandate to me, but I know you said it's not a mandate, but it does say by October 15 that the child's school may with parental consent complete the screening and help link the child to appropriate services. So, in discussing this with my superintendents, they feel that that leads itself to a mandate on schools. And who would be the professional in the school that would complete that screening? Because that doesn't go to the previous part of the Bill said that there

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were only four people. It did not say anything about in school that somebody would complete the screening."

Lilly: "Thank you, Pat."

Bellock: "Would they have to hire a professional?"

Lilly: "Thank you Patti. Again, this is 'may'... and the parent would be the one who would give the consent. So, this is a 'may'; this is not a mandate. This is information to empower the parent to know more about their child. If... if the parent would like the school, then that will be a parent decision. And the school would have to agree as well. They can say no as well."

Bellock: "I understand that. But if the school says, yes, and the parent wants that, then you're allowing who in the school to conduct the screening? It doesn't say. So, I don't know if the schools themselves will have to hire a professional, because you can't just let anybody do a mental health screening. And this is, I'm not saying it's a mandate... I'm saying if they choose to do this. I thought schools were being kept out entirely out of this procedure."

Lilly: "This is a screening questionnaire that we are presenting. And all of the screening professional tools will be used by those professionals that are part of the school system."

Bellock: "Okay. I'm just pointing out that I'm..."

Lilly: "Like school phycologist, school social worker, all the professionals who are determined to create a screening questionnaire. And all the stakeholders within the schools system make those determinations."

Bellock: "Well, I... well, that was another one of..."

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Lilly: "And it is a screening... it's a screening questionnaire form. This is not an examination."

Bellock: "I understand that. And I understand you have listed in the Bill who... all the different groups that are going to come up to the screening tool, of which I have a question about that too. But in this case, it says on page 8 in the Bill, it says that they don't want to exclude a child from attending because of a parent or guardian's failure to obtain a developmental screening or a social or emotional screening for the child. Once the developmental screening or social is completed and proof has been presented to the school, the school may with the parent or guardian's consent make available appropriate school personnel to work with the parent or guardian, the child, and the provider who signed the screening form to obtain appropriate services. So I take it that if they do go forward with this, they are going to have a professional in the school to complete the screening and then provide services in the school. Isn't that correct, according to page 8 in the Bill?"

Lilly: "If the school chooses to do so. This is a 'may'. If the school chooses to address the concerns of the parent then you are correct. Both parent and school must approve. And if the student needs the assistance and needs help and the parent is asking for it, maybe it would be a good idea for the school to think about it. If not, it's a 'may'. They do not have to address the concerns that are brought up by the parent in which the student is in need."

Bellock: "I see what you're..."

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Lilly: "And the school... it is up... this is... this school is to empower the parent to make sure that they understand the needs of their child. We are not looking to put any burden on the schools outside of being part of making the decision whether they're going to provide the service to the child or not. This is a 'may'."

Bellock: "I understand what you're meaning, and I know your intentions are really good. I'm just saying, if you go to page 8, lines 10 through 18, you're going to see that there is going to be with parental consent, and I agree with you it is parental consent, but then it's the school that is going to get involved in completing the screening and helping link the child to appropriate services. So, you have now taken something out of what I thought was going to be the doctor or the nurses physician, that realm, and put it into the school even though you're making it optional. But it is... you're asking the school, if they opt in, to complete the screening and to link them to appropriate services. That's what a lot of my schools' superintendents had a problem with..."

Lilly: "And I would..."

Bellock: "...because then they think that will lead to IEPs and other mandates. That's just one of the other issues. But one of the other things..."

Lilly: "Pat... Representative?"

Bellock: "Yeah?"

Lilly: "Just real quickly."

Bellock: "Yeah."

Lilly: "I have to state it one more time. If the superintendent of the school chooses to complete the questionnaire that the



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parent is asking them to do so, they must be concerned about the child. They have the option not to... not to respond to any of the requests of the parent as it relates to this child. The parent is only asking for help. If the superintendent feels and cannot provide that help, that parent will seek help in other areas. The parent is empowered with information to make sure that their child's needs are addressed, but the school does not have to do so. And that's why I worked with you and many of the advocates to make sure that this was not a mandate. This is not anything that would place a burden on the school. It is an opportunity to empower the needs of young people whose needs who may go unaddressed. So, I appreciate your questions and your answers... and your thoughts. I enjoyed working with you. And I really want you to understand that I get the concern, but I also see over and over again many of our young people's not... needs going unaddressed."

Bellock: "And I under... and I understand your intention, Representative Lilly, and I agree with your intentions wholeheartedly. In this case, I agree that you're letting them do it if they want to do it, but I see that somebody in the school, if they want to do it, they're going to have to hire somebody who is qualified to do what you're saying in the school. And that doesn't have anything to with whether they want to do it. Yes, you're allowing it to be a 'may' or a 'shall', but if they do, the school would have to hire a qualified person to do that in the school if the parent or the superintendent chooses to do that. So, that's just one point. I just..."

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Lilly: "And I like that point actually, because if a superintendent or a principal chooses to help a child, I will applaud them. If they have to seek additional resources, I will applaud them. That child will be better off for a conscientious-concerned superintendent that felt that that child needed additional help. I will applaud them."

Bellock: "I understand your intention in that. I'm just saying this is a mandate on a school then if they choose to do that."

Lilly: "It is not."

Bellock: "Well, they're going to have to hire a professional because who else is going to do this in the school? They're going to have to hire a professional. You can't just have anybody do that."

Lilly: Representative, I can't say it any other way than I've said it a number of times. And it's also written in the Floor Amendment. This is not a mandate. We are not asking the superintendents or the schools. They have the choice not to help a child. And if they choose to help a child, again, I'll applaud them. Representative, this is not a mandate. We are not telling any superintendent of any school that they have to help a child in need."

Bellock: "Who..."

Lilly: "If you have another question, I would like to answer it."

Bellock: "That's good, thank you. Okay. So, one of my other major concerns that we talked about from the very beginning is the confidentiality. And I know that you addressed those issues. I was just concerned that on page 8, having just dealt with JCAR and rules over the vaccination Bill that we did two years ago and seeing how things are being changed in the rules, I'm

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a little concerned about in page 8 when you look at lines 1 through 14. If you really look at lines... let's see, starting... at 7, 'Nothing in this Section shall be construed to allow a school to exclude a child from attending because of a parent's failure to obtain developmental screening and emotional screening for their child. Once a developmental screening or a social and emotional screening is completed and proof has been presented to the school, the school may with the parent's or guardian's consent make available'... Oh, this was the school personnel to work with them. Yeah, that was the last one, I'm sorry. The other one is on 9, page 9, and its line 11. This is regarding confidentiality. 'The duty to summarize on the report form does not apply to social and emotional screenings. The confidentiality of the information, and that's crucial in this regard to keep the child's screening confidential, the confidentiality of the information in records relating to the developmental screening and the social and emotional screening shall be determined by the statutes and the rules and professional ethics regarding.' My concern and that is, is this going... the confidentiality... the way it's going to remain confidential, be decided in rules. Because the ambiguity of that I'm facing right now with two other Bills going to JCAR and rules. And I've learned that MPH has a lot of executive authority in the rules."

Lilly: "It's explicit language, Representative, that they cannot be summarized. It's a checkmark only on this piece of legislation. This piece of legislation does not summarize. It's a checkmark on the certificate of child health examination. There is no summary; there's no diagnosis. This

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is just a checkmark on the health examination form, whether they have the screening or not, explicit language within the Bill that's before you. We made that adjustment in the Floor Amendment #2 per our discussions with you and many other Representatives."

Bellock: "I thank you for doing that, Representative Lilly. I just feel that in these lines here in the law it's somewhat ambiguous as to how that confidentiality of the information and records is going to be kept if it's allowed to be determined by rules. That's my concern in there. So, you've been wonderful to work with. There are just concerns about this. I know your intention is right. And I believe, as I said before, that you have answered a lot of our questions that we had for you in moving forward and I applaud you for all of that. I just still have some of the concerns that I put down, and so, you know, I just wanted to voice those concerns today. And to the Bill. To the Bill, Mr. Speaker. I think that Representative Lilly has done an outstanding job on this. I just think that it needs to have more work on it to address the confidentiality and some of the other issues that I tried to point out today. I think this is a very, very, serious issue when you are talking about mental health screenings of children as to how to keep them confidential, how to keep working with a doctor or a medical professional, which Representative Lilly has tried to do in this Bill, but I think there are still a few loopholes. And if people think that this is secure, I think that there are still concerns if you really read some of the lines on page 8 and page 9 that I pointed out. And that is my only concern because I know

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that the efforts in this Bill have been a lot. I worked with them. They were nice enough to call me. I met with them. And I'm just telling you that I still have concerns and my main thing is for the mental health of children, and not to have anything get in the way of that confidentiality of a screening. Think about a 5-year-old being screened for mental health issues. Think about everybody on this floor that has a five-year-old. You don't have to do it. She has made it optional. But just the thought of mentally screening five-year-olds is a major, major movement being run through government regulation. Thank you."

Speaker Lang: "We have eight speakers prepared to speak on this legislation. I would ask that those who are about to speak be as brief as possible and not repeat things we have already heard from Leader Bellock. Down to six, bless your hearts, Members. Mr. Andersson is recognized."

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

Speaker Lang: "Sponsor yields."

Andersson: "Representative Lilly, first off, thank you for your work on this Bill. I think it's an excellent Bill, and I rise in full support. I just want to be absolutely clear on a couple of the things that were just brought up. Number 1, this is purely optional, optional on the parents' part, and optional on the school districts' part. Correct?"

Lilly: "That is correct."

Andersson: "Number 2, there is no disclosure unless the parent chooses to do that. It's a checkbox. Did you complete the testing... or the screening or didn't you? That's it, right?"

Lilly: "That is correct."

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Andersson: "Okay. And when we talk about a mandate, honestly, I can't understand how this could be argued to be a mandate... if the school chooses not to offer services, there is no mandate for them to offer them. Correct?"

Lilly: "That is correct."

Andersson: "Okay. But if they do choose to, obviously, there would be expenditures of money. They have to hire the appropriate personnel to do that just like if they decide to offer a class tomorrow that they don't offer today, they're going to have to hire a qualified teacher for that. Right?"

Lilly: "That is correct."

Andersson: "But that's not a mandate; that's a choice?"

Lilly: "That is correct."

Andersson: "Okay. And as far as the confidentiality is concerned, once again, the only person who's going to hold these records are the medical professional who conducted the screening and presumably the parents. Correct?"

Lilly: "That is correct."

Andersson: "So, when we talk about that there might be an ambiguity on confidentiality, I think what that Section says is that the statutes, rules, and professional ethics of the provider govern the confidentiality. In other words, if it's a medical doctor, the rules regarding a medical doctor's confidentiality apply. Correct?"

Lilly: "That is correct."

Andersson: "Thank you. Mr. Speaker, to the Bill. Being brief, we've spoken to this quite a bit before. There is a mental health crisis in Illinois and across the United States. Twenty percent of the children in school between 14 and 18 have a

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diagnosable mental illness, but the delay between onset and diagnosis according to NAMI, the National Association (sic-Alliance) of the Mentally Ill, is 10 years, 10 years. So, imagine if these screenings could give the parents, if they wanted, an option to identify that diagnosis or at least be alerted that there might be an issue early. Imagine the lives that we can change, the lives that we can save. I urge an 'aye' vote on this. And I thank you, Representative Lilly, for your hard work on this Bill."

Speaker Lang: "Mr. Davidsmeyer."

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

Speaker Lang: "Sponsor yields."

Davidsmeyer: "I'm not... I don't want to beat a dead horse here. I just want to clarify a specific scenario. So, I, as a parent, go into the school and I say I want my child screened. Can the school say no?"

Lilly: "That is correct."

Davidsmeyer: "They can say no. What..."

Lilly: "Yes."

Davidsmeyer: "So, where... also, where is ISBE on this?"

Lilly: "I'm sorry?"

Davidsmeyer: "ISBE."

Lilly: "They are neutral."

Davidsmeyer: "Okay."

Lilly: "And so is the School Management Alliance, the Medical Society, and the Illinois Department of Public Health."

Davidsmeyer: "What about school administrators?"

Lilly: "They are neutral."

Davidsmeyer: "Okay. All right. Thank you very much."

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Lilly: "Thank you."

Speaker Lang: "Mr. Leitch."

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

Speaker Lang: "Sponsor yields."

Leitch: "I have enormous respect and admiration for the Sponsor for undertaking one of the most important but... and most challenging initiatives that we so urgently need in Illinois. My concern from the last time remains. Who produces the tool, the screening tool, and how is that tool administered? In my experience, I'm very familiar with screening tools that are produced by the National Alliance on Mental Illness, who serve the people, the families, who actually suffering from mental illness. According to my Bill analysis, the screening tool is left here to standards that are consistent with the State Board of Education and the American Society of Pediatrics. I would suggest that many of the people who would be writing the tool for the State Board of Education have never seen a decompensating individual or child in their life. I think it is critically important that those individuals be involved in creating the tool. And frankly, personally, the last thing I want to do is let the State Board of Education come up with the standards and the procedures for something this important. In any event, I commend you, but I will be voting 'no'. Thank you."

Speaker Lang: "Mr. Breen."

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

Speaker Lang: "Sponsor yields."

Breen: "Thank you. And Representative, thank you for your work on this particular measure. I know we had a vigorous



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discussion about this a little bit ago. And I know that you've answered a lot of legislative intent questions, but one that I have run into in my law practice, and I just want to make sure that the records here are protected as mental health records under Illinois law. That that is your intent, that these records be protected under the mental health protections of Illinois law."

Lilly: "This Bill, the one that we're speaking to, addresses explicitly the confidentiality of the certificate child health examination form where it does not give any summary. It's just a checkbox."

Breen: "Right. But what I'm saying is... so I understand that part but then the records of the person doing the emotional and developmental screening... that that pert... that practitioner's private records are subject to the Mental Health and Developmental Disabilities Confidentiality Act."

Lilly: "Correct. For the... provision, yes."

Breen: "Okay. Because those are stronger protections than HIPAA, and I think that's very important to remind folks. Because that really does... that add an extra layer of legal protection to the private records of a child's treatment. So, that's the only question I had. Thank you."

Lilly: "Thank you. Thank you, Representative."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Representative, could you tell me what is the real goal of your Legislation? What's your... what's the purpose for this Legislation?"

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Lilly: "Thank you, Representative, for asking again. It is to empower the parent about their child's health issues and concern. It is a screening tool that is... that is developed by the concept of a public health issue. It is to empower the parent to address the needs of their child."

Ives: "So..."

Lilly: "And real quickly, on page 7 of the Bill, line 21 through 23, it indicates the confidentiality is only a checkmark. And I wanted to point that out for those of you who are reading the legislation, that's where you will find that information. Yes, Representative."

Ives: "All right. Is there anything preventing the parent right now from doing this screening on their own, if they see it's necessary?"

Lilly: "The certificate of the child's screening form..."

Ives: "No. I'm just saying, can a parent go have their child screened right now without this legislation?"

Lilly: "We are creating access to parents for screenings for social and emotional and developmental screenings and awareness. That's what this Bill is doing. But thank you for asking that question as well."

Ives: "Thank you. But this screening, though, predominantly would be done by pediatricians. Is that correct?"

Lilly: "It will be a commission in the doctor's office."

Ives: "The doctor's office, right, the nurses, the physicians... Okay."

Lilly: "Correct."

Ives: "And do you have any children?"

Lilly: "I have... I have godchildren. And I love..."

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Ives: "No. Do you personally have any children?"

Lilly: "No, I do not."

Ives: "Okay. All right. So... and the reason I asked is because..."

Lilly: "But what does that mean, though?"

Ives: "Well, no. Is the reason I asked is because I have five.

I mean, I've been through these screenings for health physicals to... attend the school. And you go in there, you go into the doctor's office, and you're in and out in a half hour or less. Okay. So if you add 10 more minutes for a screening by a guy... by a person that only sees the child at best once a year, at best, I don't think you're really going to get what you want done. What you want done, which is a great thing, you want kids screened if they have a social or emotional problem. If they have a mental illness that maybe developing, you want them screened. I'm here to tell you, the doctor is not going to be the first indicator of that child's problem. It's not going to be. So... as much as you want to get to the heart... to help these children, what you're doing is not going to help them... what... at all. In fact, a better person to decide whether or not your child has an issue is somebody like their classroom teacher who sees them side by side six, seven hours a day. Or their coach who works with your child every two, three hours after school. Or a relative who sees how they interact with other children maybe when you're not around. They are a much... they're going to be a better indicator at these young ages of whether or not your child is socially or emotionally developing on par with their peers. 'Cause a doctor's office once a year or in this case in this Bill, kindergarten, third, sixth, ninth is insufficient.

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You're not going to solve any problem with your legislation. And you've made it optional, which is a great idea, but it's optional right now for schools to contact you and say, look, guess what, your child in kindergarten readiness... part of kindergarten readiness testing is whether or not that child is able actually to handle the classroom, which is a social and emotional issue. That already is happening. And other than that, I mean, I understand your intent. I'm telling you, you can pass this legislation all day long, you can put this into practice, but that doctor's visit is going to mean nothing in identifying the social and emotional problems. So I just encourage the body to vote 'no'. Everything's optional here, anyway. And any parent who has an issue can already take their kid to the doctor or to the psychologist or a school nurse or a school psychologist or whatever, and get this same level of... we're doing... the Bill does nothing. So, please vote 'no'."

Speaker Lang: "Representative Wallace."

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

Speaker Lang: "Lady yields."

Wallace: "Thank you. Do you believe that some of the questions that you were just asked were actually germane to this Bill? That's a no?"

Lilly: "No."

Wallace: "Right. So, this Bill is about the many children and students throughout the State of Illinois. Correct?"

Lilly: "Correct."

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Wallace: "Whether we personally gave birth to them or not, whether we are aunts, uncles, godparents, neighbors, friends, family of the children in the State of Illinois. Correct?"

Lilly: "Correct."

Wallace: "All right. I want to speak to the Bill. I think, given my own experiences with my own child, that some of this infrastructure... or some of this guidance would have been very helpful in getting my child some of the help that he needed along the way much earlier. Of course, the teacher may notice somethings about what's happening with your child, and then they may say to you, you may want to consider taking your child to the pediatrician or you may want to consider seeing the school counselor or school social worker or school psychologist to have a particular issue addressed. Teachers are already doing that. I think right now this only gives better guidelines and says during these particular developmental stages, we will just have the option to assess whether or not this child may have some issues that could benefit from early intervention and help them stay on the right track. I do deeply resent the questioning in terms of who has given birth and who has not, where this Bill is concerned, because that doesn't make you anymore of an expert than anybody else. And I just... I am absolutely appalled that that was even asked of you, and for that I will apologize, because that has nothing to do with this legislation. I think you have done an excellent job in addressing all of the concerns that we had this spring. I had some concerns myself as an educational psychologist as to whether or not I would support this Bill in the spring, but you have come back, and

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you have worked with all of the stakeholders to address those issues. So as an individual with a Masters in Marriage and Family Therapy, an individual with a Doctorate in Educational Psychology, I believe that this is a good Bill. And I encourage everyone here to look at the substance of the Bill and not ask personal questions of the Sponsors of the Bill. I encourage an 'aye' vote."

Speaker Lang: "Representative Flowers."

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

Speaker Lang: "Lady yields."

Flowers: "Representative, first of all, I want to commend you for working very hard on this legislation. And I know it's very important to you. But I just need to, for the sake of institutional memory, it hasn't been very long ago where the headlines of the newspapers read that there were 50 thousand children that was wards of the state. And those children that we're talking about, for some reason, all of them were on some form of psychotropic drug. They said they had a behavior problem. And they probably did have one, but it was because of the environment in which they were in or forced to be in, and they were all given psychotropic drugs. And when I think about this legislation, and I also think about legislation that we dealt with regarding the debate between the professionals dealing with mental health, the DSM4 and the DSM5. Even with the professionals, there's an argument, there's a debate about how to identify mental illness. Our children, irregardless if they are cousins, niece, nephews, grandchildren, they're not cookie cutters. They come from all walks of life. And so, therefore, you can't just have a child

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for a little while in your presence and say, oh, they have a behavior problem. They could just have a bad day. And I also remember, not too long ago, that a lot of school administrators, and still today, is putting out African-American kids, and specifically African-American boys saying that they have a behavior problem. And as a result, a lot of them ended up dropping out of school and couldn't go back. And Represent... one of the previous speakers brought up something that was very important, and it was in regards to the vaccination debate. And what was said in committee about it may happen versus what happened when it got to JCAR and the rules changed. It's one thing when you introduce a Bill, and then it's another thing when you get to JCAR and the rules change. And so I'm saying to you, respectfully, I'm going to have to vote 'no' on your legislation. And I just need for you to understand that I appreciate the work that you've done, but I also know that the institutional problems that we've had with people that is subject to interpretation as far as other peoples' children behavior. And so, again, I want to commend you. And I will be voting 'no'. Thank you."

Speaker Lang: "Representative Lilly to close."

Lilly: "Thank you, Ladies and Gentlemen of the General Assembly. I would just like to end with this Bill, SB565, is not a mandate. It's legislative intent is to ensure that the parent is empowered information to address the child so that the students of Illinois can be ready for school. Thank you and I ask you for an 'aye' vote."

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

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Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 70 voting 'yes', 40 voting 'no'. And this Bill, having received the Constitutional majority, is hereby declared passed. Senate Bill 2537, Mr. Zalewski's Bill. I understand Mr. Hoffman is handling it. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 2537, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Hoffman."

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

Hoffman: "Yes. I ask that the Amendment be adopted. The Amendment... and could we just deal with it on Third Reading, then?"

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

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

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

Clerk Bolin: "Senate Bill 2537, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Yes. The Amendment and the Bill, as it now stands, is meant to clarify current contracts within the Frontier Baseball League. The Frontier Baseball League is an independent baseball league which has a total of 12 teams, 6 of which are in the State of Illinois. The... there's one in Joliet, the Joliet Slammers, the Schaumburg Boomers, the



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Windy City Thunderbolts, the Gateway Grizzlies in Sauget, the Normal Corn Belters as well as the Southern Illinois Miners. This issue clarifies the issue of contracts with the players, the managers, and the coaches. And labor has no problem with it. And it ensures that the minimum wage and overtime laws don't apply to these types of... Frontier Baseball League players, managers, and coaches."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, so this Bill would exclude individuals who are employed by a minor league baseball teams from minimum wage laws. Correct?"

Hoffman: "Independent baseball leagues."

Demmer: "Independent."

Hoffman: "Non-affiliated. It should say Representative Brady is a cosponsor too. It's been added, but it's not on there. As well as Representative Walsh."

Demmer: "So what is the employment status then of someone who's playing for an independent league team."

Hoffman: "So... basically, the Frontier League is kind of the last ditch effort of baseball players trying to go on to the minor leagues... affiliated minor leagues. They currently have a contract with the team. And normally that contract, 1) it's between the baseball player and the team, and it's voluntary. That contract's usually around \$800 a month while they're playing. The concern is, is if you'd make them subject to minimum wage then what happens is when they're practicing,

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when they're traveling, it would really make the league have to close down 'cause they couldn't afford it."

Demmer: "So, does this have a relationship... There was a ruling at the federal level about exempt employees whose salary was less than \$47 thousand a year, that those employees would have to be hourly employees and be paid overtime. Are these individuals classified as exempt employees and does that ruling have any effect on this?"

Hoffman: "Well, they would be... we would exempt them under Illinois law. Currently, Federal Law has a seasonal exemption for seasonal employees. We don't have that same exemption in Illinois, so what we tried to do is draft this as narrowly as possible to really get to the crux of the problem here."

Demmer: "Okay. Thanks for the explanation. Is there any opposition to this Bill?"

Hoffman: "I know of none."

Demmer: "Thank you."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. There are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2566, Mr. Turner. Please read the Bill. Mr. Turner."

Clerk Bolin: "Senate Bill 2566, a Bill for an Act concerning civil law. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Turner."

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

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Turner: "Thank you, Mr. Speaker, Members of the House. House Floor Amendment #2... I'd like for House Floor Amendment #2 to... it's a gut and replace Amendment that becomes the Bill. It extends the operation to repeal date for the foreclosure sale fee that funds the Abandoned Residential Property Municipal Relief Program by three years to January 1, 2020. I ask for your support."

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

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

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

Clerk Bolin: Senate Bill 2566, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "You heard Mr. Turner explain the Amendment which became the Bill. Is there debate? Seeing no debate, 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. The switchers are right where they were a few minutes ago. Mr. Clerk, please take the record. On this question, there are 69 voting 'yes', 40 voting 'no', 2 voting 'present'. This Bill requires 71 votes. Mr. Turner asked that this Bill be placed on the Order of Postponed Consideration. Is that correct, Sir?"

Turner: "Yes."

Speaker Lang: "Thank you. That will be done. Mr. Turner, again, on Senate Bill 2808. Mr. Clerk, please read the Bill."

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Clerk Bolin: Senate Bill 2808, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 2808, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Turner."

Turner: "Thank you, Mr. Speaker, Members of the Assembly. The Bill amends the Vehicle Code by raising the threshold requirement for what is considered a salvaged vehicle for self-insured companies. It raises the threshold from 50 to 70 percent. I ask for an 'aye' vote."

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

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

Speaker Lang: "Sponsor yields."

Demmer: "Representative, could you explain about why the request has been made to raise the percentage from 50 to 70? What's... what's the motivating factor behind this?"

Turner: "Thank you, Mr. Demmer. This... this would put us in line with surrounding states in our area on this salvage... salvage title issue."

Demmer: "I see in the analysis here it says the Attorney General's Office is opposed. Have you had conversations with them? Is that your understanding?"

Turner: "They are opposed to it."

Demmer: "For what reasons?"

Turner: "They believe that there are consumer fraud implications."

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Demmer: "And you don't believe those consumer fraud implications are present in this Bill."

Turner: "No. This Bill is... the focus is on self-insured companies. I don't think that there is much of a consumer fraud issue there."

Demmer: "And the request simply brings us in line with surrounding states and the way that they handle this issue?"

Turner: "Yes, Sir. It's a good business Bill."

Demmer: "Thank you, Representative."

Speaker Lang: "Mr. Kay."

Kay: "Would the Sponsor yield, please?"

Speaker Lang: "Sponsor yields."

Kay: "Yeah, Art, I'm curious. This is only for used vehicles. Is that correct?"

Turner: "Self-insured vehicles, Representative."

Kay: "Well, there's a difference. There's very strict federal disclosure laws for new vehicles that have salvage titles that are crushed. Are you talking about that or are you talking about something else?"

Turner: "Crushed vehicles, Representative? I'm not..."

Kay: "Well, that's typically... if you get a salvage title, vehicles are typically crushed if they're new. That's my question. Are we talking about new or used vehicles?"

Turner: "No, Sir, these are not for crushed vehicles."

Kay: "I'm sorry?"

Turner: "These are not for crushed vehicles."

Kay: "No, no, no, no, no."

Turner: "Vehicles that are either re... so, I guess it would fall under the used vehicle..."

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Kay: "Thank you."

Turner: "...piece that you're talking about. Yes, Sir."

Speaker Lang: "Mr. Breen."

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

Speaker Lang: "Sponsor yields."

Breen: "Representative, I understand what you're trying to do here. Just so that I'm clear. The idea is that when you... when you're looking at the title of... I mean just help me understand, when you're looking at the title of a car, you want to see if it's a salvaged vehicle. And so what you're doing here is changing the percentage of wreck that would cause somebody to be called a salvaged vehicle on the title?"

Turner: "So, the Bill would change the Illinois Vehicle Code by requiring self-insured companies to claim the vehicle is salvaged if the cost of repair would be greater than 70 percent or its fair market value without the damage."

Breen: "But... but what does it mean to call something 'salvaged'? Does that mean the car has to be... has to be pulled out entirely or just that you've got to put it on the title going forward?"

Turner: "So, 'salvaged' would mean that the car is damaged beyond its fair... fair market value, beyond a certain percentage for considering it restored."

Breen: "Okay. But... but you don't have to junk that car. You could repair the car and put it back in service."

Turner: "Right. You don't have to junk the car."

Breen: "Okay. So then really where this comes into play is so, you know, if I go to want to... I want to buy... I go to buy a used car that's been part of a rental car fleet, I will... currently, what I'd get is, you know, if the title says

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salvage then I know it was greatly damaged when I'm buying it down the road, so I'll see it in the title... change of title down the road."

Turner: "I mean, in theory, yes, but rental fleets are kind of a different group."

Breen: "Sure. But... but and I know, you know, Hertz has rental fleet, you know, they'll... they'll... they have car lots..."

Turner: "Right."

Breen: "...throughout the Chicagoland area where you can buy their old cars. So, I mean, what this does... I mean, I'm just wondering if the import here is merely the... all this is... appears to be a notification requirement to buyers down the road whether it was salvaged or not, whether a particular vehicle was salvaged or not."

Turner: "Yes, Representative."

Breen: "Okay. So... Okay. And then I, you know, I see that the Midwest thing... in our analysis it says that in the State of Iowa they have the same 50 percent number that we do in Illinois. Is that the same as you're seeing on your analysis?"

Turner: "Iowa is the only one with 50 percent. So Indiana damages are 70 percent, Kansas is 75 percent, Kentucky 75 percent, Michigan 75 percent, Minnesota 80 percent, Missouri 80 percent, Nebraska 75 percent, Wisconsin 70 percent."

Breen: "Okay. And just... just so that... I mean, just to clarify, so the Attorney General's opposition is if I'm looking at a car... buying a car down the road, and it's been damaged at 50 percent but not 70, so in that 50... 50 to 70 percent range, I will no longer know that the car was damaged to 50 or 70

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percent 'cause it won't have the salvage designation on the title anymore."

Turner: "Yes, Sir."

Breen: "Okay. Thank you."

Speaker Lang: "Mr. Turner to close."

Turner: "I ask for your support. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 54 voting 'yes' and 55 voting 'no'. And the Gentleman asked for Postponed Consideration, and that will be the order. Mr. Martwick, for what reason do you rise, Sir?"

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

Speaker Lang: "Proceed, Sir."

Martwick: "Thank you. Ladies and Gentlemen of the House, would you join me in welcoming two honorary Pages to the House floor today? Ladies, would you please standup. I have... Ladies? Aga... Sorry. Aga Kolpak and Magdalena Hornik. Please stand up, ladies, our Honorary Pages for the day. Give them a warm welcome."

Speaker Lang: "Welcome. Thank you for being here with us today. Mr. Turner in the Chair."

Speaker Turner: "On page 3 of the Calendar, we have Senate Bill 116 under Senate Bills on Second Reading. Mr. Clerk, please read the Bill."



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Clerk Bolin: "Senate Bill 116, a Bill for an Act concerning revenue. The Bill has been read for a second time on a previous day. Amendment #5 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 116, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 116 is a Bill that's had various iterations over the last several years. The purpose of the Bill is to create a voluntary program for municipalities and counties with property owners, in this case commercial property owners, to allow them to have a voluntary assessment on their property taxes for the purpose of borrowing money from the municipality or county to create new green energy. Whether they need new refrigerators, new appliances, new air conditioning but all in a green way or the intention is for it to be in a green way. This will create many green jobs. It's win-win. It allows... it will help create an opportunity for businesses to finance these ventures in terms of green energy slowly by paying it out in their property taxes. It will create jobs as I say, and it will help these municipalities and counties to help their constituents move to alternative forms of energy. At one time, this Bill included residences, but in this draft of the Bill it is only for commercial property. The banks have their first lien. We've taken care of any objections to

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the Bill. I know of no opposition to the Bill. And I ask your support."

Speaker Turner: "The Chair recognizes Representative Sullivan."

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

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

Sullivan: "Representative, so the idea of a Special Service Area, I think we all understand fairly well. The opt-in procedure for this new type of SSA. Is it similar to the opt-in procedures as before? Can you explain how your system works?"

Lang: "Well, first, let me say that while the Bill refers to a SSA, this really is not a SSA. That could have been just taken out of the Bill."

Sullivan: "Okay."

Lang: "This is totally voluntary by both municipalities and counties as well as the businesses, not everybody has to be involved in it. So a municipality or county can be in this or not. And a business owner... a commercial business owner can be in this or not as they will."

Sullivan: "And so, you're not looking at tracts of land. This potentially could be an individual business here, an individual business here, one over here."

Lang: "That is 100 percent correct."

Sullivan: "Okay."

Lang: "So once the municipality or county opens this up then they would have a program where individual businesses could come to them and say, I want to do this, and then the necessary paperwork, loans, et cetera."

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Sullivan: "What type of businesses are we talking about? What type of... is it apartment complexes? Is it manufacturing? Is it... what, what, what..."

Lang: "This would be all commercial businesses but in addition, multi-unit residences not single-family residences."

Sullivan: "Okay. Is there a procedure should... let's say you have a multi-family residential building, and what would be the least amount of residences that could be part of that?"

Lang: "I'm told that we believe it's four."

Sullivan: "And it could be... go as high as what?"

Lang: "I don't think there's a maximum."

Sullivan: "Okay. So it could be a downtown apartment condo complex or apart... and actually, I'm getting to something here, but it could be an apartment complex with a hundred units?"

Lang: "It could be."

Sullivan: "Okay. Who makes the decision for that building to go into this SSA?"

Lang: "Well, I imagine whoever the board of managers or owner or whatever it might be of that building. So, if it's... if it's an apartment complex, there's an owner. If it's a condo, then it's a board of directors or a board of managers."

Sullivan: "Okay. So how does the owners or the renters in that apartment complex get a say in this legislation? Or do they get a say in this legislation?"

Lang: "Well, they would get a say just like they do under... under the current law relative to anything that that building might do. Tenants in an apartment building only have whatever power that the lease gives them."

Sullivan: "Okay. So..."

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Lang: "Owners... owners of a large co-op complex or condo building have a board that they've elected to make those decisions for them."

Sullivan: "Okay. So these renters potentially... If the owner of the building decided to go into this, there would be an increase in property taxes that are absorbed by the owner, but typically is passed through to the renter. We're not talking about changing leases midterm that would be prospective, so the person would have to say, okay, I now accept a higher rental because of this."

Lang: "That is... that is completely correct."

Sullivan: "Okay."

Lang: "This will not impact any existing contracts or leases that anybody might have."

Sullivan: "And so if you have a building that is completely condo units, the same thing would apply. Would the board have to enter into that or... you couldn't have individual condo owners say, I would like to have a green opportunity SSA. Or would the entire board for the entire building have to opt into this?"

Lang: "My understanding is it would be the board not an individual owner. This Bill does not relate to individual homeowners or condo owners."

Sullivan: "Okay. So because... let's say I have a condo downtown, there's 120 units. I then... or someone could go to the board and say, we'd would like to do this, but then the board would have to vote to authorize this SSA upon the entire condo complex."

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Lang: "Well, that's correct, but it wouldn't necessarily impact any individual homeowner because..."

Sullivan: "Well, that's... that's where it gets a little tricky because I know right now that if I own a condo and the board decides to have a special tax to do a boiler or to do the windows I don't have a choice, I have to pay that. And so, this is a unique example where you now have something for green energy, green efficiency, if my board chooses to enter into an SSA on the entire building, how do I opt out of that or can I opt out of that? Or is it just like replacing a boiler?"

Lang: "I believe... I believe it would be in the same category as replacing a boiler or the board decides they're going to take out all the windows and put in new windows..."

Sullivan: "Okay."

Lang: "...in the entire building."

Sullivan: "Okay. Well, that's, I guess, some of the reluctance that you see with some folks that want to get into this is how do I get affected as that individual condo owner or how do I get affected as that individual apartment renter because I know eventually that's going to affect what I pay and it could be made by a decision from somebody else. I think... from what I'm hearing on different folks, that's some of the issues that we're having. And I don't know that there's any way to fix that, quite frankly."

Lang: "So I don't know if there's actually anything that needs to be fixed. Because if we're talking green energy here then presumably while there might be, I suppose, a special assessment just like they would do with windows."

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Sullivan: "Sure."

Lang: "...there would be a savings down the road to these folks in terms of their electricity bill."

Sullivan: "Right. Right. No. No, you're absolutely right. It's a cost-benefit analysis of what... what happens."

Lang: "That's correct."

Sullivan: "I totally understand that whole (unintelligible). Well, thank you for your comments. I just wanted to clarify for the Body and let them make their decision. Thank you."

Lang: "Thank you, Representative."

Speaker Turner: "The Chair recognizes Representative Ives."

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

Speaker Turner: "He indicates that he will."

Ives: "So, I actually like your Bill a lot better than how current SSAs are formed. Is there any chance that you would extend this as an in-between measure to all SSAs, where they're completely optional for the owner to join?"

Lang: "Well, first, Representative, again, while the Bill refers to SSAs, this really isn't an SSA. And secondly, here we are on the second to last day of Veto Session. It's going to be a little late to make changes in this Bill to accommodate your request."

Ives: "Oh, I don't know. I've been... I've seen a lot of Bills come forward in one day only, already today, including the one we just passed prior to this. So, the other question though is, if you're not really calling this an SSA, we just passed another SSA Bill today based on governance of SSAs. Could you tell me whether or not, since this... you're saying this really isn't an SSA, would that Bill actually apply to your SSAs

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that you're having right now? The Bill... the Feigenholtz's Bill, would it apply to your SSA Bill now for governance?"

Lang: "So, both Bills are under the Special Service Area Law, even though this is not in actuality an SSA, so I presume the answer to your question is yes."

Ives: "Okay. And then... what is the benefit of the owners who optionally opt in to have enhanced property taxes pay for a property? What is that... why do they have to opt in... if they want to do this project already, why can't they just do this project without actually having other members pay for it as well?"

Lang: "Because this is, in essence, if you will, free financing. The municipality loans them the money at no interest. It goes on their property tax bill and they pay it back. So not only are they paying it back with no interest, but it's also tax deductible because it ends up on the... being paid back as part of their property tax bill. It's win-win."

Ives: "Well, so, that would actually... you would say then that money has no actual cost. There's no cost of using other people's money."

Lang: "It has limited cost as the local municipality goes out to sell the bonds to fund this, but that's why the local municipality decides whether it's worth it to them or not worth it to them."

Ives: "Okay. Well, I think this... even though this Bill in terms of incorporating the idea that it's optional for every property owner to go into a deal like this, that's a good part of the Bill. The rest of the Bill I would not support because I think that you're, again, you're adding to property

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tax bills to uninformed property owners, especially in the situation of multiple owners in a condo situation. So I encourage the Body to vote 'no'."

Speaker Turner: "The Chair recognizes Representative Batinick."

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

Speaker Turner: "The Sponsor will yield."

Batinick: "Representative, our... our analysis shows that the Governor is against this Bill. You said that there was no opposition. Have you worked that out with the second floor?"

Lang: "Well, I have heard that Governor's... what I meant was I don't think there are any opponents in committee."

Batinick: "Okay."

Lang: "So I've heard the Governor's Office is opposed to this Bill because, in concept, they're opposed to Special Service Areas or they don't want to see them expanded. But as I've explained, this really is not an expansion of Special Service Areas. And I think it would be disingenuous to say that it is."

Batinick: "Okay. That's fair enough. You said that there's no interest to the people that borrow the money to do the projects in there... on their property. Where is that interest incurred then? Does the municipality that's deciding to have this and then the rest of the taxpayers incurring that interest?"

Lang: "The municipality is going to sell bonds. They have to pay interest on those bonds before they have the money to loan out to these property owners. That's why this is voluntary. If the municipality thinks it worth those few points for them to add to their budget burdens to create these opportunities



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for their property owners, to create these green energy jobs, to create the alternative energy in their communities, then they'll go ahead and do that. We believe in local control. They should make that decision."

Batinick: "And I assume that's not at the board level?"

Lang: "Sorry?"

Batinick: "That's not at the board level, not by like via referendum? That would be like the... town A is going to decide at the board level whether they're going to start this energy program."

Lang: "My understanding is that that is the answer. That local control will decide. A community will say, do we want to do this? How much do we want to bond? What are we willing to pay? And if we're going to do that, let's start a program to help our property owners."

Batinick: "Do they actually... do we actually need to give them the authority to do that now? Is there something in state statute that stops a municipality from starting a green energy program?"

Lang: "What they can't do is without statutory authority add this to people's property tax bills as an assessment."

Batinick: "The rest of the town that's not a part of the SSA... in another name?"

Lang: "So, if... they can't do a program... let's say you own a huge mall. They can't do a program to loan you \$50 thousand to put in solar panels and then add it to your property tax bill for you to pay it back..."

Batinick: "Okay."

Lang: "...without this legislation."

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Batinick: "Okay. So the property tax bill... adding it to the property tax bill instead of in terms of a loan is what makes it tax deductible."

Lang: "Correct."

Batinick: "Okay. How is the... 'cause you know we think of the SSAs in terms of a group of people together. How is that... how is that broken out in terms of... you know, let's say three, four properties enter into this, is there any... anything that binds them together or do they pay it back separately to the amount of work that was done on their particular property?"

Lang: "Each individual agreement with a municipality or county is a separate individual agreement not relating to each other in any way."

Batinick: "Okay. Okay. So I own a commercial property, I enter into this program. Basically, the benefit to me is I can do green energy stuff tax free or... I'm sorry... interest free, get a loan and pay it back interest free. Correct?"

Lang: "That's correct. Within your property taxes and it also becomes tax deductible because you're paying it with your property tax bill."

Batinick: "If the commercial property defaults on that property then who pays for that?"

Lang: "It goes through the regular procedure when someone defaults on their property taxes. But we kept the first lien for the mortgage companies, so whatever the procedure is for foreclosure would include that debt."

Batinick: "Okay. Thank you for clarifying. I was just looking for clarification on the Bill."

Lang: "Thank you, Sir."

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Speaker Turner: "The Chair recognizes Representative Andersson."

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

Speaker Turner: "The Sponsor will yield."

Andersson: "Representative Lang, I have a bit of a disconnect between the language I'm reading and your statement regarding condo association board approval. Is it my understanding and you're saying that the condo board would make the decision for the entire condominium building complex, et cetera?"

Lang: "Just like they do now on any other decision that's made regarding changing the windows or putting a new roof on the building or whatever it might be."

Andersson: "Well, those typically would be common area... dictated as common areas of the building, so I could understand why they would make that decision there. But looking at the language, it says that each green Special Service Area shall include only property for which each owner of record has executed a contract, et cetera, et cetera. There is still fee simple ownership in a condo. So, it seems to me, this language is suggesting the HOA board, which only controls the common areas, they might need the consent for the common areas, but the owners of record would still need to consent. Do you... am I reading that incorrectly?"

Lang: "There's nothing in this Bill that would say to a condo association that you can go into anybody's individual unit and change their appliances. So this is about the common areas."

Andersson: "Well, but if you could point me to the language in the Bill that shows that the decision to be made here, whether they enter into this SSA or not, is with the HOA board because

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the language I just read indicates that the owner of record must consent. And the owner of record in a condo building are the individual unit owners."

Lang: "The owner of record of each individual unit is the condo owner, but the decision maker in that building, just like all these other examples: the roof, the windows, and all other things, could become a special assessment. That's decided by the condo board."

Andersson: "I thank you for the answer. I would respectfully disagree and with that in mind... quite honestly, to the Bill. I'd urge a 'no' vote just... just on that basis. Thank you."

Speaker Turner: "The Chair recognizes Representative Kay."

Kay: "Would the Sponsor yield?"

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

Kay: "Leader, I'm trying to think of maybe the exception as opposed to the rule to your Bill, but let me take Representative Jackson's district, which essentially, because of various circumstances... it really typically defined as an SSA area... city. So how does your Bill apply to some areas in the state like East St. Louis?"

Lang: "Well, firstly, Representative, it does not apply to single family homes. I wish it did, but I couldn't negotiate the Bill that way. And so, the areas of the state you're referring to, where maybe we have some homes that need some repair, homes that need new appliances, homes that would like solar panels or what have you, they're not affected by this legislation."

Kay: "Okay. Let's take the same example though and x out homes because it's not all homes."

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Lang: "And so, repeat your question."

Kay: "Well, you said it doesn't apply to homes. And my question to you would be, okay, take out the homes and consider all of the areas that I think are SSA areas that would qualify that are apartments or condos or whatever. How does it... how does your Bill apply in that scenario?"

Lang: "Well, first, it's limited to the amount that the municipality or county is willing to borrow, willing to bond out. And they'll create a program and people will come to apply for those funds. Those who are accepted will get these, call them loans, and then assessments will appear on their property tax bill."

Kay: "So, in essence, because there may not be a bonding ability then they'd be out of the mix."

Lang: "I'm not understanding your question."

Kay: "Well, you mentioned the bonding issue and my question is I'm not sure that East St. Louis has the ability or other parts of the state have the ability to bond much of anything."

Lang: "So, this Bill does not refer to that issue. We don't create new bonding authority. We don't create new borrowing authority. We give municipalities, counties, the ability to go out and get these funds, if they can and if they wish, to create a pot of money for their local commercial enterprises to reach into to make these improvements."

Kay: "So, in my scenario and I think you've just answered my question, but just for clarity. In my scenario, the financial inability for them to qualify, so to speak, under your Bill would eliminate them from the benefit of your Bill."

Lang: "Unless they could find the funds elsewhere."

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Kay: "Exactly."

Lang: "It doesn't require them to bond."

Kay: "Yeah, exactly."

Lang: "But this all starts with creating this pot of money..."

Kay: "Exactly."

Lang: "...for your local bus... commercial enterprises to attack, if you will. And so, if you don't have the pot of money or if you've chosen not to create the pot of money, for whatever reason, then you can't do the program."

Kay: "Thank you, Lou."

Speaker Turner: "Leader Lang to close."

Lang: "Thank you. I appreciate the questions. I do have to read something into the record for legislative intent and I'll try to read it as quickly as possible. A property assessed clean energy or PACE program is an innovative and cost effective method enabling local governments to finance renewable energy and energy efficiency projects on privately owned... residential, commercial, and industrial properties through a voluntary special assessment. It is a powerful tool to generate green jobs and economic activity at the local level while helping to achieve energy efficiency and energy savings. The program eliminates the large up-front cost barrier by allowing property owners to finance 100 percent of the hard and soft costs of the project. PACE allows for property owners to pay the PACE special assessment as part of the property taxes tax... property's tax bill and is secured by a priority lien on the subject property. The priority lien PACE assessment is coequal with the same remedies as the lien for general property taxes and is a covenant running with the

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land until it is fully repaid and an obligation on all future owners not subject to extinguishment by the sale of the property and on account of the nonpayment of taxes and is prior and superior to all other liens, claims, and encumbrances including mortgages. I thank you all for the debate. Your municipalities and your local businesses will thank you if you vote for this Bill. Please vote 'aye'."

Speaker Turner: "The question is, 'Shall Senate Bill 116 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 46 voting 'yes', 63 voting 'no', and 1 voting 'present', Senate Bill 116 does not meet the Constitutional requirement for votes to pass and the Bill fails. Representative Jimenez, for what reason do you rise?"

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

Speaker Turner: "Please proceed, Representative."

Jimenez: "I'd like to recognize today, Sam Montalbano, who is with us in the chamber today, up here to my right. He's a legend here in Sangamon County. He's served on the Sangamon County Board for 28 years and in the U.S. Army during the Korean War. He's very passionate about serving his fellow veterans, especially through his work on the Veterans Burial Detail. He also organizes the local Veterans Day Parade, which he has actually banned politicians from being in the parade which is awesome. It makes it for a much shorter parade and we put the focus where it needs to be on the veterans. His 28 years of service to the people of Sangamon County will serve as an example of future leaders of how public service should

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be. He's joined here today with his family and friends, including his son, John, and Becky, his sister, Mickey, and a couple of county officials, Tim Zahrn and Andy Goleman. So, I wish... please join me in wishing him many years of health and happiness as he retires from the Sangamon County Board."

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

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

Speaker Turner: "Please proceed, Representative."

Brady: "Ladies and Gentlemen, please help me welcome to Springfield my Page for the day, Miss Sapphire Campbell, who's stand... sitting... now standing right down here in front at the well and who was brought here by her Grandmother Campbell from my district. Please give her a nice Springfield welcome."

Speaker Turner: "Thank you and welcome to your Capitol. Senate Bill 261, Representative Lang. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 261, a Bill for an Act concerning employment. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read the Bill for a third time."

Clerk Bolin: "Senate Bill 261, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Turner: "Leader Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill relates to the Home Services Program. Some months ago, the



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Governor's Office and DHS unilaterally imposed a hard cap overtime policy for personal assistants. These are people that go to people's home and take care of people, doing the jobs that many of us would never do. The jobs that some people don't have caregivers for. And this hard cap caused some difficulties for some of our most vulnerable citizens. Imagine if you are homebound and you rely on a person that you create a close personal relationship with, almost like a family member, a person that comes in every day to take care of you, but there's then a cap put on how much that person can work for you. And you're forced to find a second person after 40 hours for another 2 hours or another 5 hours or another 6 hours. This Bill simply says that we have to take more care in the people involved in this program and that they should have an opportunity to not only choose their home health care worker, their assistant, but also not be limited in the number of hours. They ought to be able to choose and have working for them a person they trust, in many cases, a person they love, a person who has become family to take care of these folks basic needs. The... aside from the human issue here, the overtime cap was in violation of the Illinois Public Labor Relations Act and the Federal FLSA, the U.S. Fair Labor Standards Act. In an effort to avoid costly litigation, the Governor's Office and DHS removed that cap and then planned to address this by rule, but while the rule-making process is pending, we must take care of these workers. We must take care of these homebound folks, who are taken care of every day, again doing jobs very few of us would ever do. Give these people the dignity they need. Now, just in the last day or so

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we've been told that DHS is reworking their rules and that's all fine and good, but those of us who have been involved in the JCAR process know very well that we don't know how that's going to end or how that's going to work out. All this Bill says is let people have who they need to take care of them. I should add that even with the overtime, we have not gone over budget because the department had budgeted for it and the amount budgeted for it is also federally matched. And so, this is about dignity for not only the most vulnerable citizens of Illinois, but it's also about the dignity for the workers that take care of them. I would ask for your 'aye' votes."

Speaker Turner: "The Chair recognizes Representative Demmer."

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

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

Demmer: "Leader Lang, I appreciate the comments you've made about the fact that this has been an ongoing issue. An issue that providers, that recipients of this service, and policymakers have been involved in for several months. I also appreciate the fact that we're sort of operating on a dual track right now with this legislative initiative, at the same time that there's work happening through the rule-making process with JCAR, according to... according to the overtime policy from the Department of Human Services. So, a few of the questions I have, I think, revolve around this idea that in order for a successful policy to be implemented, we have to have a reasonable give and take. Over the course of this debate since it originally began a year ago or more, has the department been willing to make changes or accommodations in order to

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ensure that individuals can still receive the services they need while recognizing that we have financial obligations that we must live within?"

Lang: "Well, the answer to your question, Representative, is yes and no. For the longest time, the truth is that the department stonewalled this and then when threatened with litigation they removed the cap. But now as you know, there's a rule-making process pending relative to these issues. And as you also know, just yesterday, the department came out with a letter making some changes and making some offers which were not sufficient, but the rule-making process goes on, and as you... even if we pass this Bill. And as you know, the treatment plan for patients depends on approvals by the department in the first instance. The agency determines how many hours the patient will have service; and therefore, with or without overtime cap, the department really is in total control of what hours the patient gets treatment and home care."

Demmer: "Thank you for that. And so, you know, you may use your own depictions of how the changes were arrived at by the department, but the fact is that there have been several concessions, several opportunities for input. The letter you referenced that was distributed yesterday was the direct result of ongoing talks where the department listened to involved stakeholders, identified some problems... some issues that may arise and responded to it. This was a letter that came in response to the public comment period after the posting of the original rules. I think it's... the very purpose of a public comment period is for a department to understand from individuals who would be impacted by the rules, what

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some of the unforeseen consequences, what some of the issues may arise. And so, the department I think acted in the appropriate way by addressing many of those concerns. And so, what we got back from the department was not an act of being stonewalled. It wasn't a hard line in the sand. It was a series of concessions. Concessions that included increasing the cap on the number of hours that a person could work, in the very first instance, from 40 hours, which had been the proposal, to 45 hours. That takes care of 89 percent, 89 percent of individuals who receive services have less than 45 hours a week in their care plans. And so you ask about what happens to the people who fall beyond that 89 percent. Well, the department offers a procedure that those individuals can go through and have five separate categories for exceptions. Five individual categories for exceptions including things like emergency need that need no approval, whatsoever. Should an emergency arise, no approval from the department is needed whatsoever for the care provider to continue to provide services. We also had exceptions that are carved out for provider capacity or that is where an individual who needs services can't find another person within a 45-mile radius to provide those services. That's an exception to this policy. For individuals with unique or complex needs. If the consumer's health needs are such that there aren't a lot of people who can provide those, there's an exception to that category. If the provider who you rely on is unable to work, if they're... if they quit, if they're... no longer have the credentials or the qualifications, there's an exception there. You can still receive services. If you're traveling

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out of town and it's unrealistic to bring multiple people with you to provide your services, there's an exception that's built into that. And there are two separate exceptions built in for emergency needs. These exceptions, the increase in the number of hours that are approved from the beginning from 40 to 45 hours, takes care of 89 percent of individuals. And there are five separate exceptions that people can ask for, all of which come with preapproval. So, you're not going out on a limb providing a service and not knowing whether it's being paid for, there's a preapproval process that goes with it. So as I look through this letter and I think about the way that this process has been handled, I see initial rules that were proposed. I see individuals who said those aren't going to work. The department stepped back from that. They went through a rule-making process and proposed initial rules. There was a significant public comment period. The department listened. They listened to the concerns that were raised in the public comment period and they came out with a whole host of ways that they could better meet the needs of individuals while recognizing that it's important for individuals to not be solely reliant on one person. That in the case that something happens where they need a second provider that they have a chance to develop a relationship with a second provider and to be able to build that relationship before the moment that it's so urgently needed. So what I see from this process is a department that's very willing to work on this policy to try to meet the dual needs. The first is, the most important is, to meet the needs of individuals who are served by this program. And the second

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is, to live within the budgeted parameters that this Assembly passes and that the Executive Branch must live within. So as we look at these competing priorities, as we look at the back and forth that has to happen, I think we're seeing a textbook definition of a way that a department can listen to the people of the state, listen to interested stakeholders, and hear their concerns and address those, address those in a very, very open way. Even in yesterday's hearing we heard that there was a commitment to, again, sit down with stakeholders and say with the second version of these rules, how does this work? How do you see this working going forward? So, as we look at this proposal today, the Bill that we're debating right now, it's important to keep in mind that there's a rule-making process that's playing out in tandem. A process that's working. A process that has a give and take, has a back and forth and that this Bill would derail that process. So instead of coming in with a mandate that says from the legislative side we're going to draw a firm line and we're not going to allow any caps to be in place, for any reason, for any provider, we should instead look for a process that works. That's what's happening in the rule-making process and that's why this legislation just doesn't fit with that program. Thank you, Mr. Speaker."

Speaker Turner: "The Chair recognizes Representative Flowers."

Flowers: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, to the Bill. The Rauner home care overtime policy has been a disaster. Some 8 thousand consumers were at risk of seeing their care cut and their choices severely limited. People with disabilities has had their critical services

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interrupted. They were made to go without toiletries. They was made to go without their medication. They were made to stay in unsafe conditions for a very long time because there was nothing but confusion and panic about who was going to do what on behalf of the people that was most in need of these services. Falsely, the Rauner administration has claimed that they were able to find all these personal assistance workers to cover the overtime for people with disabilities, but they were not qualified people to take care of the people with disabilities. And it appeared to me... oh, I'm sorry... the administration, they were 6 thousand people short of how many that they really needed to take care of our most vulnerable. Ladies and Gentlemen, with Senate Bill 261, we could send this administration a message that people with disabilities count and their behavior and what they've been doing is trying to balance the budget off the backs of the sick, the disabled, the seniors, our children, our day care workers is not acceptable. Please vote 'aye' for Senate Bill 261. Thank you."

Speaker Turner: "The Chair recognizes Representative Willis."

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

Speaker Turner: "The Sponsor will yield."

Willis: "Leader Lang, is it correct that we already have in place a system to sort of check the number of hours that a caretaker can work based on what the DON score is. Correct?"

Lang: "That's correct... that's correct, Representative."

Willis: "Or... the number of hours somebody can have in their home?"

Lang: "The... the homemaker doesn't get in there. They're not... there's no involvement by either the worker or the disabled person until the department has already approved that. And

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when they approve it in the first instance, they approve the number of hours that they will allow for that particular patient. Sometimes it's less than 40 hours a week."

Willis: "In fact, in 89 percent of the people that do get home health care, it is less than 40 hours a week. Correct?"

Lang: "That's correct. It's a little disingenuous to say that if raising it to 45 hours gives 89 percent of the people the relief they need, because they're counting lots and lots of people who don't need any overtime and they're looking at the last five months where the program was in total chaos and people weren't getting anything they needed."

Willis: "Right. And I believe that was... To the Bill. That was a comment that I brought up yesterday that sort of got glossed over that we know for a fact that many people cut the number of hours that they technically were by right allowed to have in their home simply because they weren't able to get the overtime hours. So that might have meant that somebody had to stay in bed an extra hour every day because they could not get someone there at 8:00 in the morning, instead they could only get them there at 9:00 in the morning. So they spent an extra hour in bed with nobody there to help them get out of bed and take care for them that day. It may be that one of the things that I think DHS has brought up that I tend to really be very concerned about is right now they're stating, oh, we're now ready to make these rule changes. Well, where were they 16 months ago when this first came through? We know this is a very slow moving process, having rules be changed through the Department of Human Services, and it is not something that our most vulnerable citizens have time to wait



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for. We need to take the action now. We need to make sure that they get the home health care and services that they are due. These are individuals that are our most vulnerable individuals, but they are individuals with human rights and we need to protect those rights. So I urge everyone to vote 'aye' on this Bill now. Thank you."

Speaker Turner: "The Chair recognizes Leader Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I just want to give a little bit of history of when this decision came down from the feds last fall, late last fall. One of my constituents came in with a person with a severe disability and talked about what this was going on with the Bill. I immediately got on the phone with the administration and the head of DHS and HFS. And I just want to commend them at that point because they worked with us and up until Christmas Eve, I was still on the phone with them to try to get this extended because we know how important this is to the families in the home service program and the people with disabilities in Illinois. But what Representative Demmer said, to reiterate, are some important issues that are going forward now in JCAR to address this issue and they have made changes according to what we had the hearings. So, I would wait to see what the JCAR rulings are on this. And so that we can serve the people that we want to serve in this home service program that need these services. And I have found the administration has worked with us a lot over the last several months to move forward in addressing the issues. Thank you."

Speaker Turner: "The Chair recognizes Representative Thapedi."

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

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

Thapedi: "Leader Lang, I think that you've heard at least two commenters talk about the JCAR process. And you are the senior member of JCAR, are you not?"

Lang: "I believe I am, Sir."

Thapedi: "And would you be kind enough, Leader Lang, to explain the rule-making process 'cause I think it's been suggested that by bringing this Bill that you were somehow trying to circumvent the rule-making process, ignoring the fact that the Legislative Body actually provides the basis for the rule-making process."

Lang: "So... all rulemaking comes from statute. It isn't made up. It doesn't come from no place. And it has to be based on a statute that we pass. It has to be authorized by a statute we passed. Where we leave holes in our statute or where we leave things that need to be interpreted, state agencies must issue rules. And they do, but a rule is not a law. And someone who's concerned about the relationship between those involved in the program we're referring to and the people that serve them need to be very concerned about the fact that a rule that is issued today can be changed tomorrow. And so we've seen this on all sorts of things in JCAR, you serve on JCAR with me, and we have seen the Governor's Office have one rule today and sometime later... they change the rule. And Members of JCAR have to make decisions and under this Governor, there hasn't... there's been too much partisanship on JCAR, as you would agree. And so my concern here is that while I appreciate the fact that the state agency is now fully engaged in this debate and is now doing something on the eve of the Bill being

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passed, as Representative Willis said, where have they been? Yes, some months ago they lifted the cap. There were pending lawsuits, perhaps, there were pending actions at the labor board. And yes, there were a lot... there was of public comment in the rule-making process and yes, they made some proposed changes. But the changes they make today, even if approved at JCAR, can be undone tomorrow. By a Governor's Office, by a state agency, who has decided that a handful of dollars that's already in the budget is too much to spend to take care of these homebound folks. Now some will say, oh, that's silly, Representative, we want to take care of these people and look at all the effort they're making now. But you and I have seen on JCAR where state agencies actually create their own problem. Where they create their own emergency by inaction and we saw a lot of inaction from this agency for a very long time to the detriment of patients, to the detriment of the workers, who, overtime or not, are not highly paid workers."

Thapedi: "Thank you, Leader. To the..."

Speaker Turner: "To the Bill?"

Thapedi: "To the Bill, Mr. Speaker. I think that you've heard some very detailed testimony regarding the rule-making process and how what we do here in the General Assembly on the floor actually buttresses the rule-making process. That there really cannot be effective rule-making process if we, as a Legislature, do not act and provide the basis for JCAR to do what it does. I urge an 'aye' vote on this important piece of legislation."

Speaker Turner: "Chair recognizes Representative Franks."

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Franks: "Thank you, Mr. Speaker. I'd like to speak to the Bill.

I was listening to debate and it struck me that there's a couple of issues here that... that we ought to be focusing on. We really are judged by... on a society on how we treat our most vulnerable citizens and our loved ones. And when people want to stay in their homes and need help with daily tasks and need help with toileting, for instance, they need to have someone who they feel comfortable with and who they trust. This Bill would allow folks to stay in their homes and keep a dignity of their lives and keep doing what they wish to do. JCAR has been holding this up for a while. And I think we have to remember that those of us in this chamber and across the hall, we are the Illinois General Assembly. We make the laws. We should not be giving up our ability and our power to JCAR who can lock because the way JCAR is laid out now, it's not done proportionally, it's done evenly. So even though there might be many more people voting for something, people who are on JCAR can block it because it's 4 to 4. So we have an affirmative obligation to pass the laws here to make sure that our will is carried out. I wasn't sure how I was going to vote on this Bill until I started to hear about the debate and I realized if it was my loved one who wanted to stay at home, I'd want them to have someone who they trusted caring with them. But I also looked at this from an economic perspective. This Bill will actually save us money. Not only is there a federal match, but it will keep people in their homes longer which is at least three times, three times cheaper than sending someone to a facility. So if you want to do the right thing morally and you want to... and you want to

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save money, this is one of those Bills where it's good legally, it's good politically, and it's good economically. Everyone should be voting 'aye' on this."

Speaker Turner: "Representative Tryon is recognized."

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

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

Tryon: "My main goal this week was to get out of here without making anybody mad but you know... when we have... when we have debate..."

Lang: "So you intend to make... so you intend to make me mad?"

Tryon: "...and we have these discussions, I'm going to have to... I'm going to have to interject here. JCAR's job isn't to block stuff. JCAR's job as you well know, Representative, is to ensure that the authority within the Executive Branch's rulemaking lies within its empowerment in the statutes. The fact that there's a disagreement on JCAR, that happens, okay? It... it... to you is partisan, to the rest of the Members on JCAR, it was within the authority of the Executive Branch to have a policy on overtime. That's what the discussion was. What's happening here today, you have the right to do. You have the right to put a Bill in as any Member of the General Assembly if you don't like what JCAR does. JCAR's not there to block it. JCAR is there to review the process and say, look, we want to work with you. We understand that this is the... your objective. We understand what you have to do. Do you or do you not have the statutory authority to do that? We felt they had the statutory authority to do that. Now given that, you have the right to introduce a Bill and have this debate today. But the Governor had a plan to pay overtime.

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The Governor didn't say we weren't going to pay overtime. The Governor said we had to get overtime approved. I had a constituent in my district, very severe case... very severe case, overtime was approved for that individual. This is in reaction to a change in the Federal Law that has now got an injunction against it, and this is a problem in every state. You know, I've heard numbers from it takes \$7 million additional to pay this overtime to \$21 million additional. Where do we get the money? We can't pay our bills now. I make more money in the Boat Drink Caucus than I make as a Legislator. I didn't realize that. We're not even paying ourselves. We're not paying people for nine months. So adding another \$21 million without having some accountability in the overtime process is a mistake. And all we were asking for, all the Governor was asking for, was overtime with accountability. And I think that was a legitimate request. It was well within his right in the Executive Branch under the rules to have policies that affect overtime, and I think... I think JCAR upheld that ability. I don't disagree with your right to impart a Bill, but everybody here needs to think that what was proposed was overtime with accountability so we could manage our way through this. Do I believe that we need more funding in overtime? I do. And I would be willing to work on that with you. But I don't think this is the way to do that. I think we need to do this as part of the budget process, so we know that the overtime that we're... you're going to give us in appropriation with can actually be paid for. Because appropriation without funding is useless. So I would urge a 'no' vote. I would urge to sit down, work on a budget

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where we can put the overtime in, where we can actually do what needs to be done without taking money away from someplace else. This isn't a question of morality. It isn't a question of JCAR blocking anything, it's the process that was put in place to ensure the Executive Branch does what it's... and works within its power and they did that. Thank you. I urge a 'no' vote."

Speaker Turner: "Representative Davidsmeyer."

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

Speaker Turner: "Sponsor will yield."

Davidsmeyer: "Are you aware of any employer, public, private, nursing home, hospital, whatever it may be, who currently does not have any type of overtime policy?"

Lang: "That's not something I've studied, Representative, but certainly there are employers that do and employers that don't."

Davidsmeyer: "I would... I would question that answer. I would say everyone has some type of overtime policy. What this Bill is saying is that the state should have no overtime policy at all in this... in this process."

Lang: "Actually, that's not what the Bill is saying. The Bill is saying there should be no hard cap on overtime when we're talking about people and people's lives. Additionally, we have budgeted for this. We're not over budget on the overtime. We have budgeted for this. There's \$15 million set aside for overtime. There's money in... there's money in the budget for this. And there's a lot of businesses, Representative, that don't deal with people directly like... like these home health care workers do."

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Davidsmeyer: "Like... like nursing homes and CILAs and hospitals that all have overtime rules. They don't allow a person to work 60 hours week after week after week unless it is a pure necessity which the state's rules will allow for. Correct?"

Lang: "The people that work at nursing homes are not assigned to one specific patient. They are... they work at the nursing home. These folks are assigned to a specific patient. They go to their home. They take care of their needs. They do all sorts of things many of us would never do unless we were forced to do it. And for most of these people, we're only talking about an extra hour or two a week or three or four. For most of these people, we're not talking about 60 hours a week. So imagine a ludicrous situation where I have a home health care worker and that person comes to my house 40 hours a week, but I need another hour and a half. And that other hour and a half is approved by the agency... approved by the agency. I have to go get another person to come in for an hour and a half?"

Davidsmeyer: "No."

Lang: "I have to go get another person to do that? It's ludicrous."

Davidsmeyer: "For... you're talking... so, the... what... what the administration, what the department is proposing is 45 hours, so that could be a possible guaranteed 5 hours of overtime every week. Plus, every pay period an additional 4 hours for emergencies. The other issue that the department was discussing was basically cross-training. Right? What if... what if I'm a home health care worker and somebody relies on me for 45, for 60 hours a week and all of a sudden I get sick. If they need, truly need 40 to 60 hours a week then they are



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a high amount of need, a high determination of need. Right? So somebody else should be cross-trained to be able to provide that service. And if you have somebody working 45 hours with them and then you have another person working 15 hours with them, you've got somebody who's cross-trained. And that is an initiative of this department to make sure that people in need have a backup plan. And I understand, you know, we can make the argument that... that, you know, I understand people are... get more comfortable with some people, but you have to have some type of overtime policy, not just, eh, whatever."

Lang: "So, Representative, the department you referred to has in the last just day or two acted."

Davidsmeyer: "Correct."

Lang: "But for 18 months they did not act at all. And based on that and based on the record at JCAR of dealing with contentious issues that come from this administration, we cannot trust this to the JCAR process. We cannot just simply say, well, at the 11th hour the agency came up with a letter, a several-page-long letter and we all should just read it and go, okay, now the problem's resolved. JCAR will lead us through the wilderness. It's not going to work that way. This process can't be trusted that way. And we cannot leave this to the whims of an agency or to the whims of JCAR. Because the evidence is from past performance for the last 18 months that there were a lot of mistakes made. The hard cap that was put on was a mistake. They acknowledged that themselves."

Davidsmeyer: "Agreed."

Lang: "But they acknowledge it at the 11th hour. What next? What if this Bill is defeated and tomorrow they say, you know, we

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changed our mind again. We're going back to the hard cap.  
Then what?"

Davidsmeyer: "What if? Let's talk to them about it. Let's talk to them about the rule-making process, but having... having no... no limit on overtime is ridiculous."

Lang: "This Bill doesn't say there can't be a limit on overtime."

Davidsmeyer: "What does this Bill say then?"

Lang: "This Bill says there can't be a hard cap on overtime, that it just comes out of the blue."

Davidsmeyer: "So the cap has to be based on the individual person?"

Lang: "But they... they go in..."

Davidsmeyer: "Which is what the administration is proposing."

Lang: "But Representative, you're wrong. Each person now, today, under today's law and under tomorrow's law, has to be approved by the agency for X number of hours. So let me say this as callously as I can. If they want to control overtime, approve the patients for less hours."

Davidsmeyer: "But that's not what they want to do. They want to make sure that individuals get the hours they need..."

Lang: "No. What they wanted to do is put a cap on people's overtime. A cap on the employer. A cap on the patient. They wanted to get between the patient and their health care. Now, in the last 24 hours, they've changed that. They've changed that. But we have seen at JCAR and I invite you to come to a JCAR meeting sometime. We... we..."

Davidsmeyer: "I'd love to. I love to 'cause apparently it's worked for the past five years, but it doesn't work this year."

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Lang: "You know what, it's worked for a very long time until January of 2015. And in January of 2015, JCAR became politicized and before that it was not politicized."

Davidsmeyer: "And that was... that was an action by both sides, I would guess. Because this entire place has become politicized over the last two years, which is why we don't have a budget. Right? I mean, the entire process has become politicized and I've offered to come to the table on a number of things. But this is... all these Bills that are coming through are a gotcha to the other side. That's it. You're going after the second floor and that's it. You pretend like you're caring about individuals and I disagree. I don't think you do."

Lang: "You really... you really don't want to get into a big debate about how JCAR has changed in the last two years. You really don't want to do that."

Davidsmeyer: "You're right, I don't. But this Bill not putting any limits on overtime is ridiculous. Any employer in the world including CILAs, which some people are assigned to one individual, one individual, they have overtime maximums. And in emergency cases, an individual can stay longer to make sure the individual gets the need... or the care that they need. So the department is saying there are circumstances where you will be able to do overtime. They're not saying that the hard cap is 45 and there's no chance of ever going above it. They're saying, you can be approved. That's exactly what we're talking about. Right? So, you know... To the Bill. I think this is another political attempt to go after this administration and this department who is actually trying, and you were in committee yesterday, it was actually trying to make sure that

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individuals get the need... the care that they need and train individuals... cross-train individuals to take care of those who are most in need. I urge a 'no' vote."

Speaker Turner: "Leader Lang to close."

Lang: "Thank you, Mr. Speaker. For those who applaud the department for their 11th hour heroics, I have to say I was pretty impressed with what the department did yesterday, but that belies the problem. You can't just look at one snippet of time. You have to look at the last 18 months, what they did to caregivers, what they did to the people who receive that care, how they treated it, how they got between the giver of care and the person who needed the care. And for those who think that these changes proposed by the department at the 11th hour are actually going to happen, you just don't know. You just don't know that they're going to happen, because we've had changing and floating and moving around rules in JCARE for the last two years. One thing proposed today, another thing proposed tomorrow. You cannot trust this to rules. Not this, because this is too important. This involves the livelihood, the care, the treatment, the home health care of some of our most vulnerable citizens. And we cannot get involved in inter... we cannot get involved in willingly getting between those that give that care and those that need that care. And we cannot leave this to the whims of the state agency, the whims of a Governor or even the whims of a bad budget-making process. We have to protect these vulnerable citizens of our state. Please vote 'aye'."

Speaker Turner: "The question is, 'Shall Senate Bill 261 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting

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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 68 voting 'yes', 42 voting 'no', 0 voting 'present'. Senate Bill 261, having received the Constitutional Majority, is hereby declared passed. House Resolution 917, Representative Flowers. Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move for the adoption of House Resolution 917. And the Resolution is regarding diversity in the schools. And I would be more than happy to answer any questions you may have. I move for its adoption."

Speaker Turner: "Seeing no debate, Representative Flowers moves for the adoption of House Resolution 917. With a late light, we have Representative Pritchard. Please proceed, Representative."

Pritchard: "A little slow on my switch, Mr. Speaker."

Speaker Turner: "No problem."

Pritchard: "Representative, when you presented this in committee yesterday, we didn't really take the time to have an understanding of what you're trying to do with this Bill. So, would you please explain what you're trying to accomplish with this?"

Flowers: "I'll be more than happy to, Representative, and thank you very much for asking the very important question. We know about *Brown v. The Board of Education* in 1954 where the United States Supreme Court ruled that segregated schools was unequal and therefore, unconstitutional. And despite the fact that that happened back in 1954, things are still unequal and

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unconstitutional in regards to minority children. And this is merely requiring... this Resolution is merely requiring that the Board of Education... the State Board of Education officially recognize the importance and the benefit of school diversity, and that it makes it a priority to make decisions regarding the admission policies and practices to create new schools and schools that diversify. There was a problem, as we all know, in Ferguson, Missouri. And in Ferguson, Missouri, there was a study that was done that the schools was taken over by the state. Because all the schools in Ferguson, Missouri were African Americans and all the schools were failures. So when the school was taken over by the state then children were able to go to other schools throughout the state. And as a result of that, the schools were successful because all the children had equal access to education. And we also know that once all the children have equal access to education, it's better for the economy. It's better for the community. It's better for the critical thinking and the education of the children learning from each other. And so, this Resolution, Sir, is a win-win situation for the entire State of Illinois."

Pritchard: "So... so, when you say that the children and families have access to the best schools, how are they going to get transported to those areas?"

Flowers: "I'm sorry, Representative. I didn't hear..."

Pritchard: "How do they get the transportation to that?"

Flowers: "How would they get the transportation?"

Pritchard: "Yes."

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Flowers: "How do we provide transportation today? Either the parents would drive them and/or we have school buses."

Pritchard: "But you're talking about a wide area."

Flowers: "That's okay. This is the City of Chicago. And the only thing that is restricting..."

Pritchard: "So we're talking just about Chicago here?"

Flowers: "No, we're talking about the State of Illinois."

Pritchard: "Well, that's where I'm getting at, though."

Flowers: "I think that that card is..."

Pritchard: "I mean, we already have kids riding the hour for... the bus for an hour or more to get to the schools they have now. And they have limited numbers of schools."

Flowers: "But Representative, that's not what the Resolution is about. The Resolution is about equal access to education, which the Constitution says that people are entitled to by virtue of the fact that they live in the State of Illinois or the United States of America and that talks about equal access. And when you talk about the economy, when you think about the money... the amount of money that we use to transport people back and forth to prisons or to mental health hospitals or to other places, you need to factor that in. But the fact of the matter is, the only thing that is segregated, as far as our communities are concerned, not the businesses, not the stores, not the parks, not the communities, but the schools. And this..."

Pritchard: "Well, the housing is a little bit segregated, too, isn't it?"

Flowers: "Well, housing is segregated, but this is truly segregated as..."

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Pritchard: "And that's why the schools are segregated."

Flowers: "Not necessarily. Not necessarily. Because there are certain places..."

Pritchard: "So let's take Chicago Public Schools as an example."

Flowers: "...there are certain places that if you can get into, if you could have the means to go to that particular community, you can move into it."

Pritchard: "Correct."

Flowers: "But as far as schools are concerned, if you want to... if you choose to stay in your own community and want to go to school or you want to send your child to a better environment, that's where there's the impediment."

Pritchard: "So let's take Chicago Public Schools as an example. Do they have this..."

Flowers: "Yup. It's one of the most segregated schools in the state, in the country."

Pritchard: "Well, but don't they have this policy of open diversity? Can't students move around the city to go to a less segregated school?"

Flowers: "No."

Pritchard: "Well, that's not what CPS says."

Flowers: "Oh, I understand what CPS says. I've been... I have..."

Pritchard: "How is this policy going to be implemented by the state board?"

Flowers: "Pardon me?"

Pritchard: "I say, how is your Resolution going to be implemented by the state board? If you have a school district that says they're already diverse and they're already wanting to move towards more diversity, what else is there to do?"



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Flowers: "It's up to the parents, if they want to move their students or their... I'm sorry. If they want... if they want their children to go to another school, Federal Law gives them the right to do so. But there are rules in place in certain municipalities that try to prevent them from doing so."

Pritchard: "Well, it..."

Flowers: "This Resolution is merely urging for the sake of the economy that all schools try to move toward diversity to eliminate the economic isolation, the economic segregation of what's going on in this state and in this country."

Pritchard: "So I think we could all embrace the objectives that you've just enumerated. The challenge is, is how you're going to actually make a difference. How we're going to be able to implement this into actual practice."

Flowers: "Well..."

Pritchard: "And that's where I feel that this is a laudable Resolution, but it's not going to change the lay of the land, if you will."

Flowers: "Well, you know what..."

Pritchard: "Thank you, Mr. Speaker."

Flowers: "Well, just to answer your question. Again, *Brown v. The Board of Education* was a federal ruling and it has not been complied with. And there are school administrators that come in and say that they can try to do it. And the only thing that I'm asking is, once again, for the sake of the economy and for the sake of the families of the State of Illinois that we continue to try by way of the State Board of Education."

Speaker Turner: "Representative Wallace is recognized."

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

Speaker Turner: "The Sponsor indicates she will yield."

Wallace: "So I want to understand more about this Resolution and how, maybe moving forward, it becomes more than just a Resolution, but something that we actually put into practice. Would this particular language provide for districts like RPS 205, which have gone back to zones? Which the zones now have created schools that have populations that are indeed segregated as we are trying to address with this Resolution. Would this, then, encourage school boards to move away from that type of zoning that only pigeon-hole people, as you stated, racially, economically, or in the case of the City of Rockford, a barrier that is known as the 'Rock River'? So this would address that."

Flowers: "Yes, it would."

Wallace: "And when we have schools that as stated that are more ethnically, economically, racially diverse, students have better learning outcomes."

Flowers: "Yes."

Wallace: "The research is very clear about that."

Flowers: "It's very clear."

Wallace: "Whether it is a minority student or so-called minority student or a majority student."

Flowers: "All students."

Wallace: "All students have better learning outcomes?"

Flowers: "Absolutely."

Wallace: "So, I'm wondering how then do we... how do we... is this a stepping stone to encourage those school boards, like mine, that took a regressive step by going back to zones, how do we

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encourage them to move forward again with desegregating schools racially and economically?"

Flowers: "The Resolution is merely calling for the State Board of Higher Education to set diversity as a priority in its agencies as well as its decision making. So maybe when the state put forth its rules and its guidelines they would take into consideration that there should be some priorities given to schools that try to diversify. Because in diversifying, we know that kids are apt to get a better education and as a result of getting a better education, we're saving money down the road. And as I've often said in the State of Illinois there's been a report put out that we live in two Illinois, one for the have and one for the have-nots. This would move to closing it down to the one Illinois that we supposed to have."

Wallace: "And would, hopefully, at some point we can go even further and talk about how our administrations, our boards, and our faculty in districts like Chicago, like Rockford, we have majority/minority student population, but that is not reflective when you look at faculty, staff, administration, school boards. None of that reflects what the student population looks like. So I hope that we will also begin to address really specific and intentional efforts toward recruiting diverse faculty staff and recruiting individuals who will run for school boards, who are similar to the student body."

Flowers: "You're absolutely correct. That is part of the decision-making process."

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Wallace: "Well, thank you. To the Bill. I think that this is a good Resolution. I think this is something that we definitely need to be making a part of the conversation as we create policies for 21st century students. I think it is definitely something that we need to be looking at when we look at higher education and how do we intentionally recruit individuals who are wanting to major in education, who are going to be diverse and reflect the student body as it already stands, but certainly, as it will look in the coming decades where we will have many more public school districts that are majority/minority student population. We have to be intentional about having culturally competent curriculums. We have to be intentional about making sure our students have diverse learning environments and it only moves... or serves to affect our economy in a good way as Representative Flowers has stated. I do ask that individuals support this. And I ask to be added as a cosponsor. Thank you for bringing this legislation."

Speaker Turner: "Representative Sullivan is recognized."

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

Speaker Turner: "Sponsor will yield."

Sullivan: "Representative, this is a simple Resolution that asks the state board to recognize the concept of diversity in our schools. Is that correct?"

Flowers: "That's correct."

Sullivan: "And it's saying, after they recognize officially the concept of diversity that maybe we can use this school board as a vehicle to help the local school districts come up with

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a game plan on how they'll address diversity within their schools."

Flowers: "That's correct."

Sullivan: "And so by doing that we know that statistically that students from all categories do better in a more diverse environment."

Flowers: "That is correct."

Sullivan: "It's not forcing school districts to do x, y, and z. It's saying come up with a strategy, understand the value of diversity, and move forward in your decision-making process after the fact."

Flowers: "That's exactly what it does."

Sullivan: "Okay. So, folks, to the Bill... to the Resolution. Let's not overthink this. We are an American melting pot. We should have diverse schools. We know statistically that diverse schools create better students because they understand different cultures, different types of people. And so let's move forward with that. Don't get into the bugaboos of are we going to force bus people somewhere, are we going to take make money away from one school district. That's not what this is about. This is about creating a diverse culture and the administration following guidelines from the State Board of Education to help them. It's really that simple. Please vote 'aye' if there is a vote."

Speaker Turner: "The Lady moves for the adoption of House Resolution 917. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, Rules Report."

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Clerk Bolin: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on November 30, 2016: recommends be adopted Floor Amendment #2 to Senate Bill 514 and Floor Amendment #2 to Senate Bill 1821. Also on the Order of Concurrence: recommends be adopted, Motion to Concur with Senate Amendment #1 to House Bill 3303, and Motion to Concur with Senate Amendment #1 to House Bill 4645."

Speaker Turner: "Mr. Clerk, Adjournment Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1500, offered by Representative Jimenez. House Resolution 1507, offered by Representative Stewart. House Resolution 1509, offered by Representative Durkin. House Resolution 1510, offered by Representative Chapa LaVia. House Resolution 1513, offered by Representative Bryant. House Resolution 1514, offered by Representative Bryant. House Resolution 1515, offered by Representative Christian Mitchell. House Resolution 1516, offered by Representative Lou Lang. House Resolution 1517, offered by Representative Phelps. House Resolution 1518, offered by Representative Hoffman. House Resolution 1519, offered by Representative Cavaletto. House Resolution 1520, offered by Representative Turner. House Resolution 1521, offered by Representative Ford."

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. On Supplemental Calendar #1, under the Order of Resolutions, we have House Resolution 1494, Representative McSweeney."

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McSweeney: "Mr. Speaker, House Resolution 1494 simply puts the House on record as opposing a lame duck tax increase. My view is that a tax increase in this state would kill jobs..."

Speaker Turner: "Excuse me, Representative. Excuse me one second. Representative Brown."

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

Speaker Turner: "Republicans will caucus. Democrats will stand at ease, 12:00 committees will be delayed. And the House will reconvene at 3:30."

Clerk Bolin: "Attention, Members, the House will be in Session tomorrow on Thursday."

Speaker Lang: "The House will be in order. Supplemental Calendar #1, House Resolution 1494, Mr. McSweeney."

McSweeney: "Mr. Speaker, House Resolution 1494 clearly puts the House on record as opposing a tax increase during the lame duck Session. One of the things that we learned from 2011 is that raising taxes in a lame duck Session is the absolute definition of conspiring against the people in the State of Illinois. Because what it means is that the people of the State of Illinois will pay higher taxes which will kill jobs, which will hurt families in this state. And I think it's time that everyone goes on record on exactly where they stand on an income tax increase. Raising income taxes, again, is the wrong answer for the State of Illinois. But very specifically, what my Resolution does is it puts us on record as saying we do not favor a tax increase during a lame duck Session. This is an initiative I developed with Jack Franks. We worked on this together. We worked on it in the interest of

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transparency. We just had an election. I think over a \$100 million was spent on races. Not one targeted race did I hear anyone talking about an income tax increase. And I have been very consistent in support of an absolute transparent policy of eliminating these lame duck Sessions. In fact, I cosponsored legislation, a House Joint Resolution 30, that would absolutely eliminate the lame duck Sessions. And I've also passed and favored legislation and tried to pass legislation requiring a three-fifths vote during Session. So I think it's time that everybody goes on record on where they stand on the tax increase. I ask for support for House Resolution 1494, which again, puts us on record as opposing an income tax increase during the lame duck Session. And I ask for a recorded vote. Thank you very much."

Speaker Lang: "Mr. Yingling."

Yingling: "Thank you... thank you, Mr. Speaker. To the Resolution. I want to thank the Sponsor for bringing this to the House Floor. As we all know Illinois families cannot continue to feel the choke... or feel choked by the State Government every time there's a revenue shortage. Our state cannot govern from fiscal crisis to fiscal crisis and just rely on raising taxes on hard-working residents. You know, I'm firmly am in opposition to any sort of tax increase that takes advantage of the lame duck Session, and.. but I do remain committed to working with the General Assembly Members, Republicans, Democrats, to enact fair tax policies to help move our state forward and make our government more efficient to taxpayers. Again, Mr. McSweeney, thank you for the Resolution. And I very much look forward to supporting it. Thank you."



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Speaker Lang: "Mr. Costello."

Costello: "Thank you, Mr. Speaker. And to the Resolution. I would also like to thank Mr. McSweeney. As I said in committee this morning, people in the State of Illinois deserve accountability in government, not political games from either side of the aisle. I urge a 'yes' vote."

Speaker Lang: "Mr. Franks."

Franks: "You know this is going to be the last Resolution I get to do with my friend. I know. He's... David, you've been a champion on this stuff for a while. And no matter what you think about tax increases, because I'm sure there's going to be some votes coming, but it should be coming at a time when those that are going to be responsive to the electorate are those should be making the vote. And we've heard this time and time again. I want to thank Mr. Pritchard for putting forward legislation like this, and we'll be hearing my Constitutional Amendment tomorrow on that very issue. We also had Representative Kay who put forward legislation very similar to this. So, Dwight, thank you for your leadership on that. My friend, Jim Durkin, had filed similar legislation to this as well. Leader Radogno in the Senate had talked about this in 2014 and even wrote an op-ed in the *Daily Herald* on this same issue. This is one that we all ought to be supporting, because it's the right thing to do. For those of us that were here a few years ago, in the 96th General Assembly in the waning minutes, back in the shadows, huddled right over here in the corner was a lame duck Governor huddling in the corner with lame duck Legislators, who had... some of them who had campaigned against tax increases, yet

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voted for a tax increase. It passed with the very minimum amount. And many of those people who had voted for that tax increase, though, had campaigned against that tax increase then ended up on the state payroll. It was one of the darkest moments we have had in this state. So, if there's going to be a tax increase, let those folks who are accountable to the voters do it. That's all this Resolution says. And I thank you for bringing it forward. And I encourage an 'aye' vote."

Speaker Lang: "Mr. Martwick."

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

Speaker Lang: "Sponsor yields."

Martwick: "Representative McSweeney, so let me begin before I ask questions by letting you know that I will be supporting this measure, which might come as a surprise to you. I know that sometimes we have different philosophies on this, but you know, I think the words of the people who... who have spoken before they bring up a very good point, and that is the people who should be voting on these things are the Representatives who are going to be responsible to their constituents and I agree 100 percent. Now, I think it's fair to say based on your remarks that you don't like tax increases, right?"

McSweeney: "Absolutely."

Martwick: "Okay. And... and..."

McSweeney: "And one of the things I want to say, Representative Martwick, is I appreciate the dialogue that we've had, because we've had an honest, respectful discussion on this issue. And my view is we should be discussing this on the floor. Now, some people have said we shouldn't have political theater,

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what this is, is putting people on the record where they stand on tax increases, and we have a good discussion. In fact, you and me have had a number of discussions on the floor, privately about taxes. I want to thank you. And you said we might have some differences on issues but no, I don't believe that we need to raise taxes in this state. And let me just say a few things to answer that. Because I think, number one, we need real pension reform. We tried obviously a few years ago, didn't go far enough that was struck down. I think President Cullerton has a very workable proposal that I hope we consider. I think we should re-amortize restructure the pension debt. Representative Greg Harris has some outstanding ideas on the ways to bring more federal revenue into the Medicaid system. So why would anyone, even talk in these secret meetings about raising an income tax when we haven't brought in federal dollars. We haven't done pension reform, but I respect your opinion and that's why I really do like to have this dialogue out in the open. And I appreciate you asking questions."

Martwick: "Well, and I appreciate that too. And to the Resolution. What I would just... the way I would speak to this Resolution and some of the things that you said in continuance of that dialogue is that while you brought up some great possibilities for avoiding a tax increase, I think we all have to be mindful as we go forward and we try and solve the state's problems that there is the possibility that we will not be able to solve this short of raising some revenue. And if we get to that point, what I would say is, now, here's a guy who does not like to tie the hands of government, but I will vote for

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this Resolution. I will support this Resolution to tie the hands of this government so that we are the people responsible to the constituents are the ones making the decisions so that they can hold them accountable for those decisions. But by the same time, when our Governor... and I say our Governor... has admitted that we cannot close our budget deficit without a tax increase, I hope then that instead of the politics that we've been engaging in that we can engage in an honest dialogue. And I hope that even Representatives like you, who despise a tax increase and would hold it as a last resort, I hope that if it is the last resort and the only solution to our problem that you will enter into discussions and consider that as well just as I consider your Resolution today. Thank you."

Speaker Lang: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker. To the Bill. Just have a real quick comment and that is I'm supportive of the Bill. And the reason that I choose to speak on this is because we, as a state, have got to start realizing that we can't just continue to tax the middle and working class people of our state while the millionaires just get richer and richer and richer. They work hard every day. They can barely make ends meet. We need to protect them. So, I will be in strong support of this Bill. Thank you. I urge an 'aye' vote."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. I know that the Sponsor is well intentioned, but I question why suddenly it's the income tax that's all we care about. What if the lame duck Session Members were to decide to increase the property tax? The

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dreaded 'P' word. For some people that's even worse than increasing the dreaded 'I' word, the income tax. But let me just... another really serious concern I have is this, the people who serve in a lame duck Session were properly elected and presumably have been accountable to the people who sent them to Springfield. I don't think that the last month or two months of that term should mean that we deny them the opportunity to continue to represent their people or to make sure that the people in their districts have adequate representation. Should we amend this to say that, in fact, you can't do anything in a lame duck Session? What about a decision to reinstate the death penalty, to criminalize 57 different activities that up until now have been perfectly legitimate in the State of Illinois, a redo of the school curriculum, a reform of the way we fund public education that means increasing many, many taxes, just not this one. So I understand that it's something that sells well back home, it means that we're telling the people, yeah, we're going to protect you against all these terrible abuses. But my view is, first of all, this is not the worst abuse that is possible during a lame duck Session, and that anybody elected to a full two-year term should be able to act fully and competently and accountably during the full period of time of that two-year term. So, I'm... I myself am voting 'no'. I may be the only one in the chamber, but I am."

Speaker Lang: "Mr. McSweeney to close."

McSweeney: "I would appreciate your support. Let's go on record as opposing a lame duck tax increase."

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Speaker Lang: "Those in favor of the Gentleman's Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 87 voting 'yes', 12 voting 'no'. And the Resolution is adopted. Chair recognizes Leader Currie. Leader Currie is recognized."

Currie: "Thank you, Speaker. Please add to the list of excused absences today, Representatives Phelps and Dunkin."

Speaker Lang: "Thank you. On page 3 of the Calendar, under Senate Bills-Second Reading, there is Senate Bill 514. Mr. Walsh. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 514... Senate Bill 514, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Cavaletto."

Speaker Lang: "Representative Cavaletto on the Amendment."

Cavaletto: "Thank you, Mr. Speaker. In 2015, the General Assembly passed House Bill 3159 which... unanimously which covers a Sandoval High School was granted authority to exceed the bond limit. And... but to get to the point, the district is planning on building a new elementary school, but the construction is not yet started. And House Bill 3159, which is now 514, would allow the bonding and referendum to expire in 2017, but since the construction is now started, we're asking for an extension to 2020, an additional 5 years."

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

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

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

Clerk Bolin: "Senate Bill 514, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Walsh."

Walsh: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 514, with Representative Cavaletto's Amendment on, also addresses an issue with my hometown school district of Elwood District 203. And the basically what it'll do is give them the ability to transfer \$81 thousand that they have in a bond and interest account to be able to use... or transfer that into an operation and maintenance fund for ongoing or planned school projects. And I requestfully ask for an 'aye' vote and happy to answer any questions."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "Sponsor yields."

Pritchard: "Representative, in the committee hearing on this Bill, you talked a little bit about the local discussion that's gone on with the options to utilize this \$81 thousand. Would you recount for the Body what those rationale and practices were."

Walsh: "So, first off, this \$81 thousand is due to a bond refinance of a building bond referendum that they did 15, 20 years ago. It's actually been sitting in this fund for about 5 years. The school board has put forth a public hearing date next week at their monthly school board meeting to notify the public that they're going to... if we allow them, to utilize these dollars to do upcoming maintenance in school projects."

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And then it would have to be passed through resolution at the school board to make this transfer valid."

Pritchard: "So, there will be transparency to this whole issue?"

Walsh: "Yes."

Pritchard: "And you indicated that there was another option that the school board could take with this \$81 thousand."

Walsh: "So... well, there's actually two. So, if they don't have... if they can't get the statutory access to this, they can either let it sit in this bond and interest account until they go in and actually issue another bond which would have to be through a voter referendum. Or secondly, they can abate it back to the taxpayers. And they did their homework and they came up with about 20 to 25 dollar rebate to the taxpayers within the school district."

Pritchard: "Thank you for explaining this and your willingness to put these two school issues together."

Walsh: "No problem."

Pritchard: "I would urge the Body to support this Bill."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "With 81 thousand dollar refund or money sitting in a bond account, statutorily what is preventing them from transferring it?"

Walsh: "Because it's in a bond and interest account. It was due to the referendum they passed and this is actually the dollars that were saved from the refinancing that they have not been able to get... they weren't able to use in the building bond."



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Ives: "So, is it... so, currently there is a state statute that prevents them from using this money. Is that correct?"

Walsh: "That's correct."

Ives: "So, the state... I don't know when that happened, but years ago when they passed that requirement, they obviously felt like bond money should be used just for bond payments. Is that correct?"

Walsh: "Well, the building bond that they passed for 15... 15, 20 years ago was for an addition to the school. Since that bond has been retired, which has now been about 5 years, this remaining amount can only be transferred through... there's only, I think, two different funds within the school. They can't use it for educational or operations and maintenance. What they're looking to do is they've got some school projects within the school. They've got some damage to their gym floor that they want to get repaired, and it's going to cost the school about a hundred and twenty thousand. This would actually help them achieve to do these projects that they need to do with inside the school."

Ives: "Now, I..."

Walsh: "And instead of going back to the taxpayers and asking them for more money or levying for it, they've got the dollars there, they're just asking to utilize them."

Ives: "Yeah. Okay. Mr. Speaker, to the Bill. So this is another example where you're going to vote right now whether or not you want to... actually hold to state statute that was put in place to protect taxpayers. And I know it's only 81 thousand. It sounds like a little amount, but the statute was pretty clear. It basically said you had those two options. And they

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did that to protect taxpayers from the misuse of bond money. And you know, so they had some foresight. They knew that if you were going to get some money back from a refinancing action, you could do two things: you could hold it there until you have accumulated more, that you want to bond out for another project or you could abate it back to the taxpayers for whence that money came. So it sounds like a small, minor amount, but what you're going to do here with this vote is set a precedent. For that now... the next time you want to, you know, not comply with state statute that was put in place to protect taxpayers, well, then now, you know, look... we did it for this district, let's do it for the next district. And it's... you know, we've got to stop doing this. We've got to stop actually doing these one offs when we don't like the way state statute was written a long time ago. If you don't like the way the state statute was written then just redo the entire state statute, and get more flexibility, but instead we're doing one offs. I'd vote 'no'."

Speaker Lang: "Mr. Moffitt."

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

Speaker Lang: "Sponsor yields."

Moffitt: "Representative, what you said, the school board really could not anticipated having this money. They didn't know that the opportunity would be there to refinance. Would that be correct?"

Walsh: "At the time, yes. They did not know they were going to have this."

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Moffitt: "Right, at the time. I mean, they asked for what they needed. Unforeseen, they get an opportunity to refinance. This is the result with some money left over."

Walsh: "Exactly."

Moffitt: "Does this provide for a requirement of a public hearing so the people have input on how to use this?"

Walsh: "Yes, this does."

Moffitt: "Could these funds be used to even offset some other taxes... tax levies that would cost the taxpayers, instead they're going to use this?"

Walsh: "Well, that's exactly my point. Is if they're able to transfer this into their O&M account, they don't have to levy to do some of the repairs they need to do, an additional \$81 thousand."

Moffitt: "So, it could save taxpayers money?"

Walsh: "Exactly."

Moffitt: "They have input on the use?"

Walsh: "Yes."

Moffitt: "Sounds like a concept of local control. The people have the input on how to use their funds. I think it's an excellent Bill."

Walsh: "Thank you."

Speaker Lang: "Mr. Walsh to close."

Walsh: "Thank you for the questions. I requestfully ask for an 'aye' vote. Thanks."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Kelly Burke. Monique Davis. Please take

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the record. There are 103 voting 'yes', 7 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, under the Order of Concurrence, there appears House Bill 4645. Mr. Butler on a Motion to Concur. Mr. Butler, please proceed."

Butler: "Thank you, Mr. Speaker. House Bill 4645 is a simple cleanup. Same language as Senate Bill 2924 sponsored by Mr. Bradley, passed by this chamber a couple weeks ago unanimously 116 to 0. Simply ensures there's not a one-day lapse through the reduced property tax assessment and agriculture filter strips. A 10-year extension of this program was approved earlier in this year, signed into law. In this Concurrence, we're just making sure there's not this one-day lapse between December 31 and January 1. I would move to concur with the Senate Amendment. And I ask for your vote."

Speaker Lang: "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? Drury. Mr. Clerk, please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And the House concurs with Senate Amendment #1 to House Bill 4645. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrence, there appears House Bill 3303, Mr. Hoffman. Mr. Hoffman, please proceed."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Amendment #1 to House... Senate Amendment #1 to House Bill 3303. This Amendment basically adopts the Amendatory Veto of the underlying Bill that the Governor amendatorily vetoed. It does adopt that language.

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What this... what this does is it would... it requires... it incorporates the Governor's proposed changes to the IEPA portion of the Bill by then clarifying the definition of protective coding personnel. And this would require the Illinois Environmental Protection Agency to promulgate rules regarding the corrosion prevention projects on community water supplies and would allow the Illinois Department of Transportation to adopt similar rules regarding corrosion prevention projects on eligible bridges. It does other things that... and it passed overwhelmingly through the Illinois General Assembly, and then the Governor amendatorily vetoed it. And we're adopting his language to the Bill."

Speaker Lang: "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 109 voting 'yes', 0 voting 'no'. And the House concurs with Senate Amendment #1 to House Bill 3303. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bills-Second Reading, Senate Bill 1821, Mr. Hoffman. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1821, a Bill for an Act concerning public aid. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Hoffman."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment reflects the discussion that was had yesterday in the Health Care and Human Services

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Appropriations Committee. It's a... addition... an Amendment that is an addition to the underlying Bill. And what it does is it says that if the underlying provisions of this Bill that state payments that were developed under the Bill are not approved by the Federal Centers for Medicare and Medicaid Services then those payments shall be reduced by 50 percent. This is an initiative of Memorial Hospital East, which is located in Shiloh, Illinois, and the Amita Bolingbrook Hospital. And what has happened here is because of a quirk in the hospital assessment tax, these hospitals are being taxed but are not being able to avail themselves of the possibility of receiving benefits under the hospitals assessment program. I ask that the Amendment be adopted."

Speaker Lang: "Mr. Demmer on the Amendment. Do you want to wait for Third Reading, Sir?"

Demmer: "Sure."

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. Please read the Bill."

Clerk Bolin: "Senate Bill 1821, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Hoffman, you've already explained the Bill. Correct, Sir?"

Hoffman: "Yes, I have."

Speaker Lang: "Mr. Demmer is recognized."

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

Speaker Lang: "Sponsor yields."

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Demmer: "Representative, we had a good debate in committee yesterday on this Bill. And I know there was, as we left it, an agreement to continue to talk about these issues and maybe work with the administration to find some common ground. Where was that... what happened between yesterday at 5:00 and right now?"

Hoffman: "Well, the suggestion was made in the committee that a possibility of saying that if indeed this is not approved by the Federal Centers for Medicare and Medicaid, that the payments would be reduced by 50 percent. In other words, there would be no... essentially no risk to the state if this is not improved. So what we're taking away is any possible risk to the state if the feds don't approve these two hospitals being included in the hospital assessment. We discussed it with the department after, but I can't tell you that their necessarily in favor of this."

Demmer: "So, as you mentioned in committee yesterday, we're at a point now on a Senate Bill first time through this chamber where there's some timetables that come into play considering the end of Session in a little over a month here. Did you have conversations with the administration about perhaps working on this Bill in the 100th General Assembly? And if so, why do we choose to file this Amendment here today?"

Hoffman: "Well, this idea came about in committee. There were some concerns by Members of the committee that the state could be at risk for losing some money. This removes any risk to the state. I never... I never said that I was going to wait. These hospitals are being taxed. Memorial Hospital is paying \$1.9 million a year, and they can't avail themselves of the

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hospital assessment program. And the only reason that these two hospitals are not availing... being able to avail themselves of the assessment program is they're essentially new hospitals and they fall outside the limited criteria of the program. They're paying a tax with no ability to get the benefits of the program. And I think it's just a matter of equity and fundamental fairness."

Demmer: "I appreciate that. And as I said, we had a good debate yesterday, and we heard both from the department and from some of the hospitals who are involved here, but, you know, we left that committee with the idea that we were going to try to work together on something. Understanding that as the clock ticks down to the final days of Session here, we've got to have an agreement or nothing will happen. I mean, we've got to have the parties agreed in order for this Bill to become law. So, given that fact, given that reality, would you be willing to take this Bill out and have a conversation to try to figure out whether right now is the appropriate time to do this or whether the 100th General Assembly be a more appropriate time?"

Hoffman: "Well, can I tell you, this is my belief. And they seem like nice people, but I think the department is being totally unreasonable, totally ridiculous. So even though, they are being ridiculous and wanting these two hospitals, simply because they have a different provider number than their original hospitals, and are new, to pay into the assessment program. One point nine million dollars a year in the case of Memorial hospital and not being able to get any benefits, I



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think it's absolutely insane. And so, no, I'm not willing to wait because they are not being reasonable themselves."

Demmer: "Okay. And I appreciate that. I guess what I'm focusing on is not necessarily the underlying components of the Bill. I think there was a lot of discussion in committee yesterday that these hospitals are the exception to the rule. There's only a couple of hospitals who fall under this... this category of being new hospitals with new provider ID numbers. But there are a lot of questions about what's the state's financial impact potentially going to be? How will the Federal Government rule on an Amendment to our state plan? And if the Federal Government were to rule one way or another, what then is the obligation of the state? So given those questions, you know, I really feel like with the limited time we have left in Session here, given the conversations we had yesterday, this discussion would be a lot better to have not, you know, with a Floor Amendment on one of our final days of Session. Especially, you know with the timeline we have left here, we have to have an agreement in order for this Bill to become law."

Hoffman: "Well, here's what we've done. Okay? The department raised a couple of concerns. Number one, they were not sure that the Federal Government would approve... approve this proposal. So we said if the Federal Government does not approve it under the current hospital assessment program then... then basically the state would not be on the hook. And they would simply... the two hospitals will simply get their money that they're paying in a tax back. It's a matter of equity. And Representative... Representative..."

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Demmer: "Yes."

Hoffman: "I understand everybody's got their... a job to do, okay.

I had a job to do under a previous administration, but you've got to admit, we've taken out any risk to the state, we've addressed any... all... basically the concerns of the department. And I think they're being unreasonable withholding support for this. It's not fair to these hospitals, and it's not fair to my community where these hospitals are trying to... this hospital is trying to provide quality care."

Demmer: "And I appreciate that. And I also appreciate the fact that especially during committee yesterday you signaled a willingness to have conversations about this and try to figure out a solution. I think a lot of the things we heard yesterday raised questions about how we should correct this issue for a couple of hospitals going forward. I think another one of my colleagues will talk about... who was in committee, will talk about some of the conversations we had and the votes that we took contingent on continued conversations. So, again, I just remind you of this point that in order to get something done with the time that we have left we've got to have an agreement. And so, to run a Floor Amendment like this right now when it's very unclear, and there's still some questions about what the fiscal impact to the state would be, just seems a little early to me. But I appreciate it. Thank you."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker. To the Bill. I rise in support of this legislation. And I'm very grateful to Representative Hoffman for carrying this today. Over the years that I've

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been in the General Assembly, I've had the opportunity to represent the Adventist Bolingbrook Hospital, which is a part of the Amita system. And this hospital pays millions of dollars annually in the hospital assessment yet is unable to receive reimbursement through the hospital assessment program simply by virtue of the fact that their doors were not open on a set date in time. This legislation is about fairness. This legislation is about equity. This legislation is allowing for the state's two newest hospitals to be treated the same way as every other existing hospital in the state as well as to create a reasonable framework moving forward for any other new hospital. I strongly urge your 'aye' vote. Thank you."

Speaker Lang: "Representative Feigenholtz."

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

Speaker Lang: "Sponsor yields."

Feigenholtz: "So, Representative Hoffman, yesterday in committee the... many Members who have just been speaking on the other side of the aisle asked you for something. And they... they wanted a guarantee that there was no risk in case the Federal Government denied this. Is that correct?"

Hoffman: "Yes. Yes, they did."

Feigenholtz: "Now the Amendment that we just put on the Bill was your Amendment that gave them that. Is that correct?"

Hoffman: "Yes. And... and also, Representative, I believe that the Federal Government will approve an application to have these folks part of the hospital assessment program."

Feigenholtz: "Ladies and Gentlemen... I agree with you, Representative. I just want everyone in this room... I want

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every... I want to be clear that we have been doing hospital assessments in the General Assembly for at least a decade. The Department of Health and Family Services will, in this situation, go to Federal CMS and apply for what's called a state plan amendment. And they have all been accepted. There has never been a rejection. If you take a look at Illinois statute, there is a little hole in it and it doesn't include new hospitals. So these two hospitals are paying into the tax, but they are not benefitting from the assessment. Therefore, we should all support this because this money is the mother's milk of the Medicaid budget. We are in a huge fiscal crisis. We have figured out a way in this state to shore up our Medicaid program. Let's help two hospitals. There is zero risk on this. Representative Demmer, you know, yesterday, many Members of your caucus showed concern about this. And this is something we fixed. And in good faith, I believe that everybody in this room should be supporting, with all due respect, this effort."

Speaker Lang: "Mr. David..."

Feigenholtz: "And I strongly urge 'aye' vote."

Speaker Lang: "Sorry, Representative, to interrupt you. Mr. Davidsmeyer is recognized. Gentleman does not wish to speak. Leader Bellock."

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

Speaker Lang: "Sponsor yields."

Bellock: "Thank you very much, Representative Hoffman. After all the discussion that we had yesterday, and thank you very much..."

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was... was there a problem... did HFS... was their major issue with this that... about the 'hold harmless'?"

Hoffman: "I think that their... they just had a problem with us guaranteeing, I believe... they had a concern about whether or not the Federal Government would... would approve this. And they were concerned... or they raised concerns. But what I've done here is I think I've attempted to address those concerns in that there's no... not going to be any risk to the state. There'll be no risk to the state. And if you go to the Federal Government and they approve it, then these two hospitals who are paying... one's paying 1.9 million a year into the tax and another's paying over \$2 million a year into the hospital assessment program, but can't avail themselves of the privileges of it. So, if they... if the Federal Government approves it, then like every other hospital in the state, they will be able to get benefits under the hospital assessment program at no risk to the state. If the Federal Government doesn't approve it then, again, there is no risk to the state. But I got to believe that the Federal Government will approve it."

Bellock: "I think... but HFS, even after this change, is still opposed to the Bill, correct?"

Hoffman: "They're opposed, but they're unreasonable. It's insane. It's insane to say that a business who is... just because they open a new hospital, cannot avail themselves of the hospital assessment program and have to pay this... tax under the program without being able to get any of the benefits. It's one thing if they weren't getting the benefits, because under the program they were one of the losers. Okay? But that's not the

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case. That's not the case at all. Just these two hospitals, who chose to make substantial improvements to health care in my community by putting a huge investment into a new hospital now has to pay \$1.9 million a year with no ability to avail themselves of the hospital assessment program. All we're saying is, since they can't get any of the benefits if they're not approved by the Federal Government, they basically will get the tax back."

Bellock: "Okay. I guess I was just going back over that conversation as to whether their concerns was... not about... just about these two hospitals, but about there would... would there be other winners or losers that they allowed them to do this. I'm not sure."

Hoffman: "Yeah. Well, I think the question... I didn't ask it, but the question was asked of them yesterday. If this was disapproved by the Federal Government for these two hospitals, would it affect the existing hospital assessment program as it now stands in Illinois? Their answer was no. They didn't believe it would. So there's no risk, no risk here. And it's just a matter of equity and fundamental fairness."

Bellock: "I agree with a lot of your points. I think that the HFS was trying to have more discussion still on it. That's all I can say. But I..."

Hoffman: "It's my understanding... I haven't been..."

Bellock: "Yeah."

Hoffman: "...but the people who represent these hospitals have been talking for a long period of time with them..."

Bellock: "Right. Thank..."

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Hoffman: "...trying to come up with a solution. And they tried to come up with this solution, which to be quite honest with you, I'm not sure... you know, to be quite honest with you I think the original Bill was a better Bill. But because of the concerns about the potential liability of the state..."

Bellock: "Right."

Hoffman: "...we put this Amendment on it."

Bellock: "Right. Thank you very much."

Speaker Lang: "Mr. Davidsmeyer."

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

Speaker Lang: "Sponsor yields."

Davidsmeyer: "So, when... when these hospitals originally set up, instead of going under the current hospital provider number they decided to start a new hospital. Do you know... do they receive any type of benefit from doing that as opposed to just going under the current number?"

Hoffman: "I can only... I can only tell you what they said..."

Davidsmeyer: "Yeah."

Hoffman: "...in committee..."

Davidsmeyer: "Yeah."

Hoffman: "...because I wasn't involved in those decisions. They said that the business decision was made. They didn't really say why, but a business decision was made. So, I assume there was some kind of a business benefit. I don't believe that there's any state benefit by doing that."

Davidsmeyer: "Yeah."

Hoffman: "As a matter of fact, it's apparent now that there's a state liability that they have to pay this in and they can't get anything back."

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Davidsmeyer: "A liability for them not for the state."

Hoffman: Yes. Liability for them, yes."

Davidsmeyer: "Yeah, yeah. So, I... first I want to say, you know, I do appreciate you working on this. I appreciate you bringing it back with this Amendment, because that was what I personally asked for. I know that the Governor has issues with this and I... you know, I've been trying to figure out more specifically what they are. My concern is that if this is vetoed we may not have an opportunity to come back and deal with it next year. There may be issues. Is this something that... that can wait until first thing next year?"

Hoffman: "Well, they're paying the tax now."

Davidsmeyer: "I understand, yeah."

Hoffman: "And they're going to have to keep paying the tax."

Davidsmeyer: "Yeah."

Hoffman: "And they're trying to provide health care in our area. And I just think it's a matter of fundamental fairness."

Davidsmeyer: "Yeah."

Hoffman: "I've not been... the Governor's Office has not talked to me. The only... the only exchange that has occurred is what happened in committee with the... with the department yesterday."

Davidsmeyer: "Yeah, yeah."

Hoffman: "I assume that they're giving the advice, which I think is incorrect advice, to the administration because this is just making sure these two hospitals are treated fairly and equitably and having no risk to the state or to their... the whole hospital assessment program."



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Davidsmeyer: "Yeah. I'm just... and you know, with the opposition that we're currently seeing, I'm just... I guess I'm having a lack of understanding of what the benefit of setting up a separate hospital under a separate number is. There's got to be some business reason why they did that, if they received that on the front end knowing they would not receive this currently. So, I... I'm just... I'm trying to make sure that we're not trying to have our cake and eat it too. If there's a tax benefit or something on the front end by setting up differently than, you know, knowing that you're not going... when they set up, they had to know that they were not going to be included in this program."

Hoffman: "So, I believe that Amita testified.. Amita Bolingbrook testified that theirs was the whole new... a whole new system there. Okay? Or a whole new hospital there, it wasn't an additional one. I think that's what they said."

Davidsmeyer: "Yeah. I remember that. And I was trying to figure..."

Hoffman: "Yeah. So... so... so..."

Davidsmeyer: "...that out because they basically joined two hospitals together and... yeah... So... so is the entire system that way or just this one hospital?"

Hoffman: "It's my... I've just been told by Representative McAsey that the Bolingbrook is a stand-alone hospital that was built after the law went into effect. Memorial Hospital is a stand-alone hospital that was just built and opened in 2016."

Davidsmeyer: "Okay."

Hoffman: "And why they did that, I don't know. But I'm not going to be in the business of going to every business in the State of Illinois and saying how you're going to set up your

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business, how are you going to set up your LLC, how are you going to set up you corporation. I'm just saying there should be a fairness in the taxing policy. And right now, what this Amendment would say, Representative, is... it's their own money. It's their money that they're paying in."

Davidsmeyer: "Yeah."

Hoffman: "And it's their money as part... when they can't even avail themselves of the benefits of the hospital assessment program, we're saying, okay, in order to avoid any risk to the state, we're going to make sure that if and only if the Federal Government doesn't approve these two hospitals being added to the hospital assessment program, that they're just going to basically get the money that they're already paid in and they can't avail themselves of any of the benefits."

Davidsmeyer: "Yeah. And... you know, the only reason I'm asking these questions is 'cause I'm trying to figure out more about the opposition. And there is a benefit to setting up as an LLC or a different type of corporation. So there are reasons why people choose to go one direction as opposed to another. And if you pick one, you shouldn't be able to benefit from the... you know, the tax implications or whatever of another. So, I'm just making sure that we're not... we don't have a double dipper. You know, I mean, you got to at least understand my concern. I hope."

Hoffman: "I understand your concern, but I don't believe that there's any double dipping going on here. As a matter of fact, it's negative dipping because they're paying money in with no opportunity to get anything back."

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Davidsmeyer: "Unless they receive something on the front end, knowing they were going to lose of the back end. So I just... I just want to make sure that they didn't receive something... a benefit on the front end knowing that they wouldn't receive this on the back end. So, you know, I do appreciate you coming back with this Amendment. I appreciate you... working with you. You're a man of your word and I appreciate that. I'm going to have to do a little bit of thinking as we vote on this. Thank you."

Speaker Lang: "Mr. Hoffman to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate why the individual on the other side of the aisle have to make these statements, but it really is clear that these two hospitals are not being treated equitably. They're having to pay money in under an assessment program with no ability to get any benefits. I believe they probably would be very successful in court if they decide to go that route. They decided to go a legislative route. The state has no risk. The Federal Government will approve these, I believe. And I ask for your '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? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 80 voting 'yes', 26 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

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Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on November 30, 2016: recommends be adopted Floor Amendment #3 to Senate Bill 1751 and Floor Amendment #5 to Senate Bill 1941."

Speaker Lang: "Chair recognizes Leader Currie on a Motion."

Leader Currie: "Thank you, Speaker. I move to suspend the posting requirements so that Amendment 4 to Senate Bill 2814 may be heard in the Energy Committee."

Speaker Lang: "Is there leave? Hearing no objection, leave is granted. And the Lady's Motion prevails. Mr. Davis, for what reason do you rise, Sir?"

Davis: "For a point of clarification, Mr. Speaker."

Speaker Lang: "Please proceed."

Davis: "I would just like to... for House Resolution 1494, I wish to have been recorded as a 'no'."

Speaker Lang: "The record will reflect your intention. Senate Bills-Second Reading, Senate Bill 30... under the Order of Postponed Consideration, Senate Bill 2808, Mr. Turner."

Turner: "Thank you, Mr. Speaker and Members of the Body. This Bill was discussed on a previous debate. I think it's important to talk about some of the issues we may have had around the consumer protection piece. The purpose behind classifying a vehicle as salvage is to provide consumers with the knowledge that a vehicle has been previously damaged and subsequently restored making it marketable again. Once a vehicle is listed as salvage, it will continue to be noted as such on title searches even after the restoration. The issue that's occurring is that people are taking cars to Indiana

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and avoiding... selling them there, avoiding the 50 percent threshold here in Illinois, and staying under that 70 in Indiana. And then bringing those cars and reselling them again in Illinois putting... putting us at a competitive disadvantage, but also, making the current 50 percent threshold ineffective against avoiding fraud and other sorts of issues around that, consumer safety. So, this will line us up with the other states in the area. And I think it was just important to note that. I ask for your 'aye' vote."

Speaker Lang: "Mr. Unes."

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

Speaker Lang: "Sponsor yields."

Unes: "Representative, I appreciate you bringing this back. And I appreciate the discussion we had in committee. And just as a reminder, in committee yesterday this did go out on leave and there was no opposition to speak in committee. So, I think there was a little bit of confusion earlier. But isn't it the case, Representative, that all this Bill does, very simply, is eliminates a competitive disadvantage that we have and puts us in line with all our surrounding states to eliminate that?"

Turner: "You're absolutely correct, Representative."

Unes: "Thank you. Mr. Speaker, I urge an 'aye' vote."

Speaker Lang: "Representative Hammond."

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

Speaker Lang: "Sponsor yields."

Hammond: "Representative Turner, I want to, again, echo the comments of my colleague and thank you for bringing this Bill back. I believe that there was not enough attention being

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paid to this. And I think it is an excellent Bill and certainly is helpful to Illinois in their business with competing states. So, thank you very much, Representative."

Turner: "Thank you, Representative."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. To the Bill. I... I want to apologize to the Sponsor before. I misread this Bill when I voted 'no'. This is really a revenue Bill for the State of Illinois because this only deals with salvageable titles for those with fleets. And as a result, if we don't pass this Bill, what's going to happen is what's continuing to happen now is that these cars are going to be sold in Indiana then resold back in Illinois. And we're going to lose all the revenue. So, if we really care about revenue for the State of Illinois, you need to vote 'yes'. And it's a proper Bill. And I apologize for voting 'no' before. I misread it. And I plan on supporting it. And I encourage everyone else to as well."

Speaker Lang: "Mr. Turner to close."

Turner: "I'd ask for your support. Thank you very much."

Speaker Lang: "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? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 78 voting 'yes', 24 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 3368, Mr. Stewart. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 3368, a Bill for an Act concerning the Secretary of State. Third Reading of this Senate Bill."

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Speaker Lang: "Mr. Stewart."

Stewart: "Thank you, Mr. Speaker. Senate Bill 3368, which is an initiative of the Criminal Justice Sentencing Reform Commission, amends the Illinois Identification Card Act and the... Unified Code of Corrections. It provides that the Secretary of State shall issue a standard State of Illinois Identification Card to a committed person upon their release from the Department of Corrections and the Department of Juvenile Justice. I would ask for this august Body's support."

Speaker Lang: "Representative Flowers."

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

Speaker Lang: "Gentleman yields."

Flowers: "Representative, can you tell me how long is this state ID and... is there two... are there two parts to this ID?"

Speaker Lang: "To my knowledge, Representative, there's just one part. I mean, upon release... you know, from the ID... from the Department of Corrections, they... the Department of Corrections will provide them information, and I think they have 90 days in which to apply for this card."

Flowers: "Which to apply for the card? But upon their release will they have the ID?"

Stewart: "Yes. If they... if they have the necessary documentation, they will have the ID card issued, yes."

Flowers: "And if they don't have the necessary documents... What I'm confused about, there's 90 days. Am I correct?"

Stewart: "Yes."

Flowers: "Now, what if the person that's incarcerated, that's about to be released, what if he has all of his information that he would have had while he's incarcerated and then he

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goes to take his ID. Will his ID be 90 days or will it be like a regular state ID as far as the expiration date?"

Stewart: "The intent of the legislation is, is if they have all the necessary documents upon release, that the Secretary of State shall issue the state ID card."

Flowers: "Okay. And then if they don't have it, it's just... that's when they... "

Stewart: "Then they have a period of time to get those documents, yes."

Flowers: "Excellent. Excellent legislation. Excellent legislation. Because, oftentimes, having a state ID makes the difference whether these people could have a job, get into school, get housing. So, this is a fantastic piece of legislation. And thank you very much. And I urge an 'aye' vote."

Speaker Lang: "Representative Mayfield."

Mayfield: "Yes. To the Bill. I'd just like to thank the Sponsor for hijacking my Bill over in the Senate and then resurfacing it into a Republican Bill. But this was actually my Bill. It is a great piece of legislation that will provide jobs to a lot of individuals. And I'm glad to see that the Republicans, even though it's repackaged, appreciate Democratic work. Thank you."

Speaker Lang: "Mr. Sims."

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

Speaker Lang: "Sponsor yields."

Sims: "Representative, am I to understand that the Department of Corrections is committed to insisting the inmates in



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gathering the documents necessary to work with the necessary agencies to facilitate the process to get the IDs out?"

Stewart: "Yes, Leader Sims. My understanding is that in implementing the state ID legislation, which I believe is an element of success for inmates to get permanent IDs upon release, is the ability of those inmates in gathering the necessary underlying identification documents while in custody. And my understanding is, is that the Illinois Department of Corrections is committed to assisting the inmates in gathering those documents and will work with the necessary agencies to help facilitate that process."

Sims: "Thank you, Representative. Mr. Speaker, to the Bill. We've worked on this Bill and talked about this Bill extensively. I want to assure Members of this Body, we've been working on this issue and we've talked about trying to make sure we are implementing the changes necessary to allow for these individuals to be seamlessly reintegrated into the community. I want to thank the Sponsor and also the Sponsor of the... the original Sponsor of the Bill, and also the department for their work and their commitment to continue working on this Bill. I want Members of the Body to understand that this is not the end, but this is the beginning of this work. And we want to continue working on this... on this process. So, I urge an 'aye' vote."

Speaker Lang: "Mr. Davis."

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

Speaker Lang: "Sponsor yields."

Davis: "Representative, to the best of your ability if you can answer this question. So when does this Bill take effect?"

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Stewart: "July 1 is my understanding, Representative."

Davis: "July 1 of?"

Stewart: "Of 2017."

Davis: "Of next year."

Stewart: "Yes, Sir."

Davis: "So, this only applies to individuals who get released starting July 1 moving forward?"

Stewart: "I would expect that would be correct, yes."

Davis: "So, to your knowledge is there anything in here that offers something, some process, anything to anyone that gets released prior to that, say even within the last year prior to that?"

Stewart: "No, I don't believe so."

Davis: "So, what happens to that individual? They just don't get an ID, or I mean, is there some other process in place that allows for an inmate that comes out of DOC to try to get an ID at some... I mean, help me out here. I... I appreciate what you're doing and that's fine. But I'm just trying to understand, what about other individuals. And again, I'm not suggesting that you go back 5... necessarily 10 years, or anything like that, but even within the year prior to the effective date of this. Is there anything that offers any assistance to any other inmate coming out of DOC during that time period?"

Stewart: "I'm not aware of this assists anyone before, Representative. My understanding is that currently the Department of Corrections issues an identification card upon their release. The Secretary of State's Office does not accept that identification to thus issue a state ID card. I think if

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we don't do this legislation, the process stays the way it is, which I don't believe is helpful for those individuals that are being released, getting back into the society. And we want them to get a job and be productive members of our communities."

Davis: "Representative, don't... you don't... the nature of my question is not trying to kill this issue. I'm just simply asking a question. Because it's great that your side of the aisle has come around to the issue and is willing to allow this to move forward. Clearly, it has a Republican Sponsor when we know that previously it probably had a Democratic Sponsor. So that's great that you guys are willing to accept this moving forward. So, I'm not trying to kill the issue. I'm just simply asking a question. If there was somebody before 20... July 2017, if there was something that helps them in their process. That's all. Just... just trying to ask that question."

Stewart: "I don't believe this legislation addresses that."

Davis: "Thank you very much."

Speaker Lang: "Mr. Stewart to close."

Stewart: "I would 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? Feigenholtz. Please take the record. There are 91 voting 'yes', 18 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Mayfield. For what reason do you rise?"

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Mayfield: "Just personal privilege. I'd just like to address that last Bill and the individuals that voted 'no'. Please understand that when individuals are released from DOC, if they are not allowed to get an ID, they cannot get a job. If they don't get a job that means that they are on the public's dollar, welfare programs that everybody in this... that most people on that side vote against. They're against free housing. They're getting all types of subsidies if they can't get a job. You want to make sure that you know what you're voting for before you vote 'no'. We want people to be self-sufficient. We want them to be able to take care of themselves and their families. Don't just be so quick to hit that red button. That was an excellent Bill and it should have had 100 percent support of this chamber. Thank you."

Speaker Lang: "Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet immediately upon adjournment: the Environment Committee will meet in Room 118, the Energy Committee will meet in Room 114, and the Revenue & Finance Committee will meet in Room 115."

Speaker Lang: "Chair recognizes Mr. Brown."

Brown: "Thank you, Mr. Speaker. The Republicans will caucus in the morning at 8:30 a.m. in Room 118. Thank you."

Speaker Lang: "Sorry, boys and girls. Chair recognizes Mr. Breen. For what reason do you rise?"

Breen: "Just to have the record reflect that I intended to vote 'yes' on House Resolution 1494."

Speaker Lang: "The record will reflect your intention. And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Thursday, December 1 at

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the hour of 9:30. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House stands adjourned until Thursday, December 1 at the hour of 9:30 a.m."

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Chapa LaVia, Chairperson from the Committee on Energy reports the following committee action taken on November 30, 2016: recommends be adopted is Floor Amendment #4 to Senate Bill 2814. Representative Verschoore, Chairperson from the Committee on the Environment reports the following committee action taken on November 30, 2016: do pass Short Debate is Senate Bill 2950; do pass as amended Short Debate is Senate Bill 550. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on November 30, 2016: do pass Short Debate is Senate Bill 586. Second Reading of Senate Bills. Senate Bill 550, a Bill for an Act concerning safety. Senate Bill 586, a Bill for an Act concerning State government. Senate Bill 2950, a Bill for an Act concerning safety. Second-Reading of these Senate Bills. First Reading of House Bills. House Bill 6630, offered by Representative Batinick, a Bill for an Act concerning revenue. First Reading of this House Bill. Introduction of Resolutions. House Resolution 1508, offered by Representative Cassidy. House Resolution 1511, offered by Representative Evans. House Resolution 1512, offered by Representative Walsh. These are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."