

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "Members are asked to be at their seats. We shall be led in prayer today by Pastor Shawn Lewis who is the Illinois State Director of Capitol Commissions, serving the political Leaders of Illinois. Pastor Lewis is the guest of Representative Chapa LaVia. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and the Pledge of Allegiance."

Pastor Lewis: "If you would bow with me in prayer. Father in Heaven, in Exodus 15:11 Moses writes, who is like You, oh Lord, among the Gods. Who is like You, a majestic and holiness, awesome and glorious deeds doing wonders. It's good to begin this day where we can pause before Session begins and look to You in prayer. Thank You for our lawmakers and I pray, Lord, You give these men and women wisdom and patience with one another in the weeks ahead. It's been two very long weeks, here in Springfield, and I pray that You would give them rest. Travel also takes its toll on family and absence doesn't always make the heart grow fonder. Pray You... that You would comfort these men and women while they serve. Strengthen their families while they're away. May they exercise meekness and restraint when passion ignites, be gracious with one another, reasonable in their speech. And in their hearts may they seek and honor You. I pray these things in the name of Your Son, Jesus Christ, Amen."

Speaker Turner: "We shall be led in the Pledge of Allegiance today by Representative Meier."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

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

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

Currie: "Thank you, Speaker. Please let the record show that not a single House Democrat is excused today."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect the all Republicans and Constitutional Scholars are here ready to do the work of the people today."

Speaker Turner: "Mr. Clerk, please take the roll. On a count of 117 present, a quorum is established. Representative Bellock, for what reason do you seek recognition?"

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

Speaker Turner: "State your point."

Bellock: "Thank you. I'd like to ask the chamber to welcome today, a group of students I have and Girl Scouts and Brownies, from the Indian Trail School in Downer's Grove, Illinois. Thank you."

Speaker Turner: "Welcome to your la... Capitol, ladies. Representative Senger."

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

Speaker Turner: "Please state your point."

Senger: "I'd like to introduce a large group from Naperville, the Islamic Center from Naperville. We have a group of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

students here that has come to see how our government works."

Speaker Turner: "Welcome to your Capitol. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following action taken on April 18, 2013: recommends be adopted, referred to the floor is Floor Amendments #5 and 6 to House Bill 11, Floor Amendment #2 to House Bill 197, Floor Amendment #1 to House Bill 207, Floor Amendment #3 to House Bill 821, House... Floor Amendment #3 to House Bill 923, Floor Amendment #2 to House Bill 924, Floor Amendment #4 to House Bill 946, Floor Amendment #1 to House Bill 948, Floor Amendment #3 to House Bill 1532, Floor Amendment #3 to House Bill 1584, Floor Amendment #2 to House Bill 1683, Floor Amendment #2 to House Bill 2199, Floor Amendment #3 to House Bill 2330, Floor Amendment #2 to House Bill 2355, Floor Amendment #2 to House Bill 2518, Floor Amendment #2 to House Bill 2606, Floor Amendment #3 to House Bill 2695, Floor Amendment #3 to House Bill 2764, Floor Amendment #2 to House Bill 2783, Floor Amendment #3 to House Bill 2809, Floor Amendment #2 to House Bill 2958, Floor Amendment #1 to House Bill 2962, Floor Amendment #4 to House Bill 3005, Floor Amendment #2 to House Bill 3061, Floor Amendment #3 to House Bill 3229 and Floor Amendment #2 to House Bill 3380. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #1 to House Bill 2199. Representative Franks, Chairperson from the Committee on State Government

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Administration reports the following committee action taken on April 17, 2013: recommends be adopted is Floor Amendment #4 to House Bill 1682. Introduction of Resolutions. House Resolution 257, offered by Representative Chapa LaVia and House Resolution 258, offered by Representative Daniel Burke. These are referred to the Rules Committee."

Speaker Turner: "Members, we're going to begin on the Order of Third Readings. House Bill 981, Representative Monique Davis. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 981, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Turner: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 981 adds one member to the Guarantee Fund Board. Currently, they don't have a consumer individual or an accountant on that board, so the Department of Insurance would like to add one member. And I know of no opposition to this Bill."

Speaker Turner: "Representative Durkin."

Durkin: "Will the Sponsor yield? Representative, in the 15 years that I've been a Member of the Legislature have I ever supported one of your Bills?"

Davis, M.: "You're going to support this Bill?"

Durkin: "The response is no. And I'm going to say that today is a new day that I will actually be supporting one of your Bills. Congratulations, and I urge an 'aye' vote."

Davis, M.: "Well, thank you so much. Thank you, Representative."

Speaker Turner: "On that, Representative Davis to close."

Davis, M.: "I would just ask for an 'aye' vote, Mr. Speaker."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "The question is, 'Shall House Bill 981 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Chapa LaVia, Crespo. Mr. Clerk, please take the record. On a count of 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 981, having received the Constitutional Majority, is hereby declared passed. House Bill 1296, Representative Christian Mitchell. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1296, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Turner: "Representative Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. House Bill 1296 would ask our pension systems to divest from folks who manufacture firearms and ammunition. Now, the genesis of this is that there... it is precedented . It has been done by the California Teachers Retirement System; it's been done by the Chicago Teachers Retirement System as well as systems in New York and the California Employee Retirement System. And the basic concern is that you have a stance of a particular industry that is decided against the will of three-quarters of its own members, to advocate against any sort of common sense legislation as it relates to firearm safety and that many of our state employees, whose dollars are being invested in this way, live in communities that are ravaged by the violence that is the consequence of some of these laws in addition to other factors. So, I urge an

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

'aye' vote and I'm more than willing to take any questions. I would note, I know one is going to be about financial impact, it's relatively small, it's around \$10 million or so. And that any concern about what this might impact on local employers will be relatively low given the interest of private investment, in these times of investments. I thank you for the time and I welcome your questions."

Speaker Turner: "On that, Representative Senger."

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

Speaker Turner: "Sponsor yields."

Senger: "Quick question, I know what's being asked here is for the pension funds to report what holdings for firearm... and manufacturers are in the portfolios. Do you know how much work and how much cost it would... would be incurred by the funds?"

Mitchell, C.: "I'm sorry, I can barely hear you. Repeat your question, Representative."

Senger: "The... how much the cost and the amount of work that is being incurred here..."

Mitchell, C.: "Sure."

Senger: "...by the pension funds."

Mitchell, C.: "So... so for the most part, because the size of the asset portfolio would remain the same, there aren't inherently any fees directly associated with customizing the product slightly. It can happen, but it doesn't necessarily have to happen. And if it did happen, the estimate would be, I think, somewhere in the neighborhood of 150k a year, possibly less. But once again, that is not

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

something that would definitely happen, it's just that it possibly could."

Senger: "Yeah, and again, do you have any idea, especially for some of the IMRF funds, what the... what the size of their funds are and how the impact would be for a smaller portfolio?"

Mitchell, C.: "I'm sorry, the size of?"

Senger: "There's some... What... do you know the smallest size of a IMRF portfolio?"

Mitchell, C.: "So, I know TRS is around \$36 billion. I don't have the exact sizes of the systems vis-à-vis assets. But in terms of overall impact of all the systems, the last quote that I saw would be around \$10 million or so, around 10.45 I believe, is the number I saw."

Senger: "And, to the Bill. This is... you know it's... it's the concept here, everyone understands what the intent it is, what's trying to be done. But again, if we want to get the most we can out of our portfolios we really need the flexibility to invest in what needs to be invested in. So, I would suggest... I would opt for a 'no' vote."

Speaker Turner: "Representative Reboletti."

Reboletti: "Would our Representative Houser yield?"

Speaker Turner: "The Representative yields."

Reboletti: "Representative, I'm trying to figure out why we're divesting from this. And I... is it the position that you don't like guns or that the State of Illinois... why... I mean why guns?"

Mitchell, C.: "Abso... absolutely not. So... so, here's what I'm saying, Representative Reboletti, here's the concern. So,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

we've got a situation where 90 percent of Americans, and I know you've been in politics for a long time, you know if there are many 90/10 issues, where 90 percent of Americans support universal background checks, where 74 percent of NRA members, according to GOP pollsters, also support those kinds of checks. And where an industry that decided, since around 2007 to start more, more carefully aligning itself with the NRA to the tune of \$45-plus million going in that direction, during at which time policies driven much further to the right on these issues, has... has made the stance that effectively anything that could affect their bottom line, regardless of safety, that is something they're going to lobby against. Now, as you know, many of the workers in this system are living in some of the communities most affected by these issues. And so, in the same way that there's profit to be made in Iran and Sudan and South Africa and other places we've divested from, we have to make a decision about whether or not we want public employee pension dollars to be going to places where the industry's made a decision, despite the will of its own members, to lobby against... against its own interest. So that's... that's the genesis of this Bill, Representative."

Reboletti: "Well, I appreciate that and divesting from countries that are terrorists or that perceive or consider us enemies. However, where will... where will this stop then? If... if you're, are we to not invest in carmakers because cars kill people?"

Mitchell, C.: "No."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reboletti: "How much do we want to micromanage the pension systems? Do we really want to take away their control in what they invest in? Are we to tell them what they should invest these... these dollars in?"

Mitchell, C.: "So... so, I thought long and hard about this question, Representative. And... and many folks have brought up the con... question of, well, do we divest from folks who do cigarettes, do we divest from folks who sell alcohol because of the deleterious effects it has? But the reason why I think this is imperative is that it's... it's different. You willfully ingest tobacco, you willfully ingest alcohol, you don't willfully ingest a bullet, if you do you're... you're doing it for other reasons. This is a very different issue that I don't think has any close analogy in terms of the responsibility of our state to think about the health and welfare of its citizens. So, I've thought about that long and hard and that's where I come down on it and I think that's why it has the support of some other folks who agree."

Reboletti: "What was IMRF's objection? Is it that they don't... that's... "

Mitchell, C.: "Their objection... their objection was satisfied by House Amendment 1, which was clarification around the fact that we're talking about assembled component parts of fire... I'm sorry. We're not talking about component parts of firearms but finished firearms, finished ammunition. And then there were a couple of systems that were invested in this ceremonial weapons manufacturer in France, which is also exempted, 'cause folks aren't getting shot on the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

street with \$400 thousand eighteenth century hunting rifles. So, after that it's my understanding that IMRF is fine."

Reboletti: "Well, I appreciate your... your position, Representative, but I disagree. And, to the Bill, Mr. Speaker. I think it's, in this particular situation, since we're talking about firearms and the discussion so far has been how guns kill people and that's all it does. Guns protect people. People go hunting. They use guns for sport. And unfortunately criminals use them in the commission of crimes. I think IRMF should be able to invest our money where ever they think they'll get the best return for the people of the State of Illinois. I don't know what kind of message this actually sends. I just wonder what group or what company will be next when we decide we don't like them. So, I would urge a 'no' vote."

Speaker Turner: "Representative Sacia."

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

Speaker Turner: "Sponsor yields."

Sacia: "Representative Mitchell, I've had the pleasure of getting to know you this past several months, and you and I have shared many an orange slice together..."

Mitchell, C.: "Indeed we have."

Sacia: "...and a I... I have found you to be a true gentleman and I've enjoyed the working relationship. You know, one of the unfortunate things that happens here is we... we develop these bonds of friendship and then we have Bills that are so opposed to our feelings and I've... I've listened to you

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

talk about, you know, you don't willfully ingest a bullet, you willfully ingest tobacco, you willfully ingest liquor..."

Mitchell, C.: "Sure."

Sacia: "...but you don't willfully ingest a bullet. Why are guns evil? That... that's what we're saying in this legislation, Sir, that... that a gun is evil."

Mitchell, C.: "No. I... I would just say and... and as I would agree, Representative Sacia, I've enjoyed getting to know you and certainly the candy on your desk has been a constant draw, to that side of the aisle other than just how great Representative Reboletti looks in his glasses. I would... but I will say, that I... that's not what I'm saying. I'm not talking about the... the guns as being evil. In fact, I have a great deal of respect for... for guns. You know, my grandfather is from White County, Tennessee, I learned to shoot a .22 when I was like seven or eight years old. Probably can still skin a jackrabbit. So I have great appreciation and know that there are folks downstate from whom this is part of their culture or folks even in the suburbs who... who would... who would disagree. But what I'm saying is this, Representative, it is not an issue of the law-abiding gun owner, the folks who are using these weapons for sport or hunting or whatever it is. What it is to say, is that a particular industry, which has recently come into more substantial control of the industry... of the interest group that purports to represent gun owners, has taken a stance that they would prefer to ignore any sort of gun safety at the... for the reason of maintaining the bottom line of an industry that's... that's taken more of an

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

interest in their group recently, in a way that is against the will of their own members, three in four of whom support more common sense legislation and that we have workers who are putting money into this system, who are being affected by this violence. And so, my concern is the stance of the industry, not the industry itself. I think that's an important distinction."

Sacia: "Well, I... I respectfully strongly disagree with you, Sir, and I have little doubt that a Gentleman on your side of the aisle, Representative Smiddy, will probably be speaking to this; and I join his district and a large number of jobs in the State of Illinois deal with the manufacture of firearms. It is a tradition in Illinois as much as Caterpillar is. And I... I just, you know, with a background in education, eight years on a school board and... and now I'm... I'm reading, and I believe your legislation set... refers to all pension codes, not only the City of Chicago's, but it is such an invasive piece of legislation. Representative Reboletti said it well, what about automobiles? He didn't mention airplanes which was the most horrific attack this country's ever seen. He didn't mention box cutters, we didn't mention fertilizer. We had a horrific explosion just last night in Texas involving fertilizer and it's what they use to blow up the... the federal building in Oklahoma City. Ladies and Gentlemen, to the Bill. I appreciate the fact that the Gentleman comes from an area that has a horrific problem with gun violence. I will say what I said on this floor yesterday, guns don't kill people, crazy people kill people. And this kind of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

legislation... If we take away all guns, I can still buy a \$500 car, drive through a parking lot, a playground and kill dozens of kids. And yet, we continue to attack the firearm and the bullet. We have to expand ourselves away from this mentality. Ladies and Gentlemen, this is, again, one of those pieces of legislation, that though well intended, goes down a road that punishes the manufacturer of firearms, a stalworth in the great State of Illinois. I strongly urge you to vote 'no' on this Bill. And should a Constitutional Majority be reached, I ask for verification. Thank you, Mr. Speaker."

Speaker Turner: "Representative Willis."

Willis: "Will the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Willis: "I... I commend you on this Bill. I had one very similar to this and I'm very happy that yours made it out of committee. Have a couple of quick questions for verification on the board."

Mitchell, C.: "Please..."

Willis: "When people go and they invest into their own pension funds, are they allowed to pick where their money gets invested right now?"

Mitchell, C.: "No. It's managed by the system."

Willis: "Pardon?"

Mitchell, C.: "It's managed by the system."

Willis: "So the system decides. So, if I have an aversion to a particular company, I am not given that option to not have my money that I put into the pension system, invested in that company, correct?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Mitchell, C.: "That's correct."

Willis: "Okay. To the Bill. As I said similar... earlier, I had a Bill very similar to this. I commend Representative Mitchell for having this Bill also. I think this gives people that do not want to invest in certain particular industries, like the gun industry, to not have to have their money invested in that. That is something that I think we're looking at. We... we need to be sure that. As a private citizen if you want to invest your own personal money into it, that is your option, but when your state pension money is put into a system that you do not socially or morally approve of, I think we need to take a step back and that is what this Bill does. It gives people the option. What you want with your own private money, in your private home, is to it. I urge my colleagues to vote 'yes' on this Bill. Thank you."

Speaker Turner: "Representative Smiddy."

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

Speaker Turner: "Sponsor will yield."

Smiddy: "Thanks for Mr. Sacia, he knew I was going to talk on this. So, thank you, very much, Sir. As... as we can all..."

Mitchell, C.: "Divine intervention."

Smiddy: "As everyone knows, I have several manufacturers in my district regarding these... these gun manufacturers and I don't believe it's the business of the state to be telling us how we need to invest, especially when I see here, IMRF is still on my list as being opponents to this Bill. I mean, this is the people that we're trying to make sure

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

that our pension payments are solvent and I have a... I have a hard time trying to restrict. I know \$10 million to you might not be a whole lot of money, but we have shown over the years that we cannot really manage money very well. And I think our pension systems have been doing a good job in investing our funds. So, to the Bill. I think it's the wrong message to send to our businesses who are already under... under the gun here in Illinois. And I think we need to stay out of the investment part of what they're doing and make sure that... just let them do their jobs and let us do our jobs here, and maybe we can work something out. But I would urge a 'no' vote on this because we need to stay out of the investment business. Thank you."

Speaker Turner: "Representative Sandack."

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

Speaker Turner: "Sponsor will yield."

Sandack: "Representative, we had a chance to talk and I've been thinking through some of these concepts. Right now, without your legislation, could I am out... I'm sorry, could I... can't hear?"

Mitchell, C.: "Can't hear you well."

Speaker Turner: "Excuse me. Members can we keep the noise down in the chamber; it's becoming very hard to hear."

Mitchell, C.: "Thank you, Representative."

Sandack: "Who does the investing right now, on behalf of the employees?"

Mitchell, C.: "The pension systems themselves hire... hire staff and they do it that way, fund managers, et cetera."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Sandack: "Right now, as we spe... as we're here, could those trustees make a decision to divest from a certain industry or certain company?"

Mitchell, C.: "I believe they could, the Chicago Teachers Retirement Systems already done so as have several in California and New York. They could"

Sandack: "So that power exists right now. It's permissive and it's in the hands of trustees who have a fiduciary duty to do the best they can for the beneficiaries. Isn't that right?"

Mitchell, C.: "That is true."

Sandack: "Okay. So yours is a basically taking some of that permissiveness away and directing them to say, you cannot invest in a certain industry."

Mitchell, C.: "What I'm... so, the technical answer to your question is yes."

Sandack: "Okay."

Mitchell, C.: "What... what I'm saying, Representative Sandack, is that I think this is something we should take... I think this is something that we should take leadership on. I think we have a vested interest in the health and wellness of the folks in our state. And just to respond to some of the concerns that have been raised on this issue, I agree that crazy people kill people. I agree that... that gang members and other folks who shouldn't have guns kill people, but at the same time when there are reforms that can be enacted that would help cut down on that and mitigate that while also noting that there're economic issues and family issues and all those things involved,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

that we have a vested interest in protecting the health and wellness of our... of our people in the State of Illinois. That we have the interest of protecting six-month, year-old girls and innocent girls from high school and that we can make a statement on this issue in a... in a way that makes a lot of sense and in a way that fulfills our duties to the State of Illinois to protect the health and wellness of our citizens. And that's... that's why I think this is so important that we take leadership and that we do it on a statewide level."

Sandack: "Thank you for that expansive response to a question that was pretty narrowly put to you."

Mitchell, C.: "Understood."

Sandack: "So, I'm going to throw one more at you and I... if you could stay focused the question, I would be..."

Mitchell, C.: "Yes, Sir."

Sandack: "...thrilled. Right now, as we sit here, the trustees who are duty-bound to invest and try and procure a return for the pensions of these beneficiaries, they're held to a fiduciary duty standard, isn't that correct?"

Mitchell, C.: "This is true."

Sandack: "Their job is to try and make good, actually the best investment decisions they can. Isn't that true?"

Mitchell, C.: "This is true. I would like to add one thing, which is just that they also, in many cases, have adopted social responsibility policies."

Sandack: "I was just going to go there. Is there a so... right... right now, is there guideline that these funds use as we speak right now?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Mitchell, C.: "I don't think it's universal across systems. It does exist for TRS, to my knowledge.

Sandack: "Okay, but they..."

Mitchell C.: "I'm not sure it's universal across systems."

Sandack: "They took that on. It wasn't brought by the Legislature, correct?"

Mitchell, C.: "Indeed."

Sandack: "Okay. Thank you, Sir. To the Bill, Mr. Speaker. I have, I share Representative Sacia's high regard for Representative Mitchell, and I have no doubt that this is the best intentions. I think what this is, is a mistake though. We're now directing the fiduciary duty and the responsibilities of the trustees by way of legislative fiat. I think it's a bad policy. I think if he wants to have this goal accomplished he ought to go right... and he ought to use the beneficiaries of the plans to go right to the trustees and... and ask them to make a decision based on their best interest. But to do it by way... way of legislative fiat is a mistake. So, I would respectfully request a 'no' vote. Thank you, Mr. Speaker."

Speaker Turner: "Representative Hays."

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

Speaker Turner: "The Sponsor yields."

Hays: "Representative, in your view, is there a single state employee who would term the State of Illinois an appropriate fiduciary agent with their money?"

Mitchell, C.: "I'm sorry. A single who would deem fiduciary..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hays: "Is there an employee in this state, under any system that would deem the State of Illinois as an appropriate fiduciary agent with their pension fund?"

Mitchell, C.: "I'm sure there's at least one."

Hays: "If you could find them, please let me know who that is. Would you describe the State of Illinois as a faith-based organization?"

Mitchell, C.: "I... I would not describe the State of Illinois as a faith-based organization."

Hays: "The reason I ask that question, I work for a faith-based organization and was in charge of working with the folks who invested the portfolio for a foundation of a charitable hospital and because they were a faith-based organization there were certain things that they ask the investment manager to stay away from: tobacco, alcohol, contraceptives, et cetera. But in this case, I don't think the State of Illinois rises to that same standard as a faith-based organization as it relates to the investments. Does your legislation spell out what happens when a firearm manufacturer is part of a mutual fund?"

Mitchell, C.: "It speaks to indirect investments. Like every other system, they'd receive a letter and they'd have 90 days to withdraw those investments or we would withdraw our dollars with them."

Hays: "Could you describe what the process would be for scrubbing those mutual funds to find out if the gun manufacturers actually are in there and have an appreciable percentage of the portfolio?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Mitchell, C.: "My imagination, Representative, it's to be the same process as the evaluation of any other investment."

Hays: "I can tell you from personal experience it's extraordinarily difficult to even scrub those mutual funds down to that level. It's absurdly expensive to do that. And then you run into another little nugget of information as problematic. Many... many companies are part of much larger organizations. So, Phillip Morris is not going to be allowed to be in your investment portfolio, what happens when Phillip Morris owns all kinds of other companies? Does it count? Does it not count?"

Mitchell, C.: "No. So... so, the language is fairly clear on this point, and keep in mind, Representative Hays, that I worked extensively with all of the systems on this. There is not a concern this is going to be ridiculously burdensome or ridiculously costly. I answered Representative Senger's question before, vis-à-vis costs and it's extremely low. I... I would just also note that we don't really invest in mutual funds as a state, it's not really something that we do. We do indirect investments through groups like the S&P 500, and I'm forgetting the name of one, it starts with an R, and so those are the folks that we have to look at. They'd have to customize their product. But it's only going to change it by a couple of basis points either way, if it changes at all. So, I hear what you're saying. But I think it's a bit of an unfair characterization because of the way our state invests its money."

Hays: "Well, I can tell you, with all due respect, as it relates to mutual funds, that is a very difficult exercise

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

and it in fact, is not inexpensive. It's kind of an interesting dynamic."

Mitchell, C.: "I know."

Hays: "Representative Durkin has done a lot of work on the College Illinois Program, where the folks in charge of those investments were doing wildly erratic things as it relates to asset allocation and non-traditional investments and investment ratios that would be far outside of what anybody would do with a perpetual horizon, in terms of what the investment is for. Yet, your Bill doesn't address any of those things. It could have a very, very dramatic and negative affect on the pensioner, his- or herself, it only focuses on this narrow area. Would you agree that the items that I just talked about, if the state is going to choose to usurp power from the pension trustees, would be a much better area to start than this narrow content?"

Mitchell, C.: "So, I... I appreciate your... your opinion on that, Representative Hays, I don't... that's not the purpose of the Bill. The Bill is narrowly focused, the language has been tightly crafted, so I understand your concerns and they would apply more to individual plans. But in... in the context of what we're talking about with these retirement systems, I think some of your concerns are probably not germane to what we're doing here."

Hays: "Well, what about other areas that other folks find troublesome. The mayor of New York believes that your soft drinks should be regulated. So, should we add PepsiCo to this list? How about Kentucky Fried Chicken? Krispy Kreme Doughnuts have not had a positive effect on my physique, I

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

can assure you. Maybe we ought to tack them on. How about a five-hour energy drink? How about the people who make suntan beds? We just regulated that two weeks ago. Can we add all of these things in so that we can all sleep well at night, that anything that anybody would find objectionable is scrubbed out of the investment portfolio?"

Mitchell, C.: "So, I hear what you're saying, Representative Hays, and you know I have a great deal of respect for you, but I'm concerned about the false equivalency that's come up several times in this debate. There... there is not a meaningful comparison as it relates to gun violence, not alcohol, not tobacco, not Krispy Kremes. It's not the same; it isn't and the stance of that industry isn't the same. You don't have folks who are lobbying against the interest of their own members and the people of this state in a meaningful way that could otherwise protect citizens. And this is very personal for me because of the things that have happened in my district, because of the six-month, year old girl shot dead in my district, because of Hadiya Pendleton. My issue is not firearms and ammunition writ large, that's not my concern. I don't hate the companies in Representative Smiddy's district; I don't hate anybody who's manufacturing guns and ammunition, but when you make a decision that you're going to throw in with a group in such a way that you're going to lobby against the interest of the group, the... your own members and the people of the State of Illinois, then I have a problem. Then I think multiple people have a problem which is why I'm not the only person supporting this Bill. It's why the city and the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

county and others who supporting this Bill. So, I'm not interested in looking at Krispy Kreme, or KFC or any of these folks. It's a false equivalency; it's not... it's not the precedent we're setting here. This is a very specific problem with a very specific solution."

Hays: "And I understand that and I and I have, as you know, terrific respect for you."

Mitchell, C.: "I know that."

Hays: "I know you're passionate about this issue. I know this is an issue that is a tier one issue for the citizens that you represent. I just respectfully disagree with this approach. Thank you so much."

Mitchell, C.: "And I understand that, Representative. Thank you."

Speaker Turner: "Members we're going to go to the debate timer, given the amount of people who wish to speak on this subject and the sheer amount of work that we have to get through today. So, we'll start with a three... three minute debate beginning with Representative David Harris. Thank you for your patience."

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

Speaker Turner: "Sponsor yields."

Harris, D.: "Thank you, very much. Representative let's start off by saying we both have respect for each so we can leave that out of the debate. But... but are guns legal?"

Mitchell, C.: "Yes."

Harris, D.: "It's a legal product sold in the United States right?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Mitchell, C.: "It's a legal product; yes it is."

Harris, D.: "Okay. And you mentioned at the beginning that the gun manufacturers have taken a position that they are opposed to all of the legislation related to guns that have come up. Do we know that for a fact? Do gun manufacturers care about... about a background check?"

Mitchell, C.: "Absolute... So..."

Harris, D.: "I don't think they do. I think the NRA cares..."

Mitchell, C.: "They do."

Harris, D.: "...but I don't think gun manufacturers care one way or the other about background checks."

Mitchell, C.: "So... so, I don't... I can't speak to that. What I can speak to, Representative, is that some of the folks we're invested with, for example, Sturm Rugers, Smith & Wesson, have been substantial givers to this Ring of Freedom initiative the NRA invested... initiated in 2007."

Harris, D.: "Sure."

Mitchell, C.: "It's raised so much capital for them. And the decision they've made, as we just saw on the national level yesterday, is that anything that's going to harm their bottom line, they're going to be against. And I think, Representative, it is a... it's disrespectful to the gun manufacturers who want to be good citizens and to law-abiding gun owners who care more about being able to have their guns than the right of somebody crazy to get one."

Harris, D.: "And I don't fault... I don't fault companies for supporting their association that articulates their interest. As an example, I don't fault hospitals for contributing to the hospital association. I don't fault

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

manufacturers for contributing to manufacturing associations because they represent their interest. But that's not to say that every gun manufacturer is opposed to what's being talked about. Let's talk about the investments for one second."

Mitchell, C.: "Sure."

Harris, D: "The investments are made by individual management organizations, are they not... or individual management advisors, are they not?"

Mitchell, C.: "Yes, Sir, for the most part."

Harris, D: "And there are numerous management... agencies that are employed or... or contracted with by the Illinois State Board of Investment. Correct?"

Mitchell, C.: "I believe so, yes, Sir."

Harris, D.: "Well, there are. So, they've got to go through, and I can tell you that as an example, we just had a meeting the General Assembly Retirement System Board yesterday and we reviewed the... the returns that our managers, and there are roughly seven of them, if memory serves me correctly, seven of them that handle the funds for the Illinois General Assembly Retirement System. And that's much broader for TRS which is much larger and... and the like. So, there really is a huge administrative burden here that... that we are imposing. Let me ask the question, do you think... who's this going to hurt? Who's this legislation... are you trying to hurt the gun companies?"

Mitchell, C.: "No. I think what I'm trying to do is... is, and when I say I, I mean the supporters of this Bill, is... is making a statement. You have a right to be a member of your

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

industry organization, but when you're taking stances that are, one: against the interest of the members that this organization purports to support and against the health and welfare of the citizens of the State of Illinois.."

Harris, D.: "Okay."

Mitchell, C.: "...I don't think we need to be investing retiree dollars with it."

Harris, D.: "Okay."

Mitchell, C.: "That's... that's the statement."

Harris, D.: "Okay. Let me... go one step further down the line here where it says..."

Speaker Turner: "Representative Harris, your time has expired."

Harris, D.: "Can I have one more minute?"

Speaker Turner: "Yes Sir, one more minute."

Harris, D.: "Just to make... I'll... I'll address the Bill. Ladies and Gentlemen, this legislation requires each pension fund and retirement system established under the code. If that applies to the local police and fire systems that are handled at the local municipal level, this is a huge, huge issue. If we're talking more than just the... the state pension systems. So, look at this very closely. I don't think it deserves a 'yes' vote. And I can strongly recommend a 'no' vote on this legislation."

Speaker Turner: "Thank you, Representative. Representative Reis."

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

Speaker Turner: "Sponsor yields."

Reis: "Representative, there's many issues that are important to a lot of Members here on the floor. Try to keep your

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

answers short. Would your legislation affect maybe Starbucks or J.C. Penney or Target?"

Mitchell, C.: "Nope. It's targeted, narrowly, there was concern initially about Walmart and so we..."

Reis: "Well, I..."

Mitchell, C.: "...curtailed their language."

Reis: "...I'm very concerned that they use profits and money to affect the gay marriage agenda. Why don't we include that to your Bill because I find that to be morally wrong and why don't we divest the state's investments in those companies as well?"

Mitchell, C.: "I... I mean, if you introduce the Bill, I'm sure the General Assembly would consider it, but that's not what we're talking about here. I'm not sure it's going to..."

Reis: "But it is."

Mitchell, C.: "No, I... I disa..."

Reis: "Do you think that anybody that finds something objective... that's objective to them and... and wrong that we should divest all of those investments, regardless of their performance?"

Mitchell, C.: "So, once again, I... I hear what you're saying, but I disagree because, once again, you're talking about something that is a personal religious choice or something that is of willful ingestion versus something that is highly involuntary and where 75 percent of the people purported to be represented, think that, you know, the commonsense reforms are a good idea."

Reis: "Okay."

Mitchell, C.: "So, I hear what you're saying, but I disagree."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reis: "And I know you keep bringing up that loss of life, so should we divest all of our investments in knives?"

Mitchell, C.: "I... I mean, you can keep reeling these off Representative, but it's not..."

Reis: "What about ball bats..."

Mitchell, C.: "...what we're talking about here."

Reis: "...pillow cases, swimming pools, everything that costs... causes a loss of life?"

Mitchell, C.: "So, I think most of the things you just listed were... were accidental death which I think is..."

Reis: "No. Every one, except for swimming pools, all those are used in murders in the City of Chicago."

Mitchell, C.: "I'm sorry, repeat the last one."

Reis: "Everything but swimming pool is used as murders in the City of Chicago, knives, baseball bats, pillow cases."

Mitchell, C.: "So, so..."

Reis: "So should we divest of any company that has an interest in manufacturing them..."

Mitchell, C.: "So..."

Reis: "...them?"

Mitchell, C.: " So, are you suggesting that... that the pool industry, for example, might be lobbying against having drowning as a murderable offen... as a..."

Reis: "I said remove pools."

Mitchell, C.: "...could be considered murder?"

Reis: "I said remove pools."

Mitchell, C.: "Excuse me?"

Reis: "I said remove the pool example."

Mitchell, C.: "Okay. So..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reis: "So, knives, pillowcases..."

Mitchell, C.: "...are pillow case manufacturers advocating that pillows not be considered a murder weapon?"

Reis: "Our point is, Representative, this is... this is ridiculous and I know that the Majority Leader said we're only going to discuss substantive Bills this year. I don't know how this became substantive, but you know, there are things that are morally... people are morally or passionately against all over. And the pathetic return and situation that our pension systems are in should cause us to go after any and all companies that are going to get the best return. I find it objectionable that we put... we fund Planned Parenthood here, but that's... we do it. We all have issues that we don't a hundred percent agree with, but it's part of our government. We should be investing in the companies that are going to return the best investment to help our pension systems regardless of what we might think about them personally."

Speaker Turner: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker. To the Bill. I served on pension boards for 16 years and we have a... had a fiduciary responsibility to all the active and retired members of these pension systems to follow our fiduciary responsibilities in this order. Investments had to be safe; in other words, they had to be a non-risky, non-junk bond type of... investment. They had to be liquid; in other words, you had to be able to sell those in a very reasonable amount of time in a quick way. And you had to have a good rate of return. In that order: safe, liquid and rate of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

return. If we do not follow those... responsibilities as a pension board, we are liable to be sued by the members, both active and retired, to those pension systems for not following our fiduciary responsibility. I think legislation like this opens up potential for tremendous amount of lawsuits to be filed on each individual member of the... of these pension boards because in my opinion, according to law, they will not be following their fiduciary responsibility in this legal investment that meets all the criteria as a fiduciary. So, I would strongly urge people to think about that and to vote 'no' on this legislation. Thank you, Mr. Speaker."

Speaker Turner: "Representative Reboletti."

Reboletti: "Mr. Speaker, my name was used in debate and I want to go back, to the Bill. One of the previous speakers said that if you don't like this you could put your own money... invest your own personal money into it. I would suggest that anybody who participates in the pension system is already putting their own personal money into it. So, now we're going to tell them where it should be invested. And now, as we're busy banning trans fats and cell phones, we'll... we won't... we'll divest from anybody who makes cell phones. We'll divest from McDonald's and all the fast food chains. You name it, we'll divest from them. What we should have in our paycheck... we can have an entire list of everybody that we invest in and then all of us individually, every state worker, should check off exactly where their participation level is and what they would like it to go to. Talk about micromanaging. Maybe we can tell

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

the City of Chicago that they could sell Midway Airport and put that in the Chicago Teacher's Pension Fund, which is at a four-year holiday, is a billion dollars in the hole, and they're going to be a proponent of this so they're going to tell us what they think is good to invest when they're flat broke. I don't think we need the City of Chicago telling us, the rest of the state, how to do business. If we're making a good return, then that's what we're supposed to be doing not listening to the nation state of Chicago."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Turner: "State your inquiry, Sir."

Bost: "How many votes does this take to pass? My... my question is because I believe since we have the local funds involved, this would involve Home Rule? And if you could get back to me on that, and I do have some questions of the Sponsor."

Speaker Turner: "We'll get back to you on that, Sir."

Bost: "D... Representative and... and a tremendous amount of respect to you, is... do you see this... you are going after the local pension funds as well, correct?"

Mitchell, C.: "That's correct."

Bost: "Okay. So, I see this as a problem in that way. But Representative, I... I really and it's no longer a question so... so, Mr. Speaker, if I can, just to the Bill. Ladies and Gentlemen, this is a very, very, very poor precedent. Each one of us may have things that we don't agree with and I respect the Gentleman's position and the problems that he has in his district and I understand his concern to... to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

raise this in this way. But when we are talking about the investments that we have at the local level as far as those pension systems and definitely at the state, we have to make sure that we are able to gain the most possible dollars that we can from those investments. And quite often when we... when we make sweeping statements like this, there might be a, for instance, when we talk about a... the cigarette manufacturers, you know they also own Kraft Food; it's all the same. So, where do you make the line? Where do draw the line? I personally am... am pro-life but yet I'm sure there's a pharmaceutical company that we invest in that produces the morning after pill. We can't go down this path. We must allow those people that work these pension boards to truly make the best possible investments that they can to generate the revenues necessary to climb our pension systems to the highest possible point, at any given time. Loo... I just hope everybody's paying attention to the debate. I would encourage a 'no' vote."

Speaker Turner: "Representative DeLuca."

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

Speaker Turner: "Sponsor yields."

DeLuca: "Representative Mitchell, I'm listening to the debate. There's been a lot of accolades for you today, I might add."

Mitchell, C.: "Thank you, Sir."

DeLuca: "My question is, do you be... do you envision this as another tool in the toolbox for law enforcement?"

Mitchell, C.: "I'm not sure I understand the question, Representative."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

DeLuca: "Well, I see that a proponent is the gun violence prevention pack."

Mitchell, C.: "Okay."

DeLuca: "On my analysis it's listed as one of the supporters of this. I'm just curious..."

Mitchell, C.: "Yeah."

DeLuca: "...is this going to improve public safety?"

Mitchell, C.: "I... I believe it... it will... it is a statement that will help position ourselves to make more public safety improvements. If there are things we can do to keep guns out of the hands of straw purchasers and folks who have mental illness and other things that we could pass if we set the precedent of letting this industry know that they can do whatever we want but we're not going to be investing our dollars with them if they choose to lobby against the interest of their own members and... and the people in the state."

DeLuca: "I'm just sa... that's where it seems to be a little difficult to tie the two together. I'm trying to figure out how this can benefit law enforcement. How this legislation can make the streets of the City of Chicago Heights..."

Mitchell, C.: "Sure."

DeLuca: "...the Village of Park Forest..."

Mitchell, C.: "...Sure..."

DeLuca: "...the Village of Olympia, University Park..."

Mitchell, C.: "Sure. So..."

DeLuca: "...how it can make those streets safer, I'm not seeing the connection."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Mitchell, C.: "Sure. So, I think a couple of things, I think it's been noted by multiple people, not just Democrats, Republicans, people nationwide, that if we had a better system for background checks, if we did more to crack down on straw purchases, if we did more in terms of making sure that we have the ability to... to get... to find out where guns originated, that we would have the ability to find out where these weapons were coming from and stop them from getting into the hands of... of bad folks. And the reason why this is important is, those are pieces of legislation that we could be passing, but the debate, in my opinion, has been poisoned by this group both nationally and locally in such a way that we can't have that conversation because it becomes politically untenable. And so, doing this will not have an immediate effect, Representative DeLuca..."

DeLuca: "I only have a minute..."

Mitchell, C.: "...but will set the stage."

DeLuca: "...so let me ask..."

Mitchell, C.: "I'm sorry."

DeLuca: "...one more question..."

Mitchell, C.: "Yes, Sir."

DeLuca: "...'cause I read the Bill and I'm not seeing in the text where it talks about background checks. Can you point that out to me, where in a legislation..."

Mitchell, C.: "So, it..."

DeLuca: "...it deals with background check?"

Mitchell, C.: "...it doesn't speak specifically about that, Representative, which is why this is more about setting the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

climate, setting the stage, making a statement, creating that environment, where it can happen."

DeLuca: "Is there anything else you can add that would make it clearer as to how this legislation will make the streets safer in the district I represent?"

Mitchell, C.: "So, if we're fortunate enough to.. to pass this Bill out of the House, if it would be helpful to add a preamble outlining kind of the background of this, where it comes from, and what it would set up. I'd be more than willing to do that. I'd love to work with you on it; I know you have a great deal of expertise in that area."

DeLuca: "Thank you, very much for your answers."

Mitchell, C.: "Thank you, Representative."

Speaker Turner: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I'd like to yield my time to Representative Senger."

Speaker Turner: "Representative Senger."

Senger: "Thank you, Mr. Speaker. To the Bill. I just want to make clear that everyone understands what this Bill is doing. Number one, the General Assembly, our system is affected by this. And what this system has to do is write a letter to the gun manufacturers within 90 days of receiving the list, the manufacturers have to either quit making guns or we will take the manufacturer out of our General Assembly portfolio. Now, even though the Sponsor said it's a small amount of cost, you want to know where that's being paid out of? It's being paid out of the portfolio. So, there is a cost here. What we are doing our Assembly... General Assembly pension is only funded 17 percent. You, in

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

this room now, are going to take those dollars that should be invested out to write a letter to a gun manufacturer to say quit making your product or we will not invest in your company. This is poor policy. It's a poor investment decision and it's just the wrong thing to do, especially in the environment we have today with our pension problem. I urge a 'no' vote."

Speaker Turner: "Representative Costello."

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

Speaker Turner: "Sponsor yields."

Costello: "Representative could you tell me where our sheriff's departments, our police departments and the State Police currently by their guns?"

Mitchell, C.: "No, Sir, I can't. I'd assume it's probably from folks who sell them, but I'm not sure who exactly."

Costello: "Possibly the 65 manufacturers in the State of Illinois..."

Mitchell, C.: "I... I would imagine."

Costello: "...who employ 8500 people in our state."

Mitchell, C.: "Absolutely. Can I... just to address that. I know there's been concern about how this would affect kind of those private manufacturers. And my belief is, given the return on investment, and I understand why given our crisis some people find that appealing, that private sector would easily fill that hole. Now, what I'm saying is the damage caused by some of these weapons and the stance of the industry that refuses to deal with safety on them, is more costly than any return on investments. So, I hear what

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

you're saying, but I think the private sector would fill that gap pretty quickly."

Costello: "So, you're saying we can buy guns from these manufacturers, we just can't invest in the manufacturers?"

Mitchell, C.: "I'm saying that licensed law enforcement officers, yes, can purchase weapons from those manufacturers and that there is a significant and real and valuable use for them. But that what we're talking about is the stance of a particular industry, not so much an individual."

Costello: "Thank you. To the Bill, Mr. Speaker. What we're talking about in investment terms is known as a type of socially responsible investing. To Mr. Hays's point, it normally includes alcohol, tobacco and firearms, but my question is, where does it stop? I think it's a bad precedent to set. So, if the Democrats are in control of the government, do we only invest in union companies? If Republicans are in control do we only invest in nonunion companies? I know that's a large step to take, but where does this stop? I think this is bad public policy. I think we should let investment professionals that we hire make these decisions. And lastly, I want everyone to hear, because we've talked about tobacco and alcohol. So last year, in the United States there were roughly 600 thousand people that died of cancer. Last year, there were roughly 100 thousand people that died in alcohol-related deaths. Last year, there were just over 30 thousand people that died of gun violence. So, 20 times more died of a cancer-related death, and we're talking about guns and not tobacco

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

or alcohol. I think this is a very bad... bad vote. I urge you to vote 'no'."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "He indicates that he will."

Zalewski: "My seatmate is getting some body blows here; I have some follow-up questions for him. Representative, is your precedent... we talked a little bit about what we're doing here and I... I want to know if there's precedent for directing these systems to... to make their investment choices?"

Mitchell, C.: "Thank you, Representative. There is, we did this with Iran, we did it with the Sudan, we did it with South Africa and despite the fact that there were profits to be made, in all of these places, we made a decision that it wasn't in the best interest of the health and safety of our... our citizens to continue to investing. So there is precedent in doing this here in the State of Illinois."

Zalewski: "So this isn't an outlier. This isn't something that we just said out of a... on a whim, we're going to start advising these systems to make their investment choices. This... it's happened before."

Mitchell, C.: "This has happened before and in fact, there are even private systems like Cerberus Capital Management that are choosing to divest from these weapons because the stance the industry's taken in terms of the safety of citizens."

Zalewski: "So to... to the Bill, Mr. Speaker. I've... in this debate, specifically, I've heard a couple of times that the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

reference to Chicago and what the difference is between Chicago and the rest of the state. And... and it's disheartening today and it was disheartening last evening the tone of the Body when it comes to this particular issue and how divisive it's becoming. I... I don't live in the City of Chicago. And I don't necessarily want to speak for the City of Chicago, but we seem to be in this habit of saying, Chicago's got problems and downstate's got problems and we should just wipe our hands of the issue and... and let them two separate it out. And I would just say to the Body, I think there are instances of people that are victims of... of situations of violence in downstate. And I think there are law-abiding citizens in Chicago that wish to exercise their Second Amendment right. So, you can cast your judgment on the Gentleman's Bill, a lot of us will do that in about a minute here but... but when it comes to the comparisons of the regional differences on this particular issue, I would just cal... I would just respectfully urge the Body to just focus on... on what's important for the State of Illinois and... and start and... and if we can just not continue to make comparisons versus what's good for one part of the state versus the other part of the state. We're... we're responsible for the judgment of policy for the State of Illinois, not regions and we're starting to lose sight of that a little bit. So, thank you, Mr. Speaker."

Speaker Turner: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen of the House, we have pensions that are basically funded to 50 percent. We're talking about getting rid of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

investments in our retirement funds. Don't you think we've done enough already?"

Speaker Turner: "Representative Fortner."

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

Speaker Turner: "The Sponsor will yield."

Fortner: "There have been a lot of discussion about guns as it pertains to the Bill. There's also a phrase destructive device. Could you help me understand what that is? I understand firearms. What's..."

Mitchell, C.: "Sure. So... so there was some concern about that. With House Amendment 2 it took care of the concern that could be interpreted as something other than a weapon, at least for the systems. If that's a piece of language you have some concern tightening up, I'm more than willing to do that if we end up passing the Bill."

Fortner: "Yeah. 'cause I didn't see that language in what was on my analysis. So, could you just... so, what is then... Is destructive device still part of the legislation? If so, what exceptions are you putting in there?"

Mitchell, C.: "So, excuse me. One second, Representative. Okay. So, it's destructive device as... as defined by the Code of Federal Regulations, which is specifically about the regulation of firearms."

Fortner: "Correct. In fact, I'm looking at that... part of that definition from 26 U.S.C. 5845, which I would believe is the section that defines destructive device within the Federal National Firearms Act."

Mitchell, C.: "Okay."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Fortner: "And when I look at the list, it has some things that you'd expect, bombs and grenades, it also includes a rocket having a propellant charge of more than four ounces, a missile having explosive charge of more than a quarter ounce, are included among the specific definitions within the National Firearms Act as being destructive devices. Has that been altered in any of your Amendments?"

Mitchell, C.: "Not... not to my knowledge, Representative. But I think the intent of this is fairly clear and as I said, I'm more than willing to consider cleanup lang..."

Fortner: "I understand the intent... but, since you're citing a section in Federal Code, and that federal definition is very clear, the way I would read the language of your Act is it now starts reaching way beyond firearms. This happens to be imbedded within the National Firearms Act, but in fact, any aerospace contractor who makes a rocket or a missile, including perhaps the Boeing Manufacturing Company located here in Illinois, should they have such a contract, at some point would fall under the auspices intentionally of that Federal Act. I think this goes way beyond the... the scope of guns as, perhaps the Representative intends, but that's not what this Bill says and many other aerospace companies, should they enter into a contract to make a rocket or a missile for the Federal Government, would fall under this definition. I would urge a 'no' vote."

Speaker Turner: "Representative Mitchell to close."

Mitchell, C.: "Thank you all. I've... I've greatly enjoyed the debate. I think it's a very important issue. I'm just going to say a couple of things. There are folks who've talked

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

about the idea of people needing all their investments listed on... on their sheets that want to note that we're talking about defined benefits plans. In this case, not defined contribution, in which case they do get to make that choice. I would note that there is precedent for this Bill in terms of what we've done with Iran and Sudan and South Africa and that the folks who are running around and terrorizing our streets and the industry that's refusing to do anything about them have an equivalent effect on neighborhoods in my city and neighborhoods around the state, as Representative Zalewski pointed out. This is not just a Chicago issue; it is a statewide issue. I understand folk's is concern about precedent, but I assure you it is a false equivalency. There is not a meaningful, comparable issue in the state as it relates to investment. This is a... this is a tailored piece of legislation that deals with this directly. It is extremely important that we think about safety in our communities. I've lost a six-month, year-old girl at the south end of my district. We lost an innocent high schooler had just been inauguration across the street from a very dear friend of mine. When an industry takes this stance that they would prefer profit over the health and wellness of the people of the State of Illinois, we need to stand up and make a statement about who we are. I urge an 'aye' vote."

Speaker Turner: "Representative Bost, to answer your question. Home Rule does not apply and will take 60 votes for this measure to pass. A verification has been requested by Representative Sacia, so all Members are asked to vote

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

their own switches. With that said, the question is, 'Shall House Bill 1296 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Farnham. Mr. Clerk, please take the record. With 46 voting 'yes', 69 voting 'no', 2 voting 'present', House Bill 1296, having failed to reach a Constitutional Majority, is hereby lost. The Democrats will now caucus in Room 114. Democrats will caucus for the next 45 minutes in Room 114. The Republicans will not caucus. The House shall come to order. Beginning on Order on Third Readings, we will start with House Bill 923, Representative Hoffman. Mr. Clerk, please read the Bill. Mr. Clerk, please move this Bill to the Order of Second Reading. Are there any Motions pending?"

Clerk Hollman: "House Bill 923, a Bill for an Act concerning employment. This Bill was read a second time on previous day. Committee... Floor Amendment #2 has been adopted, previously. Floor Amendment 3, offered by Representative Hoffman, is approved for consideration."

Speaker Turner: "Representative Hoffman."

Hoffman: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment alleviates the concerns of many individuals had about... about the... the substance of the Bill in that it indicates that if... that it would remove certain contractors from the reporting requirements, ones that already do not extensively violate this Act. In addition, it requires information from contractors would be held confidential and only used in the in the... among government agencies in filling out their... their duties."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #3 to House Bill 923. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 923, Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 923, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "Representative Hoffman."

Hoffman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 923 is designed to address the issue of some contractors and construction projects throughout the State of Illinois, who are not following the law by actually paying employees the taxes and the benefits that they have earned. House Bill 923 is simply a reporting requirement for contractors that would require those individuals in the case if they're paying a... an individual, a sole proprietor or a partnership, they would have to indicate and report to the Department of Labor the individuals, the address and the amount of money that they're paying to those individuals. Employees of the contractor are exempt so you wouldn't... would not have to report those. It also indicates that certain... certain employers, who are essentially have their own apprenticeship programs, that they will not be subject to this Bill. And it also indicates that responsible employ... contractors in the State of Illinois are not subject to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

this Bill. It provides for enforcement for the Department of Labor and to enforce this Bill. It's an initiative of the carpenter's organization and is supported by the state AFL-CIO."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "Sponsor yields."

Bost: "Representative, I noticed that Floor Amendment #2 had quite a bit of opposition by some groups. Now Floor Amendment #2... Amendment #3 did not take away the opposition, did it?"

Hoffman: "It... it removed the opposition of the Association of General Contractors. It removed the opposition of the road builders. And it removed the opposition of... of, I think it's the one that Kim Robbins is... is the head of. I'm not sure of the name of it. There is still some opposition for, I believe, home builders and... and small business... and NFIB."

Bost: "Okay. The NFIB?"

Hoffman: "Yes."

Bost: "Okay. Okay, once again, what... what exactly is the reporting requirements and how are they different than what we have today?"

Hoffman: "Well, right now there are no reporting requirements regarding the reporting of amount that is paid to individuals who are not employees, if it's paid to an... an individual, a sole proprietor or a partnership. The whole idea behind this Bill is there are some contractors in construction projects that are really... have employees, but

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

they're acting as if they're independent contractors. When they're doing that they're not paying property taxes. They're not paying proper benefits. They're not paying proper health care insurance. And they're not following the law by paying Social Security or other types of... of taxes. So this simply says, we're going to if... if you are a contractor in a construction setting in Illinois and are not... do not have an apprenticeship program, that in those instances you have to report to the Department of Labor."

Bost: "Okay. So we're... we're talking about... what we may be talking about is I... I've got a friend who is actually a contractor of a home... or a home builder. He's got... the situation has got so bad that basically he has asked that his... his former employees become private contractors in their selves, because they're carpenters as well, then they go together as a team, that no longer will be able to be done?"

Hoffman: "Well, no, that's not... that's not the case."

Bost: "Okay."

Hoffman: "What is the..."

Bost: "Explain that to me, I'm trying to figure that out."

Hoffman: "Yeah. You can still... you can still have legitimate, independent contractors. But, if a person is actually employ... an employee under the terms as they are defined currently in the Department of Labor, then certain things have to happen with regard to taxes, Social Security and other things. If you're an independent contractor and truly an independent contractor, then this doesn't change that at all. What it... what this simply says is you have to report,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

if you are a contractor and an individual is not designated as an employee, and it's an individual, sole proprietorship or partnership, not a corporation, but an individual, sole proprietorship or partnership, you simply have to report that information to the Department of Labor. They then will have the information to make a determination as to whether this really is an employer-employee relationship or truly an independent... independent contractor relationship."

Bost: "Do you know the actual definition of what the difference is?"

Hoffman: "The definition of an employer and an independent contractor, I believe, is currently it is contained in our statutes. And without having it in front of me, it... it largely is an issue, as I remember, law school correctly, and I remember the statute, it... it largely is an issue of control and if... if a true independent contractor you will control the over site but he will come in there and he operates, essentially, independent of the day to day, hour to hour, control of the employer. If you're an employee and you're not in a supervisory capacity, then you are actually under the control of the employer in a direct sense."

Bost: "All right. I just want, for verification sake, to make sure who we know is still opposed and... and right now are, you say the Illinois Home Builders Association is not opposed, but they... the road..."

Hoffman: "I... I... don't..."

Bost: "Can you give me a list of who you think it..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hoffman: "Yeah. I don't know all who are opposed. I'd be kind of dumb if I would give you all who are opposed, but I'll give you the one..."

Bost: "Oh, yeah. I think it's a lot."

Hoffman: "...I'll give you the one's you mentioned..."

Bost: "I'll give you a lot."

Hoffman: "Yeah, I know."

Bost: "Let me... let me tell you who..."

Hoffman: "I'll give you the ones you mentioned. You asked... you asked the Home Builders. They are still in opposition, but they will tell you, if you talk to them, probably three, I think, three out of the four of their concerns they raised at committee we addressed in this Amendment and are addressed in this Bill. We still are requiring the reporting requirements."

Bost: "Okay."

Hoffman: "They... I don't think they'll ever be in favor of any of the reporting requirements."

Bost: "Okay."

Hoffman: "I don't want to talk for them, but we took care of a lot of their concerns."

Bost: "Okay. Mr. Speaker. To the Bill. Just so everyone knows, Illinois Home Builders Association, IRMA, IMA, Illinois Construction Industry Committee, the Illinois Chamber of Commerce, Associated Builders and Contractors, the Illinois Merchants and the Special Contractors Association, Illinois Lumber and Material Dealers Association, NFIB is what we've got as far as the list is concerned."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hoffman: "Yeah. Just to clarify, IRMA, Illinois Retail Merchants Association, is no longer opposed to the Bill. We put in an Amendment that took out the contract... or we took out contractors whose primary purpose was selling tangible property. That did no longer in the Bill. They're not opposed. The Construction Industry Council, that's who I was trying to think of, they're... they're in favor. The road builders are in favor, and the Associated General Contractors are now in favor."

Bost: "All right. Thank you."

Speaker Turner: "Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker. I rise in support of this Bill. I know what the logistics of this Bill is. I appreciate what Representative Hossman... Hoffman is doing. The Department of Labor is really for this Bill. I think this is going to help all the contractors and it's going to help everybody in labor and the unions. Thank you very much for the job you're doing, Jay. This Bill is something similar to what I passed not too long ago. And this is a jobs Bill. Thank you."

Speaker Turner: "Representative Ford."

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

Speaker Turner: "He indicates that he will."

Ford: "Representative Hoffman, I just have one question about the fine and the penalties that'll be assessed to the contractors. Where would the money go?"

Hoffman: "We don't... what we don't do is we don't change what's currently in the... in the Illinois Department of Labor. The fines, I believe, are maintained in the Department of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Labor. I think... I think for... for use of enforcement. But the same area where... where fines go now, if someone is fined by the Department of Labor, that's where they would go. This... there are no specific fines contained in this... in this... this legislation; it's simply the same ones that currently exist within the Department of Labor."

Ford: "So, there are new... no new fines, no new penalties for violating the new Act?"

Hoffman: "No. There... Well, this is... this is a new requirement. So, if you violate the new requirement, the existing enforcement provisions would apply."

Ford: "Okay. So, is this a good time to see if we... since we don't know where the funds go, is this a good time to try to use these funds to help small businesses? Since this is supposed to be a Bill to help grow jobs and strengthen businesses, why shouldn't this money be used to support small businesses instead of using it for whatever it is that we don't know what it's being used for. Maybe we can direct it in the Senate to use this money to support small businesses in the State of Illinois. Is that possible?"

Hoffman: "Well, I believe... it's my understanding that the fines, as they currently exist, what they will do... excuse me... the fines as they currently exist what they will do... is they are used by department for enforcement of the Act. So, we have passed laws here in Illinois that have said we're going to have certain labor laws in the State of Illinois. Everything from prevailing wage to minimum wage, and when a fine is paid, it's my understanding, they then are used to enforce... enforce the Act."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Ford: "Thank you, Representative."

Speaker Turner: "Representative Hoffman to close."

Hoffman: "Thank you, Ladies and Gentlemen of the House. I think I was referring to independent contractors; it also would include sub-contractors in this Bill; that's the idea. Once again, I think this is something that is good for working men and women in the State of Illinois. I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 923 pass?' All those in favor vote 'aye' all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Yingling. Mr. Clerk, please take the Bill. On a count of 72 voting 'yes', 44 voting 'no', 0 voting 'present', House Bill 923, having received the Constitutional Majority, is hereby declared passed. Cavale... Representative Cavaletto."

Cavaletto: "Thank you, Mr. Speaker. Personal privilege."

Speaker Turner: "Please state your point, Sir."

Cavaletto: "Thank you. I'd like to welcome the Franklin Park Beta Club students and teachers from Salem, Illinois, in the balcony. Let's give them a warm welcome to their Capitol, please. Thank you very much."

Speaker Turner: "Welcome to your Capitol. House Bill 2275, Representative Feigenholtz. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2275, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Feigenholtz."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Feigenholtz: "Thank you, Mr. Speaker. House Bill 2275 is the Community Care Reform Bill designed to rein in the cost of a program that's become very popular in the State of Illinois, so that our elders can age in place with dignity for a quarter of the cost. In this Bill, you will see that there are five or six significant reforms that will ultimately rein in costs from data sharing to electronic visiting verification, using task-based service parameters, rounding... reducing rounding of minutes from 15 to 7, balancing incentive payments from the Federal Government and better processing of Medicaid enrollment. I'd be glad to answer any questions."

Speaker Turner: "Representative Bellock."

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

Speaker Turner: "She indicates that she will."

Bellock: "Thank you. And thank you, Representative Feigenholtz for all your work on this Bill. I just wanted to ask you a question to clarify for everybody in the chamber. That this is Bill is strictly the substantive Bill on the Community Care Program and is not the supplemental Bill, correct?"

Feigenholtz: "That is correct."

Bellock: "Great. And can you just explain the EVV for us? The... one of the reforms that's a major reform that..."

Feigenholtz: "The electronic visiting verification was something that we discussed last year when we were working on other Medicaid reforms. Essentially, it is a GPS technology-based system that will electronically verify the presence of a worker at the home of a client and we are

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

encouraged that the department intends on trying to employ this as early as May, but note certainly, certainly, certainly, no later than January. But they have told us that they were going to get this up and running as quickly as possible."

Bellock: "Thank you very much. To the Bill, Mr. Speaker. There has been a lot of discussion on the Community Care Program for the last month. We encourage people on the Community Care Program because that keeps 85 thousand seniors out of nursing homes in the State of Illinois. The cost of the Community Care Program per person is around \$8 thousand. The cost of a person in a nursing home is \$35 thousand a year. This program is exploding because of the rise of seniors in Illinois and across the United States, but there has been a problem with it. And we do know a supplemental will be coming later, regarding probably around \$170 million. This Bill is to look at reforms in the system to make sure going forward, as we look at paying for this program, that it's managed well and has reforms in it that can tighten up the program as it goes forward to probably approaching 95 thousand people next year. So, I want to thank all those that are... especially the Department of Aging, working with us. And I just wanted to clarify again, that when you're voting for this Bill, this is for the reforms in the CCP Program, which are listed on your analysis, this is not the supplemental. Thank you very much. And this is one issue of four major pressures that we have just encountered in the last couple of months: the CCP pressure at 170 million; we have the collective bargaining

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

pressure at a 140 million; we have the shortfall in the Medicaid reforms that's close to 500 million and we have the group insurance pressure at 320 million. So, that's one... around 1 billion in new old bills in 2013, just to reiterate that. Thank you."

Speaker Turner: "Representative Flowers."

Flowers: "Will the Lady yield?"

Speaker Turner: "She indicates that she will."

Flowers: "Representative, just for the record I want to make it clear, is this program cutting any senior programs?"

Feigenholtz: "No, it isn't, Representative Flowers. That's not the intent."

Flowers: "Also, in regards to the data sharing. Can you please, once again, elaborate in regards to the data sharing? Will there be one-stop shopping? Will the different agencies within the state be able to communicate with each other, is that to eliminate the fraud and the abuse?"

Feigenholtz: "It... it's strictly an opportunity to data share with other agencies in the State of Illinois when it comes to employment verification and other matters, Representative. It's just a fraud and abuse..."

Flowers: "So, it's for employment, but it does not have anything to do with the patient itself?"

Feigenholtz: "No, it does not."

Flowers: "Okay. And... okay, Representative. Thank you very much."

Speaker Turner: "Representative Feigenholtz to close."

Feigenholtz: "Ladies and Gentlemen, I would appreciate your support on this. This will hopefully be the answer to a

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

program that many of our constituents utilize. It is an extraordinarily bargain for us to send our seniors into this program. And I'd appreciate your 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 2275 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2275, having received the Constitutional Majority, is hereby declared passed. House Bill 2925, Representative Fine. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2925, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Fine."

Fine: "House Bill 2925 creates the Illinois Local Government Appointees Ethics Act. It requires members of boards and commissions created by State Law and appointed by local government to follow the ethics rule established by that county. This Bill has been amended only to apply to counties that have 3 million people or more. I have been working on this Bill with the Cook County Inspector General in response to an incident that happened in my district. The Northfield Wood Sanitary District, the trustees of the district who are paid \$6 thousand a year, were somehow able to pay themselves about of a quarter million dollars over about four years. And the problem was they didn't violate any ethic violations because of the fact they didn't have to follow any ethics guidelines. This would change that so

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

they would fall under the same Ethics Code as the rest of the county."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2925 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'nay', 0 voting 'present', House Bill 2925, having received the Constitutional Majority, is hereby declared passed. Representative Golar, for what reason do you seek recognition?"

Golar: "Mr. Speaker, point of personal privilege."

Speaker Turner: "Please state your point."

Golar: "Thank you. Ladies and Gentlemen, behind the gallery behind me, please stand with me and welcome the hardworking trustees of the Public School Teachers' Pensions and Retirement Fund of Chicago, the directors of the Retired Teachers Association of Chicago and the directors of the Chicago Principals & Administrate Association. Thank you."

Speaker Turner: "Welcome to your Capitol. House Bill 1199, Representative Sosnowski. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1199, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Representative Sosnowski."

Sosnowski: "Thank you Speaker, Members of the General Assembly. This Bill has to do with the unauthorized placement of a GPS device on a one.. a private citizen's car being placed on it by another private citizen. There are several Amendments that took place which we discussed briefly when

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

those were adopted on the floor. Some concerns with the business community and some state agencies and law enforcement about tracking their own vehicles was brought up. All of those were cleared up and I don't know of any opposition. So, I'd appreciate an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1199 pass?' All those 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 116 voting 'yes' 0 voting 'no', 0 voting 'present', House Bill 1199, having received the Constitutional Majority, is hereby declared passed. House Bill 207, Representative Harris. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 207, a Bill for an Act making appropriations. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Harris, has been approved for consideration."

Speaker Turner: "Representative Harris."

Harris, G.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just a moment ago Representative Feigenholtz presented and Representative Bellock supported the legislation that would help us control the growing liability in the Community Care Program that would... that keeps seniors in their homes as opposed to the more expensive institutional options. It was mentioned that there would be a supplemental appropriation to deal with existing bills that the program has already generated that

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

is putting our senior service and aging agencies at risk. This is the supplemental appropriation for the CCP Program. It does two things. It is a \$173 million GRF supplemental from increased revenues that are available in this fiscal year to pay existing bills from fiscal year '12. It also has a statute... a transfer of \$151 million from GRF to the Healthcare Provider Relief Fund. This was previously approved by the House in the BIMP for this year and sent to the Senate where no action was taken and this would allow us to double our money with another \$151 million in federal match. And I just want to talk for a minute why this is important that we do this immediately. The Community Care Program keeps 85 thousand seniors in their homes; 85 thousand seniors that do not have to go to nursing homes or hospitals because they're able to obtain these services. This is not new expenditures; this is to pay old bills. This is to pay old bills from fiscal year '12. The department ran out of money on March 15 and within a one... within one week they will likely be able to not support one third of their providers who will fall into very hard times, already three providers may have been out of money and stopped providing services on the west side of Chicago, in Peoria and in Rock Falls, Illinois. This is a desperate situation, Ladies and Gentlemen, there are 85 thousand folks who are depending on us. I would ask for an 'aye' vote."

Speaker Turner: "Gentle... Representative Franks."

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

Speaker Turner: "Sponsor yields."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Franks: "Representative, I understand this is a supplemental and... we're asking for 151 million to be appropriated supplementally?"

Harris, G.: "There are two items in this Bill; 173 million for the Community Care Program and 151 million that was a item that had been previously approved in the BIMP that was going to the Healthcare Provider Relief Fund and that item was in a Bill that was not acted upon by the Senate. So, this has already been approved by the House."

Franks: "So it would be a \$324 million supplemental, the two of them?"

Harris, G.: "I assume your math is... is better than mine."

Franks: "Here's my question, when we do a supplemental, where does the money come from?"

Harris, G.: "This is coming from revenue that, if you remember, we passed Resolutions setting a revenue limit for expenses that would be appropriated against for this year. And the agreement was at the time that any moneys that came in in excess of that revenue level would be used to pay down old bills. These are old bills which we are paying down and the 151 million will also bring us 151 million..."

Franks: "Match."

Harris, G.: "...in new Medicaid funds from the Federal Government. So, it's a win-win."

Franks: "I get it. I just want to make sure that we have the money and I'm trying to figure out... I'll wait... I'm trying to figure out where it's coming from. So, you're telling us the money that we'd be appropriating here with the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

supplemental is because of additional... additional revenue that we had that we were not counting on?"

Harris, G.: "This is new revenue that was above and beyond, you know, our goal. And these are expenses we've already incurred. I mean these bills aren't going away."

Franks: "I get that."

Harris, G.: "The providers are running out of money here, so this is not news."

Franks: "Are we paying interest... are we paying interest on these?"

Harris, G.: "Yes we are."

Franks: "Okay."

Harris, G.: "This is part of the prompt payment interest system."

Franks: "Okay. So we have the money to pay for it, these are old bills and it's new revenue that was designed to go towards it. I just want to make sure I understand the whole prospect. And if we do this, we'll also get an additional \$151 million from the feds as a match on the Medicaid portion?"

Harris, G.: "Yes."

Franks: "Thank you."

Speaker Turner: "Representative Cavaletto."

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

Speaker Turner: "Sponsor yields."

Cavaletto: "Does this include the nursing homes also?"

Harris, G.: "This is the Community Care Program; this is not a nursing home Bill. No, Repr... the Medicaid... the Medicaid

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

money could be used to pay nursing home bills, yes. The CCP money goes directly into the CCP Program."

Cavaletto: "Thank you."

Speaker Turner: "Representative Bellock."

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

Speaker Turner: "The Sponsor yields."

Bellock: "Thank you very much, Representative Harris. So, I wasn't sure that this was coming today, so I'd like to ask a few questions..."

Harris, G.: "Certainly."

Bellock: "...on it. And the reforms, we passed the Bill just a few minutes ago on the reforms, but with the 173 million, it is kept to 173 million, correct?"

Harris, G.: "If you read the language of the Bill, it's a specific dollar amount."

Bellock: "Okay. One hundred seventy-three million, right? So, what about the other amount that was owed? So, that's 2012 money, correct? What was owed in 2012?"

Harris, G.: "That is FY12 bills that have already been incurred."

Bellock: "Okay. And I..."

Harris, G.: "So, they would not be eligible for the new reforms that you and Representative Gordon-Booth and Representative Feigenholtz and the others worked so hard on."

Bellock: "Okay. So, the reforms that we just voted on, I want to make that clear, do not apply to this past due bill of 173 million?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Harris, G.: "Because these services were rendered years before those reforms became law, so that would be correct."

Bellock: "In 2012?"

Harris, G.: "Yes."

Bellock: "Okay. And Representative, if the other half of the money that we have discussed back and forth that was maybe going to be in the supplemental, which is not, another 140 or whatever million dollars..."

Harris, G.: "The FY13, is my understanding, is not in... in this... it is not in this supplemental, the FY13. This is the FY12 liability. This is to keep those agency... give us the authority to keep those agencies opening and functioning beyond the end of potentially next week."

Bellock: "Okay. So, how are we going to pay the 2013 amount of money?"

Harris, G.: "Like a lot of other old bills, we're going to have to address that. We're going to have to... we're going to have to deal with a lot of these issues, and this is another set of old bills that we will have to contend with."

Bellock: "Okay. So, when we passed the budget resolution last year, we said we are going to pay down \$800 million of old bills, and then if we took in new revenue we would try to pay down more bills and use those as federally matched bills. Correct?"

Harris, G.: "Yes."

Bellock: "So, in that case are we going to use to pay down this 173 million, are we going to use that in what that budget

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

resolution referred to with the new revenue that's coming in?"

Harris, G.: "Yeah. CCP is matchable."

Bellock: "Okay. How much is matchable in CCP?"

Harris, G.: "About 71 percent of the claims are matchable."

Bellock: "Okay. Seventy-one percent of 173 million?"

Harris, G.: "Yes."

Bellock: "Okay. And then that would be... do you have that figure?"

Harris, G.: "I can get that to you; I don't have it right off the top of my head. Maybe staff can look in their records while we continue to speak."

Bellock: "Okay. So then moving forward, you're going to... are you going to move that other 140 million into the 2014 budget or is it going to fall back into old bills of 2013 also?"

Harris, G.: "I don't think there is... there's not a plan for that that I'm aware of right now, Representative. And as I told you this morning when this became known to me, you know, I shared that with you earlier."

Bellock: "Right. Yeah, I appreciate that, I just didn't know it was going to come this fast. So, to the Bill, Mr. Speaker. We discussed this Bill before. The Community Care Program takes care of 85 thousand seniors in Illinois. It saves the state a lot of money, it's \$8 thousand per person, 65... and it's 85 thousand seniors, 60 or I think Representative Harris said 71 percent of that will be Medicaid matched so we will get Medicaid matched back on that. But the problem still is there, how are paying for this? I guess

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Representative Harris said we're going to pay for this out of old bills. Is that correct, Representative?"

Harris, G.: "Yes."

Bellock: "Thank you. So, this... this is an issue that we've talked about for the last month and a half. We've put the reforms in for the CCP Program. A lot of seniors throughout this state, 85 thousand as I mentioned, that are being served by this program, 95 thousand will be next year. We've had a problem with the funding of this program that's why the reforms were put in. There are providers throughout the state, thousands, who are providing these services. As I said, 85 thousand seniors are getting these services. My concern is that two have gone out of business already, the third is going out of business supposedly this week. They received a letter two weeks ago saying they were not going to be paid any longer, the providers in the State of Illinois, for these services. The Governor has funded this program, I think, at \$1.1 billion in the 2014 budget. So, the dilemma here is the ethical dilemma of paying the providers when the agency has run out of money."

Speaker Turner: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. A question of the Sponsor, please."

Speaker Turner: "Sponsor yields."

Harris, D.: "Representative, help me understand a little bit, if I may. And we understand the importance of the CCC Program and the need to fund that properly. However, what is the total requirement to fund CCP?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Harris, G.: "It is, according to our records, Representative, CCP, the FY12 and FY13 liability, these are services already rendered, this is a bell that cannot be unrung, is \$315 million."

Harris, D.: "Okay. And I understand how you're dividing FY12. We're pushing that back off, that's just going to be old bills stuff now. So, let's just look at the 173. One seventy-three, what, takes care of FY13?"

Harris, G.: "FY12, I believe. FY... Fiscal Year '12."

Harris, D.: "The 173 takes care of FY12. And 70... you said 71 percent of that 173 is matchable, that gives us about \$123 million."

Harris, G.: "Yes."

Harris, D.: "Okay. And... and the 151 that we... that's going into the Healthcare Provider Trust Fund or Relief Fund?"

Harris, G.: "All of that's matchable."

Harris, D.: "All of that is matchable... That 151 though was part of the initial appropriations that we did last year?"

Harris, G.: "Yes, and it was included in a BIMP that moved out of the House to the Senate and was not voted upon by the Senate, so we were not able to achieve that federal match and bring in that revenue."

Harris, D.: "I understand what you're doing and to the Bill, Ladies and Gentlemen. I understand what the Sponsor is doing and... and again the program is important enough that we really do need to fund it. He did make a statement though that I want to make sure we understand. He said, this is not new spending. Yes, it is, Ladies and Gentlemen. It is spending above the \$33.7 billion that we appropriated

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

last year. Now, we have the benefit that, because of good economic activity, we're going to probably bring in about \$34.2 billion worth of revenue versus the 33.7 that we.. that we appropriated. However, our liabilities are much more than just that 500 million of extra revenue, if you want to call it that, or increased revenue that's going to come in above our level. Our liabilities for FY13 are much greater than that 500 million. Having said that, this program is an extremely important one; it needs to be funded. I stand in support."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "Sponsor yields."

Kay: "Representative, a couple of financial housekeeping questions maybe. We have now old bills and we have apparently new old bills. Which category does this particular Bill take into consideration? And Mr. Speaker, I can't hear... I couldn't hear the answer."

Speaker Turner: "Ladies and Gentlemen, can we keep... please keep the noise down in the chamber; it's very hard to hear. Thank you."

Harris, G.: "Representative, I think as we go down this path of trying to clean up the financial house of the State of Illinois, all of these are old bills. Now, I know that there might be some... that there might be some way to define some as newer old bills that other old bills, but these are all bills that have been incurred and that we owe."

Kay: "Well..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Harris, G.: "Maybe we can... maybe we can come to a... a terminology that we can use going forward. These are bills that are... that we owe for services provided in FY2012."

Kay: "So, are we paying the last thing that came in as being the first thing that's going out?"

Harris, G.: "I think we're trying to pay, according to the resolution the House passed, and I think it makes the best financial sense, we're trying to pay those things for which we can get additional revenue or additional funds and match from the Federal Government, so that we have as much money available to spend on our... our obligations as we can."

Kay: "Let me ask a follow up question then. Isn't it going to be necessary next year to run the same Bill you're running this year?"

Harris, G.: "The reforms that Representative Bellock, and I probably shouldn't use that everyone's, so that certain Member, I just did but, that certain Members of both caucus' here and both caucus' in the Senate have worked on, are aimed at reducing the growth in liability. Reducing the growth and liability. But this is something that we all need to be very mindful of, you know, this morning in our appropriations hearing, the director of the Department of Aging made a statement that by the year 2012 one-quarter of the population of Illinois will be eligible for this type of services. One-quarter of our state's population. This is a problem that is going to persist I think all of us, who are being mindful of budgeting matters, are going to have to keep a close eye on all of these things."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Kay: "Yeah. And I agree with that, Representative. One last question and I'm not sure you know because I'm not sure that I have been able to pinpoint this myself. But in your analysis of this Bill, don't you think that we've already exceeded the new money coming in in revenues when we talk about spending money for appropriations like this?"

Harris, G.: "I don't believe so."

Kay: "You don't think we're going to... I see your staffer speaking to you."

Harris, G.: "Yes. Could you repeat your question? I was..."

Kay: "Well, you talked about the fact that we have new revenues coming in and I kind of keep an eye on that as best I can, although I don't have all of the tools at hand, but don't you think we've exceeded the anticipated additional revenues already this year, in spending for items like this?"

Harris, G.: "We are using the best projections we have available, and I think this would fall within them. I... understanding that as time goes on, you know, we use the real data that is at our disposal to make the best projections possible."

Kay: "So you think we'll hit the cap this year?"

Harris, G.: "I think that, you know, we can do what we need to do here without causing ourselves a problem."

Kay: "Okay. Thank you, Representative."

Speaker Turner: "Representative McSweeney."

McSweeney: "Mr. Speaker, Will the Sponsor yield?"

Speaker Turner: "The Sponsor will yield."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

McSweeney: "I confirmed last week from the Comptroller's Office that the unpaid bill total is actually \$9 billion. There's a lot of numbers that are thrown out there and I applaud what you're doing to use this money to pay the unpaid bills. The question, Representative, is why are we using the \$173 million for these bills instead of other bills? Is this the biggest bang for the buck in avoiding the late payment charges?"

Harris, G.: "It is not only avoiding late payment charges, we're getting federal match. And I think one of the principles upon which we have based our budget resolutions in the last number of years that I think both sides of the aisle agree on is that we should... that if new moneys become available we should maximize the return on that investment as much as possible and I think we're doing that here."

McSweeney: "And specifically, has there been an analysis done that showed that this is the biggest bang for the buck? Out of all the \$9 billion of unpaid bills, by using 173 million in excess revenues from Fiscal Year 2013 to pay down 2012 is this the best use of the money at this time?"

Harris, G.: "I think it's at least as good as any other use in the same category. I think there are a number of items that would fall within this category, but here's the difference, you know, here we're talking about, I think, \$8 thousand a year for the... a cost for the CCP Program. All of these individuals, because of their eligibility, should they not be served in their homes and if they moved into nursing homes, would also be eligible to go into there without a lot of question, that's \$38 thousand. So, in essence for

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

every person of that, what is it... the number here, 85 thousand people we could be saving \$30 thousand. So, I think this is among the highest and best uses of our funds."

McSweeney: "And to be clear, if we don't use the \$173 million to pay the bills on this program, the state will incur the late penalty, the 1 percent per month, is that correct?"

Harris, G.: "Each... each and every month."

McSweeney: "Okay. To the Bill. I think this is a sound Bill because we're using excess revenues to pay unpaid bills. I'm satisfied the Representative has answered my question that this is an efficient way to use excess revenues. This is not new spending. I urge a 'yes' vote."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 207. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 207. Representative Harris."

Clerk Hollman: "House Bill 207, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Turner: "Representative Harris."

Harris, G.: "Ladies and Gentlemen, I'm... I'm very grateful for the very thoughtful consideration that folks are giving to this piece of legislation. We're... we're... we're in a terrible situation, as one of the Members on the other side just mentioned, we have \$9 billion in unpaid bills. As we

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

deal with these, we need to deal with them in the smartest way possible, bring in as much federal revenue and outside sources as possible to retire as many of these bills as quickly as possible. I would urge an 'aye' vote and I thank everyone for the thoughtful debate."

Speaker Turner: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And I appreciate Representative Harris' discussion on the Bill. To the Bill. Again, this is a program that we started years ago with very few people in it. It is developed into a program with 85 thousand seniors at the cost of \$8 thousand a year, rather than 85 thousand seniors at the cost of \$35 thousand a year. We all understand those facts, our problem has been over the last month, and really the last year, is going forward addressing paying the 2013 bills and the new old pressures we have in those. As I mentioned before, this bill is a \$170 million, then we have close to \$500 million in lack of savings in the Medicaid program, then we have 140 million in collective bargaining and besides that, another 320 million in the mishap in the group insurance. Those are a lot of old pressures in 2013, but I feel that ethically these groups that provide these services to our seniors, that because of our mismanagement of a program or our misappropriation in the year 2012, the people that serve these people do not deserve to receive a letter, two weeks ago, saying that the State of Illinois would no longer pay for them. So, for that respect, I will be supporting the Bill even though I do not support the concept of the appropriation and how it was done. I hope we

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

will move forward and match this money because it will be 70 percent of those people will be able to be matched by the Federal Government and bring that money back into the program. Thank you."

Speaker Turner: "Representative Harris to close."

Harris, G.: "Thank you, Ladies and Gentlemen. I know across the state, I'm just looking at my computer here, there are a lot of folks who are counting on us, who are worried about how they're going to be able to stay into their homes. I appreciate everyone's thinking of them, their concern. I would ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 207 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 2 voting 'no', 0 voting 'present', House Bill 207, having received the Constitutional Majority, is hereby declared passed. House Bill 1379, Representative Phelps. Mr. Clerk, please read the Bill. Can we bring that Bill back to Second Reading, please, Mr. Clerk, 1379 and read the Bill."

Clerk Hollman: "House Bill 1379, a Bill for an Act concerning regulation. This Bill was read a second time on previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Phelps, has been approved for consideration."

Speaker Turner: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I'd like to adopt the Amendment and then and... having questions on Third, please."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to House Bill 1379. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 197, Representative Mayfield. Out of the record. Mr. Clerk, House Bill 1709, Representative Sacia. Please read the Bill."

Clerk Hollman: "House Bill 1709, a Bill for an Act concerning local government. Third reading of this House Bill."

Speaker Turner: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 1709 is simply an extension of the Orangeville, Illinois, TIF district, which went into effect in 1998, from 23 to 35 years. As you know, whenever we extend a TIF we must have General Assembly approval. I ask for your support."

Speaker Turner: "Representative Ives."

Ives: "Will the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Ives: "I'm just wondering what is the purpose for the extension of the TIF?"

Sacia: "For the continuation of economic development in their city."

Ives: "Is there anything related to debt service, related to the TIF? Is there any debts that still need to be paid off for this or..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Sacia: "Representative, I'm sorry. I don't know that I understand what you're asking me. Is there..."

Ives: "I'm asking if there's debt that was put into place with this TIF that still needs to be paid off and that's the reason for the extension?"

Sacia: "Representative, I'm going to say no, but I can't definitively say that. When they came to me... as you know, whenever you extend a TIF the only way you can do it, is if all taxing bodies are on board. Everyone is on board; they completely support this, but for me to specifically say there is no outstanding debt, I would be incorrect in making that statement."

Ives: "Just to confirm then, the schools, the parks, everybody has agreed that this TIF is okay for extension?"

Sacia: "Absolutely, Representative."

Ives: "Okay. Thank you."

Speaker Turner: "Representative Sacia to close."

Sacia: "I just ask for your support, as does Orangeville."

Speaker Turner: "The question is, 'Shall House Bill 1709 pass?' All those 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 111 voting 'yes', 5 voting 'no', 1 voting 'present', House Bill 1709, having received the Constitutional Majority is hereby declared passed. House Bill 3300, Representative Kifowit. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3300, a Bill for an Act concerning insurance. Third Reading of this House Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "Representative Kifowit."

Kifowit: "Thank you Mr. Speaker. This Bill is a Bill to help victims of domestic violence. What this Bill does is it... it requires insurance companies to provide any documentation with regards to a victim to an alternative address, alternative communication vehicle, such as direction on where the correspondence has to go, correspondence such as an EOB or any other kind of correspondence with regards to the victim or the victim's children. And I would appreciate your support."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3300 pass?' All those 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 116 voting 'yes'; 0 voting 'no', 0 voting 'present', House Bill 3300, having received the Constitutional Majority, is hereby declared passed. House Bill 3092, Representative Jakobsson. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3092, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker Ladies and Gentlemen of the House. 3090... House Bill 3092 requires the Department of Corrections establish an in-house nurse registry to fill extra health positions within the correctional facilities, in order to improve staffing needs. There are sometimes, shortages of registered nurses, coupled with the elimination of mandatory overtime and by adding this nurse

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

registry this would provide nurses to be in place and fill the positions as the Department of Corrections needs them."

Speaker Turner: "Representative Reis."

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

Speaker Turner: "Sponsor yields."

Reis: "Now these nurses will be employed out of the various correctional facilities, is that my understanding?"

Jakobsson: "That's correct."

Reis: "And they will be employees of the State of Illinois or will this be a contractual service?"

Jakobsson: "They would be listed as extra help within the correctional facilities."

Reis: "That doesn't really answer my question, Representative. Will they be employees of the State of Illinois or will it be like, Westin Services that provides medical care to facilities now, will it be a contractual agreement?"

Jakobsson: "They would be state employees."

Reis: "I guess my question to you is, Representative, why didn't this Bill go through Appropriations-Public Safety? I mean, we were presented a budget yesterday from the Department of Corrections asking for a 10 percent increase, 10 percent. And we have no idea where we're going to get the money at for that... for contractual raises that we... we supported budgets the last two years that said no raises; we lost that court battle. We have to give not only those raises but plan in the increases in salaries for next year. So, have you got a fiscal impact of how many nurses this is going to be and... and what the salary and benefit packages is going to include because, quite frankly, our committee

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

would like to know because we don't know where we're going to get the money at for next year's budget anyway."

Jakobsson: "These nurses will get the same hourly rate as regular time nurses. It will eliminate the need for overtime, so it actually will save the Department of Corrections money."

Reis: "Boy, we've heard that story before, Representative and nothing against you, but I'm just saying I don't think this... this Bill was properly vetted through the right committee. I don't think the right information was given to us. Certainly, we can... I know AFSCME is against it, the Department of Corrections is against it. It seems like everything else is flying out of this chamber, but this... this Bill has not been properly vetted. We don't even know how many nurses you... it's going to be, what the dollar savings, you say, are going to be there. We'd love to find out that it's going to save us money, but our... quite frankly, our committee has not been told those numbers and I think this is just an ill-timed Bill with everything we're going through budgetarily in the state."

Jakobsson: "The informa..."

Speaker Turner: "Representative Smiddy."

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

Speaker Turner: "Sponsor will yield."

Smiddy: "Thank you, Ma'am. I just have a question. Coming from the Department of Corrections regarding this issue, not all of the facilities here in the State of Illinois are... have state nurses that are actually hired by the state. They're hired by contractual entities to come into these

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

facilities. So, when you say they're going to be state nurses, would these facilities that have only contractual nurses, how will that work in those facilities?"

Jakobsson: "I think that's going to be worked out by the Illinois Nurses... If you need more information, I'll have to get back to you."

Smiddy: "Yeah, I would because with that I don't know if I could support the Bill until I would figure that out since there's to... Because of how Corrections runs, we have some... like I said, we have some places that have state nurses and then others that have contractual and they're under different things. So, thank you, but I would like to know that before I would be able to support the Bill."

Speaker Turner: "Representative Sullivan."

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

Speaker Turner: "Sponsor yields."

Sullivan: "Representative, I'm reading your Bill, and in the section of in-house nurses registry, I think what you're trying to do is say that, we want to have this registry so we can avoid mandatory overtime. Is that correct?"

Jakobsson: "That's correct."

Sullivan: "So, by avoiding mandatory overtime we're going to help the state budget. Is that what you're trying to do right now?"

Jakobsson: "That's exactly what I'm trying to do."

Sullivan: "Do these positions have to be collectively bargained?"

Jakobsson: "According to the Bill, yes."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Sullivan: "I... I know, 'cause I read it. I'm just asking the questions. So, they have to be... they have to be collectively bargained, they're used to cut overtime costs and they cannot take the place of a previously certified nurse 1 level position. Is that correct?"

Jakobsson: "That's correct."

Sullivan: "Ladies and Gentlemen, the Lady has a very good Bill. It's going to help the state cut costs by having the ability to hire people to remove overtime. That's the intent of this Bill. Please vote 'aye'."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "The Sponsor will yield."

Kay: "Representative, I know Representative Reis asked you about why this didn't come last night because the depart... last night when the Department of Corrections came to present their budget. Is there a reason that it's coming here today as opposed to not coming to Public Safety last night?"

Jakobsson: "It's not an approp Bill and I didn't request the committee that... I didn't request it to go to one committee or another, I took it to the committee it was assigned to."

Kay: "Well, we've got to appropriate the money somehow. Is that not correct?"

Jakobsson: "That's correct. But keep in mind this is to help save money for the department."

Kay: "Well, last night and... and I'm being a little redundant and I'm all for saving money, but I guess I'm trying to figure out, I'm trying to figure out when the Department of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Corrections comes to us and we find a huge shortfall of at least \$50 million, plus they are asking for a 10 percent increase, why we wouldn't throw this amount into that 10 percent so that we know just exactly how we're going to pay for this service? And... and never mind. Let me just ask you this, is DOC for this?"

Jakobsson: "As... I did want to correct that. As far as I know they are mutual. They are... yeah, they haven't taken no position on it; they're neutral."

Kay: "Well, maybe it was an oversight, but I would say this, it's important that we get things to approp committees if you want to spend state money because we're running darn short on state funds. And I think as hard as this committee, that is the Public Safety Committee, has worked to get things in line and try and meet expenses, it would have been better to see this in an approps sheet as opposed to the Bill. Thank you."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "The Sponsor yields."

Franks: "Representative, I heard some of the prior speakers laud the Bill as saving the state money. I'm just... I'm reading our analysis, and wondering, do you know why CMS is opposed to the underlying Bill?"

Jakobsson: "Representative, I believe they're not opposed to the changes that were made in Amendment #1."

Franks: "Okay. Because I don't know if you've seen our analysis, but it also says Wexford is opposed. I don't know what that means."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Jakobsson: "That's some... yeah, it's an AFSCME connection that they..."

Franks: "Oh."

Jakobsson: "...deal with."

Franks: "Okay. And then DOC indicated, according to our analysis, that the current shortage of nurses, an easier and cheaper solution would be to hire more nurses."

Jakobsson: "But if they hire more nurses then they have to pay all of those benefits also and by doing this, they would be paying them their hourly rate."

Franks: "Okay. So, has there been any fiscal notes on this because if... if DOC is saying if they hired and it would be cheaper, has there been any cost comparisons to this proposal versus their proposal?"

Jakobsson: "Yeah. I've asked both the DOC and CMS for, you know, how they would see this as a fiscal impact and they just haven't gotten back to me."

Franks: "Okay. And have you done any analysis on yours to see how much it would save? Forgetting their numbers, on... on comparing, but is there an idea of how much it could save the budget?"

Jakobsson: "I... I didn't run the numbers, but I know if they have to hire overtime, you know, they're going to be paying a lot more than if they're just paying regular rates."

Franks: "But aren't they prohibited from doing overtime anyway, at this point?"

Jakobsson: "They have to do overtime in emergency situations and this would even help in those situations."

Franks: "Okay. Well, thank you."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "Representative Greg Harris."

Harris, G.: "Thank you, Mr. Speaker, Ladies and Gentlemen. To the Bill. I rise in support of this legislation. Many of you were present at some recent hearings that we did on the state of health care in our correction system and how it's being delivered, where are the strengths and where the shortfalls were. During that testimony, many of the problems that were brought forward in being able to provide adequate and timely quality health care in our correctional facilities was due to a lack of nursing shortage. And there are hundreds of lawsuits that have been filed against the State of Illinois, many of which are... will settle and we're going to be on the hook for the results of those lawsuits. If we have good quality personnel who are trained, experienced, who can address a situation where a person may have had an aneurysm or may need... need assistance with an EKG or even any of the more mundane things where... in some of the current situations we've ran into problems, this will be a benefit to, you know, all of the citizens of this state. It will also reduce the litigation we find ourselves in. I support the Lady's Bill. I would ask for an 'aye' vote."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I believe there may have been a miscommunication. I just rec... just did receive communication from the Department of Corrections. They are still adamantly opposed to this Bill. And those were the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

words used, adamantly opposed to this Bill, Corrections is still opposed."

Speaker Turner: "Representative Jakobsson to close."

Jakobsson: "Thank you, Mr. Speaker. I think this is a really good solution to help make sure that our Departments of Corrections have nurses in their facilities all the time, when they need them. This is a way to save money, and I'm sure as many of you... as many of you have done in your districts, you've promised your constituents that you would find ways to help save the state money. And this is a way that we can do that. I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 3092 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 64 voting 'yes', 53 voting 'no', 0 voting 'present', House Bill 3092, having received the Constitutional Majority, is hereby declared passed. Yeah, House Bill 1047, Representative Durkin. Out of the record. Mr. Clerk, House Bill 1047, Representative Durkin. Please read the Bill. Please take it back to Second Reading and read the Bill. Thank you."

Clerk Hollman: "House Bill 1047, a Bill for an Act concerning employment. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Durkin, has been approved for consideration."

Speaker Turner: "Representative Durkin."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Durkin: "Thank you, Mr. Speaker. House Bill 1047 is a reasonable Amendment to a Bill that was passed a year ago regarding privacy password issues. And I would ask that this Amendment be adopted."

Speaker Turner: "Gentleman moves for the adop... Representative Flowers, no. Gentleman moves for the adoption of Floor Amendment #2 to House Bill 1047. All in say 'aye', all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 3380, Representative Tabares. Mr. Clerk, please read the Bill. Out of the record. House Bill 2919, Representative Fine. Mr. Clerk, out of the record. House Bill 2994, Representative Thapedi. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2994, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this House Bill."

Speaker Turner: "Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker. Mr. Speaker, House Bill 2994 is an initiative of LRB. It's its first 2013 General Revisory Act. Essentially, it incorporates and rectifies scrivener' errors, other issues to make sure that the statutes are clear. There is no opposition. I have the pleasure of having Leader Reboletti joining me as a cosponsor. And I'm available to answer any questions."

Speaker Turner: "Representative Bost."

Bost: "You know, all year long I think we have one Member of the General Assembly that's been calling for this, because

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

our actual analysis says it is a technical Bill. Is that correct?"

Thapedi: "It... it is very technical."

Bost: "All right. Well, I think... I think it's very technical and it's time for this technical Bill to pass."

Thapedi: "Thank you very much."

Speaker Turner: "Representative Thapedi to close."

Thapedi: "A... again, this is a very straightforward matter. It's an initiative of the LRB. And I ask for 'aye' votes."

Speaker Turner: "The question is, 'Shall House Bill 2994 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 2994, having received the Constitutional Majority, is hereby declared passed. House Bill 2423, Representative Will Davis. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 2423, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. House Bill 2423 is an agreed Bill with the Med Society along with the Health Facilities and Services Review Board, and essentially tries to do two... two primary things. The first thing that it involves is language change, which limits the authority of the board to determine a physician practice... to determine that a physician practice will qualify as a category of service. What the... this is all about trying to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

tighten up the language because it was possible that a physician practice could have been classified as a category of service; which means that it was then subject to the authority of the board. The Med Society wanted to see how they could tighten up the language so that if a group of physicians were to get together and have a practice that they would not necessarily be classified as a category of service. Therefore, not be subject to the board's authority. The second change that it... that it deals with is that it just further clarifies anything explicitly defined as a health care facility that will indeed be subject to the board's jurisdiction regardless of the owner. So, again, it tightens up the definition of what a category of service is and that... and that of course, if it fits the category then it would be subject to the board's authority. But the idea was to tighten up the language so that arbitrarily a group of physicians would not necessarily be categorized as a category of service and, therefore, come under the board's authority. Hopefully, I explained that decently and I'll be more than happy to answer any questions."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "The Sponsor will yield."

Bost: "So, as the Bill is drafted now all opponents are either neutral or in support of the Bill. Is that correct?"

Davis, W.: "That is correct."

Bost: "That's all we need to know. Thank you very much."

Speaker Turner: "Representative Franks."

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

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "The Sponsor yields."

Franks: "Representative, why do we need this? I understand they're trying to do some cleanup language, but what's the real goal here?"

Davis, W.: "Well, again, I think the real goal is to make it very clear what constitutes a category of service; therefore, it would then it would be... come under the board's authority. So, Health Facilities Board felt that it needed to tighten up the language of this Act. So, they drafted the original Bill. The Med Society still felt that a group of physicians could still be categorized underneath the Act; therefore, would be subject to the board's authority. So, the Amendments have been designed to try to tighten up the language so that our... so that a group of physicians would not arbitrarily be categorized as a category service. It is clear what... it's clear what constituents a category of service."

Franks: "And what is the genesis of the Bill? Was this from the Health Facilities Planning Board?"

Davis, W.: "Yes, it was. Again, as they reviewed their statute. They were just simply trying to tighten that up. The original Bill, the Med Society didn't feel that it accomplished the original goal. So, what you see in terms of the Amendments is work between the Facilities Board and the Med Society to relieve the Med Society's opposition."

Franks: "And there was some issue about language that per... that permits for projects that have not been obligated within the prescribed obligation period shall expire on the last

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

day of that period. So, what does that mean? What's the change there?"

Davis, W.: "Not... Hold on. Repeat that question for me? I'm sure I've got an answer for you."

Franks: "There was... I guess there was two parts of what you were trying to do. One was, trying not to have physicians fall within certain definitions and the second it looks like it deletes language that states that permits for projects that have not been obligated within the prescribed obligation period shall expire on the last day of the period. What does that mean in laymen's terms?"

Davis, W.: "I'm... I don't know if I know what that means. But I think that the subsequent Amendments were gut and replace Amendments to only address the things that I just stated were part of the Amendments that were adopted as part of the Amendments. That's my understanding, Representative. that... that what you brought up is not addressed in a Bill and that the Amendments only address the two issues that I just mentioned."

Franks: "And I'm not sure about that and that's what I'm... 'cause our analysis says something different. Have you had a chance to look at our analysis, Mr. Davis? Take a look at our analysis under House Committee Amendment #1 which has been adopted and that becomes the Bill."

Davis, W.: "I've got to find it."

Franks: "Or am I looking at the wrong one? Should I be looking at House Floor Amendment #2? I can't... I guess let me ask a parliamentary inquiry."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Davis, W.: "Yes, we adopted House Floor Amendment #2, yesterday."

Franks: "Okay. So, House Floor Amendment #1 is no longer."

Davis, W.: "If you'd like... if you'd like the Clerk to clarify that, we can, but House Amendment... Floor Amendment #2 is what we adopted yesterday and that is the Bill."

Franks: "Okay. 'Cause our... our analysis indicates that it's still in Rules and does not show. So, I'm going to ask a parliamentary inquiry. I want to make sure. Where... what is the status, Mr. Speaker, of House Floor Amendment #2?"

Speaker Turner: "Mr. Clerk, can you give the status of House Floor Amendment #2."

Clerk Hollman: "Floor Amendment #2 was adopted."

Franks: "Okay. Now is House Amend... is House Committee Amendment #1 also been adopted, Mr. Speaker?"

Speaker Turner: "Mr. Clerk."

Clerk Hollman: "Committee Amendment #1 and Floor Amendment #2 were both adopted."

Franks: "Okay. Thank you. That will make it easier. I apologize, Will, because when I was reading the analysis I couldn't tell what had been adopted. Okay."

Davis, W.: "Thank you."

Franks: "All right. Thank you. But to the Bill briefly. I... I understand what the Sponsor's trying to do. It actually does help physicians here because they would not necessarily be under the purview of the Health Facilities Planning Board, which I think is important. But I think it still goes to a larger question of the value of this board because what this board does is it restricts access to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

health care, and I think that we need to be able to allow citizens to have access to health care. Mr. Sacia had a Bill, previously. We talked about and he took it out of the record and we worked on that for hospice. I'd like, hopefully, to be able to review what happens with the Health Facilities Planning Board and our policies in this state for allowing citizens to have access to health care. So, thank you, Mr. Davis."

Speaker Turner: "Representative Will Davis to close."

Davis, W.: "Thank you very much, Mr. Speaker. I appreciate the previous speaker's comments. And I simply ask for a 'yes' vote."

Speaker Turner: "The question is, 'Shall House Bill 2423 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 2 voting 'no', 0 voting 'present', House Bill 2423, having received the Constitutional Majority, is hereby declared passed. House Bill 1711, Representative Cabello. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1711, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Cabello."

Cabello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1711 just removes the authority for mayors, aldermen, village presidents, trustees to be conservatives of the peace, which we think is a very good... good Bill. And I ask for an 'aye' vote."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "Representative Sandack."

Sandack: "Mr. Speaker, a question of the Sponsor, please?"

Speaker Turner: "Sponsor yields."

Sandack: "Representative, we talked a little bit about this in committee. Can you elaborate a little bit on what this Bill does?"

Cabello: "Well, what this Bill does is it takes away the right of concealed carry from the mayors, aldermen, village presidents. Obviously, we're hoping to pass the concealed carry Bill, which will then give them the right once they go through the proper channels. But the reason for the Bill is... it's my humble opinion, I'm not trying to disrespect anybody, but if we've got municipalities that don't want their residents to be able to own a gun. We have municipalities that don't want their constituents to conceal carry. So, I don't feel it's right for them to be able to do that. It... my opinion we're no better than the people that elect us and we... we should be following the same rules."

Sandack: "Representative, have you heard any negative comments or opposition to your Bill from mayors, aldermen, anything like that?"

Cabello: "Not one."

Sandack: "To the Bill, Mr. Speaker. I stand in strong support of the Gentleman's Motion or Bill. I think it's a good Bill and I think if we're going to be consistent, we ought to pass this Bill and then move on, hopefully, to a good concealed carry Bill. Thank you."

Speaker Turner: "Representative Riley."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

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

Speaker Turner: "The Sponsor will yield."

Riley: "Representative Cabello, how about circumstances, and I'm sure they do exist, where in a previous life or circumstance some of the people that you talk about in this Bill were actually sworn and are carrying?"

Cabello: "They obviously are exempt 'cause they're a sworn law enforcement officer. The problem is, is that we have people that can do this now. They're actually technically police officers, but they haven't gone through the normal training that police officers go through. So, these folks can actually arrest you without a warrant, so that's another thing that we need to look at in this Bill. And this Bill takes care of that."

Riley: "I... I understand it; I understand your Bill. But I'm just saying, I'm just trying to get clarification that if one of the people in this particular class of folks that you're talking about was actually sworn, then this would not affect them. They could continue to..."

Cabello: "Correct."

Riley: "...have their carrying privileges?"

Cabello: "Correct."

Riley: "Thank you."

Speaker Turner: "Representative Will Davis."

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

Speaker Turner: "Sponsor yields."

Davis, W.: "So, in our analysis, again, as I think you indicated you're trying to tighten this up a little bit, but I guess presently mayor, aldermen, village president,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

trustees, a marshal or a deputy marshal and policemen in municipalities are kind of the group that you're referring to in this, correct?"

Cabello: "Correct."

Davis, W.: "So, so... while we understand, you know, mayors, trustees, village president, those are elected individuals. Marshals and deputy marshals are individuals that would be deputized by one of the elected officials?"

Cabello: "That was addressed in committee. This... it's not the law enforcement side. These are apparently are folks that are part of a municipal organization, but that do not go through police training."

Davis, W.: "So, I guess what I want to be clear about and... and... and I..."

Cabello: "They're saying that marshals is a dead term that is no longer being used."

Davis, W.: "What about deputy marshal?"

Cabello: "Same thing, dead."

Davis, W.: "So, when you say they're no longer being used, I mean, because to my knowledge a municipality can have deputy marshals. So, are you limit... are you prohibiting a municipality from having a deputy marshal?"

Cabello: "The Law Enforcement Training Standards Board say there is no longer marshals or deputy marshals in the State of Illinois."

Davis, W.: "In the State of Illinois?"

Cabello: "Yes, Sir."

Davis, W.: "So... so, regular people that would otherwise fall under those two categories no longer exist in the State of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Illinois. Do you know if that's by statute or is that a decision that they made not to allow individuals to become marshals or deputy marshals?"

Cabello: "The reason why they got rid of that was the Federal Government does not like those terms. So, that's why the State of Illinois is not using it anymore. Obviously, we have the United States Marshals Service and they didn't want any confusion."

Davis, W.: "Okay. Well, you said we can't use the terms. So is there any mechanism that allows an individual who is not otherwise an elected official like the ones that I've stated or an actual police officer to be given some type of fish... official or formal title that then allows them to be able to carry?"

Cabello: "No."

Davis, W.: "And you're certain of that?"

Cabello: "Not under this Bill."

Davis, W.: "I gu... I guess... I guess, ultimately what I'm... what I'm concerned about, the reason why I'm asking, is because you've heard about a young man in Florida named Trayvon Martin."

Cabello: "Yes."

Davis, W.: "Who, unfortunately, went... had an incident with an individual in a community who was able to carry, but considered himself to be, you know, I think, you know, the protector of that community for lack of a better way of stating it. So... so, my concern is, is that if this is, again, allows for a designation of regular people to be able to carry, then... then it raises some concerns with me,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

because we could have another incident like that here in the State of Illinois with someone who feels like they have to protect something, if you will."

Cabello: "Right. What... what this Bill does is takes away the right for elected officials to be able to do this. So, this isn't having to do with somebody that is deputized or as a... is a law enforcement officer. Again, this is for elected officials and unfortunately, these elected officials are able to conceal carry and they're able to arrest you 'cause they actually have police powers."

Davis, W.: "Okay. So, your focus in this is those elected officials?"

Cabello: "Yes, Sir."

Davis, W.: "But in any way to your knowledge there's no category that exists for regular folks to be given some designation that would allow them to then subsequently carry?"

Cabello: "The... yes. That can't happen. And if they do... do if that does happen for some odd reason, which I don't believe this Bill has the authority of letting folks do that. They still have to go through unfortunately, only 200 hours of training. But then they would also be classified as a police officer."

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

Cabello: "Thank you."

Speaker Turner: "Representative Jones."

Jones: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Turner: "Sir."

Jones: "Does this Bill preempt Home Rule?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "We'll get back to you with an answer for that question, Representative."

Jones: "Okay. Would the... would the Sponsor yield?"

Speaker Turner: "He indicates that he will."

Jones: "Representative, I noticed that the IML hasn't taken a position on this Bill. Have you spoken to them regarding this Bill?"

Cabello: "No, Sir."

Jones: "And why not?"

Cabello: "I didn't think that I needed to reach out to them."

Jones: "The premise of this Bill has local municipal officials and yet, the IML hasn't taken a position. In this Bill... what was the genesis of you bringing this Bill? Did you have this Bill before or somebody give you this Bill?"

Cabello: "No, it was my initiative. Again, we have municipalities that do not want their citizens to own guns or to be able to conceal carry, yet elected officials in those municipalities have the right to do that. It's even... evening out the playing field, because we are no better than the people that we represent."

Jones: "Okay. So, what happens under the scenario when you have a mayor who was a former police officer who becomes mayor? Under this Bill..."

Cabello: "Again, that was... we addressed that. They're still technically a retired police officer, so this does not affect them."

Jones: "Okay. Would you be willing to amend this Bill? Take this Bill out of the record and talk to the IML regarding some changes?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Cabello: "No, Sir. And the reason why is because we've already amended it and it took care of the opposition of the committee."

Jones: "Okay. Mr. Speaker, I rise in opposition to this Bill and I urge a 'no' vote on this Bill. I think this Bill does harm to misfit... municipalities. And I would appreciate getting back... if this Bill receives the necessary votes, I would like a verification and also would like an answer about the Home Rule."

Speaker Turner: "Representative, in answer to your question. It will not affect Home Rule and will take the simple Majority of 60 votes to pass. Your request for a veg... verification is... will be, you know, acknowledged. Representative Zalewski."

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

Speaker Turner: "Sponsor will yield."

Zalewski: "So, John, to... to the question of the concept. We're effectively changing who could be what's called a conservator of the peace... conservator of the peace?"

Cabello: "Yes, Sir."

Zalewski: "And, the existing statute says village trustees, aldermen, mayors, can be conser... conservators of the peace."

Cabello: "Correct."

Zalewski: "And your Bill would delete that?"

Cabello: "Correct."

Zalewski: "My question for you, is when it comes to that title, conservator of the peace, isn't it true that those individuals have to go through the training in addition?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

It's not as though they just grant or... grandfather the title. My understanding is the Body, back in the '90s, compelled them to go through the same training as a law enforcement official?"

Cabello: "Not from what I understand."

Zalewski: "Okay."

Cabello: "Law enforcement officers have to go through at least 400 hours of training, where the folks here only have to go through 200."

Zalewski: "So, they do have to train with a weapon?"

Cabello: "Correct. My... my issue is that police officers are highly trained individuals, these folks are not. And what... if we let these folks make arrests, well, now we're going into another category, because since they've not had the training that a police officer has, now they could be violating somebody's civil rights, and then now that municipality is going to be sued because they do not have the training that a professional police officer has."

Zalewski: "Yeah... and I understand what you're doing. I mean, we can argue about the merits of it. My sense is that the... many of these individuals don't exercise their rights under the... under the statutes so... to the Bill. My understanding is men... many of the individuals don't exercise their rights under the statute, but I just want the Body to be clear that it's not as though you are given the title of alderman or mayor or village trustee or village president and then you automatically are granted the powers of... of carrying the weapon. I just want that point to be made clear. Members can cast judgment on the Bill on its individual

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

merits, but just... I think it's important to point that out that there's 2 hours... or 200 hours of training involved as mentioned by the Sponsor. So, thank you, Mr. Speaker, for allowing me the opportunity."

Speaker Turner: "Representative Fortner."

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

Speaker Turner: "The Sponsor will yield."

Fortner: "You got to help me out here, I'm a little confused. In your opening comments and much of the discussion, you talked about wanting to deal with municipalities who want to deny their residents guns but they're willing to have their elected officials have guns, if that's what I understood you say?"

Cabello: "Correct."

Fortner: "When I read the Bill as amended that we're voting on, I don't find anything here specifically related to concealed carry or anything related to guns. What I find in the Amendment is, in fact, saying that those elected officials would no longer have the power to arrest. That's what I read in the actual text Amendment. Am I missing something here?"

Cabello: "No, it takes away the conservative of the peace, which then also takes away the right to conceal carry."

Fortner: "Right, but it takes away than just the right to concealed carry."

Cabello: "Correct. It takes away their police power."

Fortner: "It takes away a number of other police powers that the Law Enforcement Training Board standards were also

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

designed to cover, should someone go through that training process."

Cabello: "Correct."

Fortner: "So, I just want to make sure the membership is aware. It is not as narrowly focused as what you described in your opening comments. It's not just about removing their concealed carry authority, but it would, in fact, remove all those powers related to it. And in fact, if one looks at the text what the text gets to is specifically... say, in that particular part of the Act, it only addresses things related to arrest. It's elsewhere in the Code, that conservators of peace have the power to do concealed carry, if I'm not mistaken?"

Cabello: "You're correct."

Fortner: "So, I just want make sure Body understands that, at least in my opinion, that's a much broader change to those municipal authorities than what was I think largely debated up to this point. Thank you."

Cabello: "Thank you."

Speaker Turner: "Representative Reboletti."

Reboletti: "I move the previous question."

Speaker Turner: "The Gentleman moves the previous question. Seeing no objection, the question is put. Representative Cabello to close."

Cabello: "Thank you, Mr. Speaker and Members of the General Assembly. Again, this... this Bill will start actually helping municipalities not go down the... the lawsuit route if an elected official arrests somebody because they've not had the pro... proper training as a police officer. It does

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

take away the right for them to conceal carry as well. I respectfully ask for an 'aye' vote."

Speaker Turner: "Representative Jones has requested a verification, so Members, please remember to vote your own switch. And on that, the question is, 'Shall House Bill 1711 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. Jones, do you wish to proceed with your verification? Mr. Clerk, verification is withdrawn. Mr. Clerk, please take the record. On a count of 94 voting 'yes', 14 voting 'no', 8 voting 'present', House Bill 1711, having received the Constitutional Majority, is hereby declared passed. House Bill 2620, Representative Riley. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2620, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Turner: "Representative Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. Essentially 2620 would allow follow-on funds to the set of exceptions to the competitive awards process that's currently in the Illinois Pension Code. And for the purposes of this Bill the definition of a 'follow-on fund' is essentially a private equity fund that's been established after some initial investment that was previously procured under the competitive selection process. There are exceptions right now. Some of those exceptions include contracts that are valued at less than

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

\$20 thousand certain single source investments and so forth. So, 2620 would essentially just add follow-on funds to the set of exceptions in the Illinois Pension Code."

Speaker Turner: "Representative Senger."

Senger: "Thank you, Mr. Speaker. To the Bill. This Bill makes a lot of sense and it is a good Bill. I'd appreciate an 'aye'..."

Speaker Turner: "Representative Ives."

Ives: "Will the Sponsor yield?"

Speaker Turner: "The Sponsor will yield."

Ives: "Our analysis says that this is an exception to downstate police and fire. I was just wondering about that."

Riley: "I was not aware of that."

Ives: "So this applies across the entire state?"

Riley: "This would apply across the entire state."

Ives: "Okay, thank you."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "He indicates that he will."

Franks: "Thank you. Mr. Riley, this would exempt follow-on funds from competitive bidding?"

Riley: "The follow-up fund, yes. The underlying fund investment, of course, would have gone through the process."

Franks: "Now, is there any limitation on how much the follow-on fund could be?"

Riley: "Not that I know of, no."

Franks: "So, what would happen if the initial placement was for a million, but the follow-on was for 20 million?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Riley: "Well, it could be because it could be that the initial fund was a... was a very good one, a very profitable one. Often and there's no necessarily... necessary rule of thumb, but also... but often follow-on funds may be found to be more profitable. The fund manager might have been a good one and invested the underlying investment very well, so that's... that's possible."

Franks: "I'm just not sure though why we would exempt a follow-on fund because the follow-on is just really an additional deal. It's... it's pretty separate on its own. The only reason it's follow-on is because it's somehow being tied to the previous, correct?"

Riley: "But that's just it. If the previous investment had to go through the competitive bidding process, the follow-on fund... you know, you wouldn't even have a follow-on fund unless the great majority of the initial investment had been funded. So, this is... I would agree with you. This is more or less a clarification of... of the process."

Franks: "I'd feel more comfortable if there was a limitation on the follow-on fund so it couldn't exceed the original amount because I could see ways where people could get around the competitive bidding by having a smaller initial offering and then doing a larger follow on fund. So, maybe that's something that could be discussed in the Senate."

Riley: "That... that's possible, but again, you know, one of the things that investment in funds tries to do is to try to maximize investments."

Franks: "But what I worry about though is sometimes which I've seen with follow on funds is that they hold back a

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

significant amount of funds and then the insiders are the ones that actually benefit. So, let me give you a for instance. Say, you've got a... some type of company and they're trying to raise initial funds and initial capital. And they... and let's assume they say the par value of the initial offering is a dollar. But then they wait for the follow-on funds and since it's a follow-on and not new in their definition, even though the value of the shares may have increased to \$10, they're still going to be able to sell them for a dollar par and they're going to probably sell them to insiders. And that's what concerns me, that insiders will be making a big... get a heck of a deal on this."

Riley: "Well, Representative Franks, I... I understand your point, but you know there are fund managers. There is a board, an investment board, and then of course we have regulatory bodies that are supposed to look at those kinds of things so. Thank you."

Franks: "Okay. Well, thank you."

Riley: "Thank you."

Speaker Turner: "Representative Riley to close."

Riley: "I request an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 2620 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 74 voting 'yes', 42 voting 'no', 0 voting 'present', House Bill 2620, having received the Constitutional Majority, is hereby declared passed. House

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Bill 3054, Representative Tabares. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3054, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Representative Tabares."

Tabares: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 3054 prohibits anyone from using oscillating, rotating or flashing lights from any type of emergency vehicle. The Illinois State Police and the Department of Corrections support this initiative, which stems from a constituent concern... constituent concern request from State Representative Emily McAsey's district involving police impersonators. And for those of you who are not familiar with police impersonation which, especially involving vehicles, what it is, is that an impostor places police lights on a personal vehicle to... to disguise a police car and many of you may or may have had heard, but here in Springfield we have a police impersonator and the State Journal-Register wrote two stories about two instances here in Springfield. The first story was involving a man who impersonated a police officer driving a vehicle with a white light, pulled over a 16-year-old-girl and assaulted her. The second story, which also occurred in February and this occurred just recently, this occurred in February. What happened was another man impersonated a police officer was driving a vehicle with red and blue rotating lights and attempted to pull over a woman driving a vehicle. Now, the purpose of this Bill is that it would provide the law enforcement to... what it... what

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

the purpose of this Bill is that it would allow... it would provide law enforcement the ability to deal with those that are impersonating police and emergency vehicles. The Bill would a law... would allow law enforcement to seize the equipment as well as penalize those in violation with a Class A misdemeanor. And those that are found guilty would be subject to less than a year in prison and up to a \$2500 fine. So, in conclusion, Ladies and Gentlemen of the House, the Illinois State Police and the Sponsors of this measure worked very hard to provide a workable solution that would prevent this potential harm. And I respectfully request my fellow Representatives... I respectfully request your support on this House Bill 3054. Thank you."

Speaker Turner: "Representative Sacia."

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

Speaker Turner: "The Sponsor will yield."

Sacia: "Representative, just a point of clarification if you would. In reading the analysis on my side of the aisle, it indicates a... a blue or red oscillating or flashing light and then it becomes somewhat confusing in that it states or any other flashing lights on a motor vehicle. I... I'm thinking of farmers as an example, use oscillating and flashing yellow lights regularly, white lights regularly. Are those prohibited in your legislation as well?"

Tabares: "Thank you, Representative Sacia. Yes, the last Amendment made the omit of the blue light."

Sacia: "I'm... I'm sorry. I didn't understand?"

Tabares: "And that is because the Springfield police impersonator is using that. So that was omitted."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Sacia: "No, I... we're misunderstanding each other. The... the lights that I'm concerned with that are... that have been fully acceptable for slow-moving vehicles, farm vehicles, especially, in the fall and the spring of the year when farmers are moving heavy loads from fields it might be after dark at night. They may have oscillating lights on their pickup truck pulling something behind them. They're not red, they're not blue, but very often they're yellow in color and I have seen some white oscillating and flashing. Are they prohibited with your legislation?"

Tabares: "No, no, they're not, Sir."

Sacia: "Okay. That's all I needed to know. Thank you, Representative."

Speaker Turner: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I want to congratulate the Lady for... This Bill is long overdue. You see, sometimes people let a little power get to their head. For instance, a security guard when you see them on duty, he puts police on the back of this jacket. That should be impersonation in itself. You see, so many times it happened in the City of Chicago and maybe throughout the State of Illinois where individuals will pull people over and rob them, some people have been raped. Because people have these lights that they put on top of their car, it could be an old-fashioned unmarked squad car that they use and then they put the lights on top. And that's why she... she specifically states a red or blue, because a red or blue stands for emergency services. To the last speaker, I don't think a yellow one would

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

actually be included in this legislation, just as a tow truck driver or farm equipment. I think that what the Lady wants to really do is stop the impersonation of individuals who think they're the real police and they're really not. A security guard is not a police officer. A security guard is not law enforcement. And I think that's what, exactly what she's trying to do is just stop these people from impersonating others. I can recall so many incidents in the City of Chicago on 26th street where the same devices were used on top of a squad car to pull over, not only undocumented citizens who didn't know any better, but average citizens who were pulled over and held at... and robbed at gunpoint. So, I ask for an 'aye' vote, because this kind of activities we need to stop. Thank you so much."

Speaker Turner: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. To the Bill. I also rise in strong support of this legislation, I know that Representative Tabares has worked really hard and is doing a great job presenting it this afternoon. This legislation was written actually, in conjunction with the Illinois State Police, to go after a really specific concern in our communities with regard to police impersonators. There have been instances in communities all across the state where persons have used vehicles that are outfitted to look like police vehicles, have pulled over unsuspecting citizens and have done unthinkable things. What this Bill does is very simply give law enforcement another tool. All that it does is allow for law enforcement

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

to seize lights and indicia of an emergency vehicle from individuals who are... are engaged in this behavior. So, I encourage the Members of the Body to vote 'yes'. Thank you."

Speaker Turner: "Representative Bost."

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

Speaker Turner: "The Sponsor will yield."

Bost: "I know that we wer... I know that we were asking about farm vehicles. What specifically? Many of our rural fire departments use volunteer firefighters and they use oscillating blue lights that quite often you throw on the dash, magnetic lights you throw on top of your vehicle while going to the scene. Is that specifically covered that that is still permissible?"

Tabares: "Yes, Representative Bost. The Bill allows you to use it for legitimate purposes."

Bost: "Okay. That's... that's all we need to know. Thank you."

Speaker Turner: "Representative Davidsmeyer."

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

Speaker Turner: "She indicates that she will."

Davidsmeyer: "I think this is a great Bill. I did have one concern. A couple weeks ago we passed a Bill allowing IDOT vehicles to use a red light and I don't know how this would conflict with that Bill?"

Tabares: "My apologies, Representative. Can you repeat that question?"

Davidsmeyer: "A couple weeks ago, I believe Representative D'Amico was a Sponsor of a Bill to allow IDOT vehicles to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

have oscillating red lights, instead of the normal orange lights."

Tabares: "They're okay."

Davidsmeyer: "Okay. Thank you."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "Sponsor will yield."

Zalewski: "Representative, is this your first Bill?"

Tabares: "Yes, it is, Representative. It is my first Bill."

Zalewski: "Okay. Well, it's a good Bill, congratulations."

Tabares: "Thank you, Representative."

Speaker Turner: "Representative Tabares to close."

Tabares: "Well, in conclusion, just want to mention once more that the Illinois State Police and the Sponsors of this measure have worked very hard to find a workable solution to prevent this provincial harm. And I would request a 'aye' vote from my fellow Representatives. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 3054 pass?' All those in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3054, having received the Constitutional amount of votes, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 18, 2013:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

recommends be adopted Floor Amendment #9 to House Bill 997 and Floor Amendment #2 to House Bill 2470."

Speaker Turner: "Back to the Order of Third Readings. House Bill 1446, Representative Conroy. Out of the record. House Bill 2330, Representative Ford. Mr. Clerk, please read the Bill. Representative Ford, would you like to move this Bill back to Second to address the Amendments?"

Ford: "The Amendment was adopted yesterday."

Speaker Turner: "Mr. Clerk, please read the status of House Bill 2330."

Clerk Bolin: "House Bill 2330 is on the Order of House Bills- Third Reading. Amendments 1 and 2 have been adopted to the Bill. Floor Amendment #3 has been approved for consideration."

Speaker Turner: "Please move this back to Second Reading. And read the Bill, please."

Clerk Bolin: "House Bill 2330, 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 has been adopted. Floor Amendment #3, offered by Representative Ford, has been approved for consideration."

Speaker Turner: "Representative Ford."

Ford: "Thank you. I move to adopt Amendment #3. What Amendment #3 does, it's... if you all remember, this is the Bill that I pulled out of the record to work on to get the best Bill possible for the State of Illinois. So, what this Bill does it protects mothers or any custodial parent in the case of any new revenues coming to a noncustodial parent while

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

they're in jail. So, there are safeguards in this Amendment to automatically suspend the child support suspension if the noncustodial incarcerated parent comes into funds. And I move for the adoption."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to House Bill 2330. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 3319, Representative Halbrook. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3319, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Turner: "Representative Halbrook."

Halbrook: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3319 will expand the type of materials that can be accepted on a farm for composting as part of an IEPA permit exemption. That's already in law; we're just expanding some product that we can bring to the farm. This would be organic materials like a straw and sawdust and other kinds of products like that. Currently, landscape waste can be brought onto the farm. The other thing that it does by a ordinance of mun... municipality or of a county government, we can reduce the setback based on that. No other opposition and it's an agreed upon language. And I'm just looking for a 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 3319 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3319, having received the Constitutional Majority, is hereby declared passed. House Bill 2530, Representative Welch. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2530, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Welch."

Welch: "Thank you, Mr. Speaker. Before I proceed on 2530, can the record reflect that my intentions on 3319 was to vote 'yes'?"

Speaker Turner: "The record will reflect your intentions, Sir."

Welch: "Thank you, Mr. Speaker. To House Bill 2530, I'd like to first say that this is the first of probably many Welch, Ford, Hurley Bills. This Bill is a Bill with regard to drop boxes, donation bins that we see throughout our communities. These bins are sometimes owned by for profit companies and they're also owned by non for profit companies. What this Bill does is simply requires whether you're for profit or not for profit to place a sticker on your bin to let the consumer know whether you're for profit or non for profit. This is a consumer awareness Bill. It calls for transparency and it does not cost the state anything. I ask the Assembly to... the House to pass this Bill and vote 'aye'. Thank you."

Speaker Turner: "Representative Kosel."

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

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "The Sponsor yields."

Kosel: "I want to commend you on this Bill. It's an excellent Bill, something that's long overdue."

Welch: Thank..."

Speaker Turner: "Representative Welch to close."

Welch: "Thank you, Representative. I ask the Body to vote 'aye'."

Speaker Turner: "The question is, 'Shall House Bill 2530 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2530, having received the Constitutional Majority, is hereby declared passed. House Bill 496, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 496, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. I love the way you say my name. Can you say it again?"

Speaker Turner: "Representative Chapa LaVia."

Chapa LaVia: "I like it, thank you. Members of the House, thank you. We went over this briefly yesterday. This is an initiative of ISBE and School Management and what it does is, it allows them to take some of the licensure application fees that is currently paid to teachers and adminstr... from administrators to fund new license renewal process. It help... that's going to help them... it's going to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

help them and provide them new tools so they can make sure that they're expedient when they get the licenses out. And I ask for its approval. Thank you."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 496 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 496, having received the Constitutional Majority, is hereby declared passed. House Bill 2036, Representative Kay. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2036, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Turner: "Representative Kay."

Kay: "Thank you, Mr. Speaker, Members of the House. This Bill simply requires that on January 1, 2014 IEPA will maintain various permitted related information on the website, including a yearly report detailing the number of permits received and issued by the EPA. This is a business initiative to help people who are getting started go through the process quicker."

Speaker Turner: "Representative Franks."

Franks: "An inquiry of the Chair. Our analysis indicates that Amendment #2 is in Rules, but can you please let me know what the status of House Floor Amendment #2 is?"

Speaker Turner: "Mr. Clerk, can you tell us the status of the Bill?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Bolin: "Floor Amendment 1 was referred to committee.  
Floor Amendment #2 has been adopted to the Bill."

Franks: "Okay. Thank you, Mr. Speaker. Just our analysis is not up-to-date on this. Okay. So, Representative, I wasn't sure what to read, I was trying to read the entire analysis and I'm not sure now. So, all I know is House Floor Amendment #2 is a gut and replace. Can you please tell us what it does?"

Kay: "Yeah. Very simply, there have been, within my district, several complaints about people who are trying to get permitting. And they have gone from one source to another, one agency.. or within the agency to another to get information with respect to how to get their business going with respect to air, water, or land. And this simply will dictate or lay out for them this information and a perspective time table as to when they can expect all the permitting to be done."

Franks: "Well ,that makes perfect sense if you give it some..."

Kay: "Well, thank you."

Franks: "...yeah. I get those complaints all the time in my district. They never get response. Nobody can give them a straight answer. So, this will require that this to be posted?"

Kay: "That's correct."

Franks: "Thank you."

Kay: "Thank you."

Franks: "I support your Bill."

Kay: "Thank you."

Speaker Turner: "Representative Kay to close."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Kay: "I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 2036 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2036, having received the Constitutional Majority, is hereby declared passed. Representative Monique Davis, for what reason do you seek recognition?"

Davis, M.: "Mr. Speaker, my switch is not working. I was attempting to vote 'yes' on the previous Bill. And kindly send someone down here to fix it."

Speaker Turner: "Yes, Ma'am, the Journal will reflect your request."

Davis, M.: "Thank you."

Speaker Turner: "House Bill 1391, Representative Yingling. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1391, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Turner: "Representative Yingling."

Yingling: "Thank you, Mr. Speaker. Today, I'm presenting House Bill 1391. This legislation was suggested to me while walking door-to-door in part of my district where residents live in constant fear of a proposed garbage incinerator being operated in a nearby dump. The presence of an incinerator at the site would cause a constant flow of garbage being shipped through this community and have a negative impact on the air quality of the surrounding

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

neighborhood. I was especially troubled to hear that the possible incinerator site might be located just a matter of blocks away from a school. So, House Bill 1391 will provide peace of mind for the people of this community and protect the learning environment of the students by prohibiting the operation of a garbage incinerator within a mile and a half of a public school. Amendment 1 limits this legislation to Lake County, Illinois and only Lake County, Illinois. I do believe that this would be a good statewide regulation, but I wanted to make sure we could get something passed this Session to address the issue in my district. So, I'm open to any questions. And I urge an 'aye' vote."

Speaker Turner: "Representative Tryon."

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

Speaker Turner: "He indicates that he will."

Tryon: "Representative Yingling, the problem I have with this Bill is we're actually creating a new standard, a new isolation distance of a thousand feet. Many of us who have served on county boards or city councils have been placed in the position of... of having a... a process imposed on us to site a regional waste facility; that's a very lengthy process. It's a... it sets up a council or a county board committee as a quasi-judicial hearing body that can't accept any kind of quasi... any kind of ex parte communication. It's very regulated. It's very thorough. It takes months. It allows the... the hearing body to hear conditions and accept solutions to those conditions. Things that may pop up like extra types of treatment devices to remove particulates from any kind of incineration device

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

if, in fact, that was... was the case. So, one of the problems that I have when you set up a new standard... a new isolation standard for something like a isolation distance to a school, a body of water, you're... you're, in many ways, tying the hands of the hearing body from their ability to adequately represent any kind of additional conditions that they may seek to place on... on a regional pollution siting facility. So, for that reason, I think the process that we have now works and it gives those hearing bodies the flexibility they need to even go beyond what you're proposing, but to, also, look at other types of environmental solutions if they need to be closer. So, the way that you have the Bill structured today, I couldn't support it. Thank you."

Speaker Turner: "Representative Osmond."

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

Speaker Turner: "Sponsor yields."

Osmond: "Representative, when you have this as Lake County only, could you tell me what areas this would cover?"

Yingling: "It's just Lake County."

Osmond: "I understand Lake County, but where in Lake County?"

Yingling: "On any... any area that with... is within a mile and a half of a school."

Osmond: "So, are you saying that in Grayslake?"

Yingling: "Yes, that would apply."

Osmond: "And how about Zion?"

Yingling: "That I'm not... I'm not clear on Zion. I'm not sure if Zion has a school within a mile and a half."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Osmond: "So, does... in Grayslake, how would this affect the school... I'm sorry. I'm... I've lost my train of thought. Would this affect Prairie Crossing area?"

Yingling: "Yes. This is where... this is where the... the initiative originated from."

Osmond: "Have you had any contact with Waste Management?"

Yingling: "Yes, I have."

Osmond: "And are they still opponents?"

Yingling: "Yes. My meetings with them... we tried to work out an agreed Bill, but they were opposed for the sake of being opposed."

Osmond: "Have you talked to Veolia?"

Yingling: "I'm sorry, to who?"

Osmond: "Veolia. They are the ones that run the facility up in Zion."

Yingling: "No, I have not."

Osmond: "All right. I still think that this... I'm confused as to what you're trying to accomplish here. And at this time, since Waste Management's against it and so is the other, I'll have to vote 'no'. Thank you."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "He indicates that he will."

Franks: "Representative, I gave you homework on this when you came to talk to me the other day, so I wanted to ask you some questions. How did you come up with one and a half... that an incinerator cannot be located within a mile and a half from a school?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Yingling: "Sure. You know, my belief is that we shouldn't have any sort of incineration in the state to begin with. But studies have shown, and there's one study in particular that was... that took place in 2005 that showed that... that looked specifically at incineration near schools... and it showed that there was a greater risk for... for health... for health problems amongst the student body if it was within a two miles... two miles or less. So, with the mile and a half, this was part of the reason that I had met with the industry and had come up with a mile and a half as a compromise, originally it was much larger than that."

Franks: "Okay. So, there... there is some science base to this?"

Yingling: "Absolutely."

Franks: "Now, let me ask you this. In the science that you studied, how many particulates in the air are acceptable at a school?"

Yingling: "Well, let me... let me get this to you. Is that based on... based on this specific study, it states that decreases in the distance of schools from the nearest municipal waste incinerator plant were independently associated with an increased prevalence in wheeziness, headaches, stomachache and fatigue."

Franks: "Oh. I know. I... I get that. And I think I want to focus on the particulates though because what would happen if a school... where I am in McHenry County there are some schools that are near quarries and gravel pits that throw a lot of particulates. And I'm wondering if there's a difference with the particulates that are in the air as a... from a gravel pit versus a... an incinerator? Is there a difference?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Are there... are there carcinogenics that may be found in an incinerator or are they the same type of particulates?"

Yingling: "I can't speak to... to the... to the quarry, but in terms of the incineration of trash, yes, certainly that... and that gets, you know, directly lifted out into the air for miles and miles and miles. So, it will take... it does take several miles for that to actually dissipate."

Franks: "Now, I understand that. Now, what would happen if technology changed and they were able to put scrubbers on incinerators? And would it make... and let's assume they could provide... they could produce a by-product that had much less particulates that are in the air now, and they didn't need miles and miles, in your words, to dissipate. Would this... my point is, would it make more sense to have a ban on the amounts of the particulates than necessarily having a ban on distance, especially with our technology increasing?"

Yingling: "Well, that is an interesting point and that's certainly something that... that could be looked at, but right now, you know, that is a hypothetical. And I'm focused on this Bill."

Franks: "Okay. I... I'm concerned with the distance aspect. And I guess the other thing I was going to ask as I was reading the Bill, and I see it can't be located more than a mile or less than a mile and a half from a public school. What about a private school? Why were private schools not included in this?"

Yingling: "It's my understanding that private schools are included."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Franks: "That's not what our analysis indicates. I'm going to go to the Bill text then and maybe we can read that together. But our analysis was very clear on public schools. It says public schools, if you look at line 20 on page 4."

Yingling: "Yes. You're right, Jack."

Franks: "I presume that's not your intent."

Yingling: "Well, it, you know, it's a school. If... if, you know, there is an interest in adding private schools at a later time, we can certainly look at doing that."

Franks: "But don't you... don't you think it should be amended because if your... if your real issue is safety for our children..."

Yingling: "Right."

Franks: "...it doesn't matter if they go to a private school or a public school."

Yingling: "Yes. You're right about that."

Franks: "All right. So, I presume you'd have this amended in the Senate should this pass?"

Yingling: "In the Senate. Yeah."

Franks: "Okay. Thank you for your answers."

Yingling: "Thank you for... for bringing that to my attention."

Franks: "Thank you."

Speaker Turner: "Representative Reboletti."

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

Speaker Turner: "Sponsor yields."

Reboletti: "Representative, I'm... I'm having some trouble understanding the necessity for the legislation, so maybe you could walk me through this. Is it true that Waste

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Management has a host agreement with your community, and it says that they cannot site this incinerator within a mile and a half of a school? Is that correct?"

Yingling: "I do know they have a host agreement. I'm not exactly sure what the language is in as it relates to a school."

Reboletti: "And what does it say with respect to the host agreement about where they can and cannot either put an incinerator, landfill or whatever? Do you know how long that would be, is that in perpetuity?"

Yingling: "Right now, the... it's my understanding, you said, with the host agreement, they currently cannot build an incinerator on-site, but I understand where you're going with this. And... and yes, they cannot build an incinerator on-site and that protection is already in place. My constituents, though, are concerned that agreements can be changed and would like an additional layer of protection."

Reboletti: "Well, I understand that. But then, we go to the Lake County Solid Waste Agreement."

Yingling: "Right."

Reboletti: "It doesn't... and they, the Solid Waste Plant also expressively restricts the construction, location or operation of a waste incinerator as part of the plan, right?"

Yingling: "Right. And that is correct. And that goes... that goes back to originally what I had... I had said in regards to I'm aware that these exist, but my constituents are looking for an additional level of protection."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reboletti: "Well... so then, if we put it in state statute, we'll... we'll tell everybody we really mean it now because the State of Illinois has weighed in. And so, now that the contract is in place, the county says you can't do it, now if the state comes in, does that mean we really mean it and that... will that then give your constituents a level of comfort? I don't... I don't see why this is not duplicative; it's... now we're in triplicate. I mean, we will have... we have three different people... different levels weighing in saying the same thing. I can't imagine that Waste Management or whoever these folks are... Countryside, you know, going to all the sudden wake up one day without proper citing from all the local authorities and put up a waste incinerator. It doesn't make any sense. Why do we need this in triplicate?"

Yingling: "For the reason I just explained, Representative. My constituents would like an added level of security."

Reboletti: "And... and to the Bill. And Representative, I... I appreciate that. But when you already have two layers of protection, I would... I would have to submit to the Body that... that's sufficient, that if Countryside reneged from the contractual agreement, you'll go right to the Lake County courthouse and... and file a lawsuit there to stop them, get an injunctive relief. The county's not... it would shut down any type of operation immediately. They're not going to sign off on it; does that mean... any permitting there? So, I don't know how the state getting involved will give any additional layer of protection because there's already two other layers that exist that have not been

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

penetrated or pierced. And so, respectfully, I would urge a 'no' vote."

Speaker Turner: "Representative Mayfield."

Mayfield: "Will the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Mayfield: "Representative, we had a conversation regarding your legislation and prior when you were asking for support. And I asked you would it, number one, apply to current landfills, and I explained that within my district and Representative Osmond's district there is a middle school and a landfill on the exact same strip of road within a half a mile of each other. And you said, no, it would not apply to existing schools. And your... I'm sorry... to existing landfills, and your legislation does not say that. It says it will not renew their permit, so it will negatively affect a business in our area."

Yingling: "No. No, that's incorrect. The... this... this is in regards to actual incinerators, not landfills. So, it's... it would... it would ban the construction of an incinerator or the renewal of an incinerator which does not exist at that... at that site."

Mayfield: "Are you sure?"

Yingling: "I'm positive. Are they burning garbage there?"

Mayfield: "I believe they are."

Yingling: "They're... they're burning garbage into... I... I would double-check that, Representative, because we... we looked into this and there are currently no operating incinerators in Lake County."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Mayfield: "Okay. Did you call this one specifically 'cause this is an older one? They've been there for eons."

Yingling: "Right. In terms... in terms of the permits that would have to been filed for that, we checked into that and there are no incinerator permits for Lake County."

Mayfield: "Okay. Thank you."

Yingling: "Yeah."

Speaker Turner: "Representative Yingling to close."

Yingling: "This is an issue that's incredibly important to my constituents. It's also an issue that, I think, we should be looking at at a larger state level. I would appreciate your support. And I would appreciate an 'aye' vote for the people of the 62nd District. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 1391 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Members, please record yourself. Representative Smith. Mr. Clerk, please take the... Mr. Clerk, please take the record. Representative Yingling. Representative Yingling."

Yingling: "I will postpone that. Thank you."

Speaker Turner: "Mr. Clerk, please post... put this Bill on the Order... Order of Postponed Consideration. House Bill 3271, Representative Ann Williams. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3271, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Williams."

Williams: "Thank you, Mr. Speaker. This Bill simply establishes a Multiple Sclerosis Task Force within the Department of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Public Health. As we all know, MS is an incredibly complex disease that can result in severe... severe disabilities. Rather than consider various issues piecemeal, we are hoping the task force will take a careful look at the Illinois statutes and determine where we need to make changes to accommodate those with disabilities. I'd be happy to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3271 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3271, having received the Constitutional Majority, is hereby declared passed. House Bill 1929, Representative Reboletti. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1929, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Speaker and Members of the Body. House Bill 1929 comes to me from a former colleague of mine at the Will County State's Attorney's Office. Unfortunately, they've dealt with a number of infant murders and the sentencing guidelines are standard murder numbers of 20 to 60 years. This would reinstate natural life without parole when a defendant is over the age of 18 and the victim is under 12 years of age. Recently, as this Body is well aware, there was a six-month-old murdered in cold blood in

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

the City of Chicago. This would be applicable there. It would also be applicable if there were multiple victims... if the defendant was convicted of multiple victims... murdering multiple victims. So, this was actually the state of the law in Illinois back in 1999, but it was overturned by the single subject rule in People v. Wooters. I'm looking to bring it back now since we have no capital punishment. I'll take any questions and ask for your positive consideration."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1929 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 110 voting 'yes', 4 voting 'no', 1 voting 'present', House Bill 1929, having received the Constitutional Majority, is hereby declared passed. House Bill 2832, Representative Lang. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2832, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill filed by... requested by the Recorder of Deeds of Cook County, Karen Yarbrough to... to alleviate fraudulent filings that have happening over and over and over again. When it was originally filed, it would have enabled her to pull something out and not record it, and so, the realtors, some of the title companies were opposed. The Amendment that's now on the Bill requires all deeds and all documents to be

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

recorded, and then they go into a system if her office thinks they're fraudulent where they can investigate them, give people notice, et cetera. I should tell you that the realtors are no long... are not yet on board, but they are on board with sending this Bill to the Senate for further debate. And I would ask your consideration."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Represent... Representative, I think you put on to the record what exactly we wanted to know which was that it was the realtors were still opposed. They're okay with this moving to the Senate, and it will be worked on over there, correct?"

Lang: "That is correct, Sir."

Bost: "Thank you."

Speaker Turner: "Representative Lang to close."

Lang: "Vote 'aye'."

Speaker Turner: "The question is, 'Shall House Bill 2832 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Currie. Mr. Clerk, please take the record. On a count of 103 voting 'yes', 11 voting 'no', 0 voting 'present', House Bill 2832, having received the Constitutional Majority, is hereby declared passed. Representative Flowers, for what reason do you seek recognition?"

Flowers: "Thank you, Mr. Chairman. I would like the record to reflect that had I been at my seat I would've voted 'no' on House Bill 1929."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "The Journal will reflect your request. House Bill 2646, Representative McAsey. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2646, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Turner: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. This is the initiative of the Illinois State Bar Association. One of the results of the home foreclosure crisis throughout our state is a situation where homes that go into foreclosure that are in condo associations have a situation where condo assessments have not been paid. This legislation is a change to existing law to try and create more balance and certainty with regard to the payment of assessments by the new buyer of the depart... homes that are in these associations. So, it would require nine months of payment of regular assessments. Again, this is the initiative of the Illinois State Bar Association. It is also supported by the Illinois Realtors. I'm happy to answer any questions."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "She indicates that she will."

Franks: "Representative, what's the present law when someone buys a foreclosed property? Is there any requirement that they pay unpaid condo assessments?"

McAsey: "Yes, there is. So, currently, there is a requirement that the new buyer is paying six months of assessments, but there's a lot of uncertainty with regard to... in addition to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

those six months, legal fees that are accruing. So, this Bill is really a compromise that's allowing for nine months of those assessments, but its precluding additional legal fees. It also is working to establish a more certain time line with regard to making sure that those condo associations are providing information about the amount of those assessments that are due which is all really important information with regard to financing these real estate transactions, making sure that this information is available sooner and not surprising at the closing table."

Franks: "Our analysis indicates that the Association of Condominiums and Townhomes are opposed as is the Illinois Credit Union. Has that been alleviated with the Amendments?"

McAsey: "The... the Association's organization is opposed. They want for these innocent buyers who are coming in to purchase these homes actually to have to pay more. They would like for there to be a longer period of months. And so, for that reason, you know, they want more money and they remain opposed. It's my understanding that the credit unions have some opposition because, in some circumstances, they're actually negotiating, and they have been paying some of these costs for buyers. So, again, it's about costs that may fall into their lap."

Franks: "To the Bill. And I appreciate that. And I reluctantly have to rise in opposition to the Lady's Bill. What this Bill does is it picks winners and losers in the foreclosure situation where many people could lose. And when a foreclosure's filed, inferior lienholders are knocked out,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

meaning if they've got a lien and they have a claim and they have a judgment and they put that against the property, those people get nothing. Oftentimes when the lender... or most of the time, when the lender has to foreclose, the lender will lose between 30 and 45 percent of the principal balance. It doesn't seem... but it doesn't seem to make sense that the condo association would be the one to get nine months of payments from an innocent buyer when they're not the ones who, first of all, incurred the expense. And secondly, they're enriching someone outside the chain that's typically done when there is a judgment. Now, if the condo association presently has the ability to place a lien on the property and collect like every other creditor and they can go... they can go personally against the condominium owner who hasn't paid like any other judgment creditor. But what they're asking to be done here, is to be treated in a super priority position and other creditors who may have had a lien much before the condo association are told to pound sand while the condo association is getting the money. I think that's unfair. I think we should maintain 200 years of jurisprudence. And I'd ask people to vote 'no'."

Speaker Turner: "Representative Dunkin."

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

Speaker Turner: "Sponsor yields."

Dunkin: "Representative, I'm trying to understand this... this piece of legislation and follow the previous speaker's remarks. You say the condo associations, townhouse

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

associations they're all against this because they want to extend time or..."

McAsey: "Right. Right. So, they would like... where is... what this legislation is doing is creating a certain amount of time, nine months. They would like for these innocent buyers, people who hadn't known this before or owned the property before, to be responsible to pay even more money to these condo associations. You know, and perhaps there are other peo... individuals, be it lenders perhaps, who gave the mortgages in the first place, but with regard to getting our housing market back on track, it's... I... I believe that it's really important that we have a system like this where there is balance, there is certainty where we don't hit a point where now we're tipping the scales and we don't even have buyers who are interested in going into the foreclosed property market."

Dunkin: "So, why go from six months to nine months? I mean, it's a... why... why... is that a short variance of time or should it be longer or should it be less?"

McAsey: "Well, it's a variance of three months. And in addition to that variance of three months, right now there's a lot of uncertainty with regard to legal fees. This would set forth, clearly, nine months without the need to be filing other legal actions, accruing additional legal fees and expenses. So, this, we believe, is a good compromise."

Dunkin: "So, if... if the intent is to eliminate the ambiguity, so that means the condo association, to Representative Franks's point, they would receive first... their lien would be stronger or they'll be paid first?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

McAsey: "The... the condo association will be recovering some of the assessments depending on the length of time that a unit was in foreclosure. Yes, this will make condo associations, property associations stronger because they will be recovering assessments that they otherwise would not."

Dunkin: "Sure. So, typically that does not happen? It goes to the... to the lienholder, to the bank who owns it or does it go... what's sort of the pecking order of who gets paid first?"

McAsey: "With... with regard to, you know, just with regard to these assessments, right now, under current law, the buyer coming in can be responsible for six months as well as attorney's fees and other expenses. So, this is setting up clearly nine months regular assessments."

Dunkin: "So, the only difference that this is making is you're going from six months to nine months?"

McAsey: "Essentially. And providing certainty about exactly what the expenses are so there are no surprises at the closing table."

Dunkin: "That the con... that the bar should be aware of, but the condo association is going to get that up front before... first and foremost before anyone else."

McAsey: "The condo associations, upon the closing of the property transaction, they would be paid the assessments."

Dunkin: "Okay. And I can support that. But I'm just... I'm still perplexed of why... 'cause I've worked with the con... some of these organizations who are against your legislation, you know, I've worked with them before 'cause I have a substantial amount of condo associations in my district.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

I'm trying to figure out sort of what's that particular issue that they have. I don't see... is it another year they're asking for, another three months, six months?"

McAsey: "They would like..."

Dunkin: "They tend to be pretty reasonable."

McAsey: "Right. They want more than nine months. So, one of their proposals has been 12 months, but they certainly want more and... and this is the Bill that's before us is nine months."

Dunkin: "And this is the only... that's the only sticking point that they have, extending the time?"

McAsey: "They... they may have other concerns, but that's the... the chief one that I'm aware of."

Dunkin: "What are some of those other concerns?"

McAsey: "I can't speak to all of their concerns."

Dunkin: "Okay. So, there are a lot of concerns. All right. Again, it's... I'm just trying to get some clarity so I can know whether to sup... I don't know if I'm going to support this or... or not support it because I need to know. I don't want to go against those individuals who are... I live in a condo and I... believe you me, those individuals who don't pay their assessments and we do from garbage pickup to insurance to water, you know, to gardening services, cleaning services that's pretty critical. But for me not knowing exactly why the condo associations are opposed and the credit union, of all places, is really concerning to someone like myself."

McAsey: "So, again, the condo associations, their chief concern, as they've communicated it to me, is that they

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

want more than nine months of regular assessment, so they'd like a greater time period. They, also, want additional assessments, for example, special assessments. And I spoke to the credit union's opposition that, as I understand it, in some situations they have been negotiating and absorbing some of these costs. They do not want to see their costs increase. So, here we have one group that wants more and is in opposition because they want more. We have another group who is in opposition because they're fearful that they will be paying more out of pocket on account of this legislation. So, I think that that tends to show that this is a good compromise Bill."

Dunkin: "All right. I'm going to wrap up. This is my last question. So, is it appropriate now, Representative McAsey, to run the legislation now or to hold off and maybe add an Amendment? If it... let's say this passes, would you be willing to hold it to add an Amendment or come up with an agreed Bill when it comes back from the Senate?"

McAsey: "I would like to move the Bill as it is right now. Certainly, if there are additional conversations in the Senate, I'm not opposed to additional conversations that occur over in the Senate."

Dunkin: "Well..."

McAsey: "But I believe, that this Bill as it stands is a good compromise as it is and provides balance and certainty in this difficult time right now with these foreclosed properties."

Dunkin: "Sure. But... so, I'm trying to get some clarity. Are you will willing to negotiate further and to get all of the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

principals who, yeah, three... four major sponsors against the Bill whose sole purpose is to work with condos and townhouse associations?"

McAsey: "I don't know that all of those groups can come to the table. We've already had some negotiations. So, I can't honestly stand here and say that, yes, there could be some agreement in the Senate. I'm not opposed to conversations continuing, but we've already had the conversations and negotiations. And this is the approach that has been widely supported by the realtors, the State Bar Association. And I would appreciate your support."

Dunkin: "Thank you."

Speaker Turner: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. I would like to address the comments for the Gentleman from McHenry who laid out this scenario where we are going to be setting up a super priority for the... for these condo assessments. The fact is that we made that policy decision years ago in this General Assembly, that priority exists. The only question in this Bill is whether it's six months with a larger group of expenses or nine months with a smaller more well-defined group of expenses. That's the question raised by this Bill. Not the... that the policy question is to whether or not we're going to have this priority lien was decided by this General Assembly years ago."

Speaker Turner: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. Question for the Sponsor."

Speaker Turner: "The Sponsor yields."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Cassidy: "I'm looking at the analysis. There... one of the other things that you... you mentioned to one of the previous speakers that there were... they had some other concerns. In looking at the analysis, trying to figure out what those concerns might have been, is it... is the shortened time frame for some of the disclosures an issue that they raised?"

McAsey: "Right now, under current law, the time period for the disclosures is 30 days. Initially, I had introduced the Bill with a 10-day disclosure. One of the concerns that they had was with the length of time as did committee members. So we introduced an Amendment to address that now allowing the Association 15 days to respond and provide those disclosures. So, yes, that was one of the concerns."

Cassidy: "And they remain concerned about that?"

McAsey: "Whether or not they remain concerned about that, I... I believe that they probably would prefer to have a longer amount of time, but..."

Cassidy: "And what was the motivation for going down from 30 days?"

McAsey: "The motivation, really, for a number of reasons. So, in terms of providing more certainty earlier when these transactions are pending to make sure that buyers really know what they're getting into early on. And it's also really important in terms of the financing of the transaction. So making sure that lenders have the appropriate information that they have, again, with regard to financing transactions."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Cassidy: "Thank you. To the Bill. Like my neighbor over here, I... I represent an enormous variety of... of condos in my district and associations of all sizes, and I have attempted to address the impact of the foreclosure crisis on those associations. One of the biggest things we've seen is that there are buildings that... that have foreclose... that hang on to foreclosed properties for years and years and years. So, the difference between six months and nine months, when you've been carrying an empty property with no assessments for multiple years, I can see why they would remain concerned about that. And again, you have varying sizes of associations, and so the impact of that unpaid assessment is different depending on your size. And the impact on... of the amount of time would depend, a large, professionally managed building could pos... probably comply with a two-week deadline much more easily than a smaller building that is volunteer run. I... I want to get some relief to these associations. I don't know that this is the vehicle to do it. I... I would love to see more changes. I... I don't know that I'm comfortable supporting it yet. I know that the associations are desperately in need of help. We've got... we've got associations facing their own financial crises because of the... the number of units they carry. So, thank you for trying. And I hope we can get closer to a real solution."

Speaker Turner: "Representative McAsey to close."

McAsey: "I appreciate the thoughtful debate, and I ask for your 'aye' votes."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "The question is, 'Shall House Bill 2646 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 41 voting 'yes', 70 voting 'no', 4 voting 'present', House Bill 2646, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Walsh, for what reason do you seek recognition? Representative Drury, for what reason do you seek recognition?"

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

Turner: "Please state your point, Sir."

Drury: "On House Bill 1929, I was recorded as a 'no', and I should have been recorded as a 'yes'. I'd like the record to reflect that."

Speaker Turner: "The record will ref... will reflect your request. House Bill 11, Representative Flowers. Mr. Clerk, please read the Bill. Mr. Clerk, please move House Bill 11 back to the Order of Second Reading and read the Bill, please."

Clerk Bolin: "House Bill 11, the Bill was read for a second time on a previous day. Amendment #2 was adopted in committee. Amendments 4 and 5 have been approved for consideration. Floor Amendment 4 is offered by Representative Flowers."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #4 is the Amendment that was

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

worked out by the Credit Union. And it provides that upon receiving notice of a foreclosure..."

Speaker Turner: "Excuse me, Representative. I'm sorry. Are we addressing... we're addressing Floor Amendment #5. Is that correct?"

Flowers: "We are addressing... 4, Amendment #4. I'm moving for..."

Speaker Turner: "Mr. Clerk..."

Flowers: "...the adoption of Amendment #4."

Speaker Turner: "Mr. Clerk, will you tell me the status of... Please hold."

Clerk Bolin: "For House Bill 11, Amendment #1 was tabled in committee. Amendment #2 was adopted in committee. Floor Amendments 3 and 4 have been referred to committee and remain there. Floor Amendments 5 and 6 have been approved for consideration."

Speaker Turner: "So, on Amendment #5, Representative Flowers."

Flowers: "Will you take the Bill out of the record, please."

Speaker Turner: "Mr. Clerk, please take the Bill out of the record. House Bill 1532. Out of the record. House Bill 2661, Representative Gabel. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2661, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Turner: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This Bill adds a test to the newborn screening program that is a test will... can test newborns for critical, congenital heart defects. It's an agreed upon Bill. The Hospital Association agrees. And it will be for all birthing hospitals."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 2661 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2661, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 18, 2013: recommends be adopted Floor Amendment #3 to House Bill 641."

Speaker Turner: "House Bill 2199, Representative Durkin. Can we... Mr. Clerk, can we move that Bill back to Second Reading for an Amendment and read the Bill?"

Clerk Bolin: "House Bill 2199, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Tryon."

Speaker Turner: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker and Members of the House. The Amend... House Amendment 1 to House Bill 2199 simply... simply produces a statute that says when it comes to diabetes reporting that we will have an annual report from all of our agencies in one document on incidences of diabetes, where they're at with diabetes plans. And this will be the same type of planning that's being done in many other states, the same kind of document that's being produced.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

And... and it's kind of a national initiative that's going on as it relates to diabetes. So, I would... I would urge... urge that we adopt this Amendment."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #1 to House Bill 2199. All those in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #2, offered by Representative Durkin."

Speaker Turner: "Representative Durkin, Amendment #2."

Durkin: "Thank you, Mr. Speaker. Floor Amendment #2 is technical. It's just what we're doing is we've added to the Bill in which we are stating that we are... asked that both DHS and also the Department of Public Health cooperate in coordinating in setting up this protocol, which we are trying to accomplish with the Bill, which is to get costs and projections on the rise and how we can manage diabetes moving forward. Thank you."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to House Bill 2199. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 3236, Representative Lilly. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3236, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Lilly."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Lilly: "Thank you, Mr. Speaker. As amended, this Bill extends the reporting deadline for Eradicating Domestic Violence Task Force to April 1, 2014. That's the only change. This passed out of the House last Session; we just need to extend the deadline."

Speaker Turner: "Seeing no debate, the Lady moves... the question is, 'Shall House Bill 3236 pass?' All in favor say 'aye'; all opposed say 'nay'. All oppose... all in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3236, having received the Constitutional Majority, is hereby declared passed. House Bill 1532, Representative DeLuca. Mr. Clerk, please move this Bill back to the Order of Second Reading and read the Bill, please."

Clerk Bolin: "House Bill 1532, the Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted. Floor Amendment #3, offered by Representative DeLuca, has been approved for consideration."

Speaker Turner: "Representative DeLuca."

DeLuca: "Thank you, Mr. Speaker. I would like to withdraw Amendment #3."

Speaker Turner: "Mr. Clerk, please withdraw Amendment #3 from House Bill 1532."

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

Speaker Turner: "Third Reading. House Bill 3229, Representative Nekritz. Mr. Clerk, please read the Bill. Mr. Clerk, please

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

move this Bill back to the Order of Second Reading and read the Bill, please."

Clerk Bolin: "House Bill 3229, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2 has been adopted. Floor Amendment #3, offered by Representative Nekritz, has been approved for consideration."

Speaker Turner: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Floor Amendment 3 further limits the applicability of the... of the school zone restrictions."

Speaker Turner: "The Lady moves for the adoption of Floor Amendment #3 to House Bill 3229. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 1338, Representative Sosnowski. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1338, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Sosnowski."

Sosnowski: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill basically changes the requirement on the printing of those licenses... the hundreds of thousands of licenses that we send out with people's personal home addresses on it. It's agreed upon with the Amendment that was adopted with the department, so that no longer would they be printing the address on the front of the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

certificate that is required to be displayed in their business. I'd ask for its passage."

Speaker Turner: "Representative Kelly Burke."

Burke, K.: "Point of personal privilege."

Speaker Turner: "Wait 'til we finish this Bill, Ma'am."

Burke, K.: "Oh."

Speaker Turner: "Seeing no further debate, the question is, 'Shall House Bill 1338 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1338, having received the Constitutional Majority, is hereby declared passed. Representative Kelly Burke."

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

Speaker Turner: "Please state your point."

Burke, K.: "I'd like to direct your attention to the back of the gallery where a family from my district, Oak Lawn, is present. Sarah Dynia is a sophomore at Mother McAuley High School, and is in Springfield today to receive the Governor's Volunteer Award. She's one of four teens from the State of Illinois who've received this award for her extraordinary volunteerism with the developmentally disabled at Park Lawn in Oak Lawn. I'd like to welcome Sarah, her mom, Laura, and her father, Mark, to Springfield."

Speaker Turner: "Congratulations and welcome to your Capitol. House Bill 2606, Representative Mautino. Mr. Clerk, please

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

read the Bill. Mr. Clerk, can you move 2606 back to Second Reading and read the Bill."

Clerk Bolin: "House Bill 2606, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 has been adopted. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Turner: "Representative Mautino."

Mautino: "Thank you. Floor Amendment #2 is a technical Amendment. I'd ask for your 'aye' vote."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to House Bill 2606. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 1816, Representative Reboletti. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1816, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker, Members of the House. I talked about this Bill yesterday on the Floor Amendment. But what this is, is an attempt to address the issue of negligent driving and the ability to prosecute these types of cases by an inference of making reckless driving a presumptive inference or a permissive inference of stating that if there are three or more moving violations that occur in great bodily harm or death that a jury or a trier of fact could infer that those concurrent actions, all at

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

the same time, caused the death or great bodily harm of an individual. As this Body is well aware, we've had two State Troopers that were killed on our highways within the last six months. And those drivers, if I'm not mistaken at least, were only charged with moving violations which are petty offenses, which carry a fine only situation. So, this is a... an attempt to rectify that. And I would ask for your support and would entertain any questions."

Speaker Turner: "Representative Lang."

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

Speaker Turner: "Sponsor yields."

Lang: "Thank you. Representative, I want to make sure my analysis is correct. My analysis says that it will allow a fact finder to infer that the defendant is guilty of reckless driving if the defendant did previous acts or the defendant basically ran somebody over. Is that right?"

Reboletti: "Leader Lang, what would happen is, in a situation like when this last trooper was killed, the truck driver... there was an investigation of the accident. And after that investigation, if the UV troopers that investigated it or the state's attorney decided that they would want to charge let's say for instance, failure to avoid speed to reduce an accident, you could charge maybe if the person was texting, and you would have maybe improper lane usage. You would then plead that out probably in an information or a bill of indictment, and state that because these three things happened you could infer that those three actions at the same time caused either the great bodily harm or death of an individual. Because reckless driving is the only statute

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

or crime in the Illinois Vehicle Code that requires mens rea, which I know you're well aware of, Leader. So, this would allow the trier of fact to infer that by these actions that happened right prior to the death or great bodily harm."

Lang: "So, doesn't this kind of flip the burden of proof on its head to say that the trier a fact can infer guilt?"

Reboletti: "It doesn't flip any burden of proof, Representative, because the trier of fact... it's constitutional. There's a case People v. Pomykala that allows the inference that's already built in. And that it's not... it's saying that the prosecutor has to prove beyond a reasonable doubt that these three events occurred prior to the great bodily harm or death of the individual and that an inference can be made by the either the jury or the judge that these three events, those petty offenses I just mentioned, equal willful or wanton behavior resulting in the death or injury of the individual."

Lang: "That case you cited, is that an Illinois case?"

Reboletti: "It's an Illinois case out of the Third District that went to the Illinois Supreme Court."

Lang: "Thank you."

Reboletti: "Thank you."

Speaker Turner: "Representative Brady."

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

Speaker Turner: "He indicates that he will."

Brady: "Representative, can you explain to me how this Bill might have any impact on a case in my district where a

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

fireman was recently killed on the side of the road assisting in an accidents. And I... and I don't know exactly what I just... I can't remember exactly, some type of misdemeanor tickets were dropped or something to the driver of the vehicle that struck the fireman. What would this potentially help our state's attorney with?"

Reboletti: "It would allow them to look at all the police reports that were generated from the accident reconstruction..."

Brady: "Uh huh."

Reboletti: "...any citations that were issued on the site and they could then determine that if there were three or more misda... these petty offenses, moving violations, if all three of those things occurred, they could allege that that was willful or wanton behavior, reckless driving. And therefore reckless driving could either be charged as a Class A misdemeanor or up to a Class 3 Felony based on the severity or if there was a death involved. So, if they were only able to issue citations because maybe it was not DUI based, they could go back and review the case, look at the accident reconstruction and say, hey, these three offenses occurred now we can charge a felony because a person was doing these three things."

Brady: "Thank you very much."

Speaker Turner: "Representative Will Davis."

Davis, W.: "Very quickly, will the Spen... Sponsor yield?"

Speaker Turner: "He indicates that he will."

Davis, W.: "So... so, from the reports that were filed, the police reports that were filed, so if there's no police

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

report that says there was texting involved, they can't infer that or anything like that. So it has to be from the reports that were filed on the accident that allows then the state's attorney to be able to look and say these three things happened according to the reports and the citations; therefore, we can reasonably assume that maybe they all happened at the same time."

Reboletti: "Right."

Davis, W.: "And then make that particular charge."

Reboletti: "That's correct. It... it... there might be traffic citations issued on-site, but I would anticipate with a great bodily harm or death involved that there would be further investigation by the state's attorney. If the state's attorney wanted to try to charge this, if it becomes law, they would have to plead that out, Representative. So, it would have to say in the charging document that because you did these three things, or more, that it caused a death or great bodily harm to somebody else."

Davis, W.: "Okay. And when..."

Reboletti: "So, it just... it is just in the ticket situation, but you have to plead and prove those three things as well."

Davis, W.: "So... so, the greater charge with reference to the police reports that were filed, so the underlying three re... three events, are those pleaded out and then you can then iss... you know, they can file a greater charge?"

Reboletti: "Right. I would anticipate that there would be traffic citations filed, potentially."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Davis, W.: "Yes."

Reboletti: "Those could be issued on site or they don't have to be issued right away, there's no requirement that they are."

Davis, W.: "Okay."

Reboletti: "I would anticipate, because of a death investigation, that they would wait, and they would wait for the accident reconstruction to be completed, which may take some time. Once it's completed they might go to the state's attorney and say here's all of our reports and the state's attorney could review it and say, look, I think we could charge these three, four, five moving violations; therefore, plead out the felony case of aggravated reckless driving, which would carry either probation up to prison."

Davis, W.: "Is there... would they have to, I mean, the underlying events that could be cit... that citations could be issued for, are they... are those, pending on what they were, if they were could be classified as a misdemeanor, would that add to the felony charge..."

Reboletti: "Well, these are..."

Davis, W.: "...well, the... the greater charge?"

Reboletti: "Right. These are just traffic offenses; it's moving violations, so it wouldn't be a misdemeanor charge on top of another misdemeanor charge. It'd be just speeding, improper lane usage, texting in a construction zone any of those things."

Davis, W.: "Okay. Thank you very much. I appreciate it."

Reboletti: "Thank you."

Speaker Turner: "Representative Reboletti to close."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reboletti: "I'd urge an 'aye' vote. Thank you for your questions."

Speaker Turner: "The question is, 'Shall House Bill 1816 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 114 voting 'yes', 1 voting 'no', 0 voting 'present', House Bill 1816, having received the Constitutional Majority, is hereby declared passed. Leader Lang in the Chair."

Speaker Lang: "House Bill 2360, Representative Kelly Burke. Please read the Bill."

Clerk Bolin: "House Bill 2360, a Bill for an Act concerning civil law. The Bill was read for a third time on a previous day."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. This is an initiative of a ...the various condo association boards. It addresses a situation in which the Second District Appellate Court found a concurrent duty to maintain within the duty to pay assessments and said that the duty to maintain could be raised as an affirmative defense in a situation where a condo association is seeking to recover unpaid assessments. We had a lengthy discussion on this when it was last up and since that time I think the proponents and I were able to do some outreach and education to the Members and... and let them know the effect of this Bill... of this ruling which, if allowed to stand, would really hamper associations and their ability to do their functions which is to maintain

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

for the common good of all the owners, the property. And if this ruling is allowed to stand, if we don't change the law to address this situation, condo associations, homeowners within those condo association and homeowner associations, run the risk that their properties will be devalued because if people can withhold their assessment it impacts the associations' ability to provide for the common function. So, I ask for an 'aye' vote. I'd welcome any additional questions. I think we've covered most people's questions in our conversations, but I'd be happy to take any more."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Sandack."

Sandack: "Thank you, Mr. Speaker. To the Bill, please. I rise in support of Representative Burke's Bill. It's a good Bill. As a reminder for those who have condominium associations in their district, particularly small ones, this type of Bill will prevent financial ruination by withholding condominium assessments in such a way that could cause small condominium associations to fail. This is a good Bill; it makes sense. Understand that redress is not being avoided. If there's an issue you go see your neighbor, you go see the condo board; there's plenty of avenues to have grievances and disagreements adjudicated in a proper way. Withholding payments is wrongful and would hurt those associations. I urge an 'aye' vote."

Speaker Lang: "Representative Monique Davis."

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

Speaker Lang: "Lady yields."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Davis, M.: "Representative Bel... Kelly Burke, I'm sorry. I think you had this on Postponed Consideration?"

Burke, K.: "Yes."

Davis, M.: "Okay. What has happened since to make it a better Bill?"

Burke, K.: "Nothing. But what we've done is, I think, Representative, when you're... when you're talking about the Code of Civil Procedure, it's a pretty arcane concept for most people who aren't attorneys and even attorneys who don't practice in this area. Explaining the ins and outs and the complexities of the law can be a little daunting. So what we did is we went back and talked to Representatives who had some questions about this Bill and I think for the most part we've satisfied their concerns."

Davis, M.: "Well, I think the concern was we couldn't, I mean, if a person owed condominium fees... Can you go back over that?"

Burke, K.: "Right. So, I think that was your concern, Representative and other people had different concerns. So what I can offer today is what we discussed, you know, after the Bill, that this Bill is not foreclosing any opportunity that currently exists to redress those problems. And in a different forum or a different context, I am open to finding other ways, short of going to court, for condo owners who are dissatisfied. But that's not this Bill, that's a different Bill, but I would be thrilled..."

Davis, M.: "You know it was, I know what is..."

Burke, K.: "...to work with you on that."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Davis, M.: "...it was like if... if there were a problem, the condo owner didn't have the right to withhold association fees, is that correct?"

Burke, K.: "That is the current..."

Davis, M.: "Okay."

Burke, K.: "...state of the law every..."

Davis, M.: "that..."

Burke, K.: "...where except the 2nd District."

Davis, M.: "...that they couldn't hold association fees and that they would have to go to court?"

Burke, K.: "That is the current state of the law everywhere except the 2nd District and almost every state in the United States."

Davis, M.: "So, that puts us where the condominium owner, if he withholds fees, then he..."

Burke, K.: "He cannot wi... under this law, which is reflective of the law before Spanish... the Spanish Court's decision, and also most other states, they are not promises that are mutually, they're not... one is not dependent on the other. There is a duty to maintain..."

Davis, M.: "Is is Representative Thapedi on this Bill?"

Burke, K.: "...there is a duty to pay."

Davis, M.: "Is he on this Bill, Thapedi? Is he a Sponsor?"

Burke, K.: "He is not a Sponsor, no."

Davis, M.: "Okay. Because I think we heard from him before about, it left the condo owner without any... a real avenue of..."

Burke, K.: "Representative, there are plenty of avenues that a condo owner has right now including representation on the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

board and a separate cause of action against the condo association for the failure to... or the alleged failure to maintain. It's... it's that it can't..."

Davis, M.: "See, let me... let me give you my... let me give you my concern..."

Burke, K.: "...we don't think it's within this particular Code."

Davis, M.: "There is a lady that I know who lives in a condo and her roof is leaking and the assoc... she's on the board, but they refuse to fix her roof. So hold on, so now the walls are being destroyed and they refuse... she's a senior citizen, and she had planned to spend the rest of her days in this location. So, you're saying she has to go into court and take action rather than withholding her fees?"

Burke, K.: "That is correct. But what I'm suggesting, Representative, is that there... this is... this gives us... there are opportunities to discuss finding other ways to deal with those types of problems. I don't think this Bill is the place for it. I would be thrilled to work with you on coming up with, like Representative Nekritz has an ombudsman... condominium ombudsman Bill. I know the Department of Professional Regulation has said that they would be part of a task force to find alternatives to court action, whether it's mediation or the ombudsman thing. The place is not in the Code of Civil Procedure. Those are... those are summary in nature; they're designed to be not a trial situation. It's... it's just... this is... this is not the correct vehicle. I'm... be thrilled to talk with you about a different vehicle, but this isn't it."

Davis, M.: "Okay. Thank you, Representative."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "Representative Feigenholtz."

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

Speaker Lang: "Sponsor yields."

Feigenholtz: "Representative Burke, I know that many of us have been talking to you about this Bill and I have, probably have, one of the most densely populated condo owners in the 12th District. So, one of the reasons I think this Bill failed and a lot of people have questions about it is because of... we get calls in our district offices for condominium owners who are aggrieved by these kind of situations and they have no recourse, they have nowhere to go because most of their associations have the means and the lawyers to kind of, it's a greater-weaker kind of a situation. I appreciate the fact that you, just a few moments ago, talked about the ombudsman program. I believe when he was still in this chamber, Representative Osterman also along with Representative Nekritz, tried to get somebody in State Government to actually represent some condominium owners. And so it's... it's nice to hear that you're willing to do it, but it doesn't sound to me like there's any takers. So, for those of us who struggle with what to do with this Bill, I'm wondering what kind of a response you might have gotten from IDFPR..."

Burke, K.: "So..."

Feigenholtz: "...about, you know, I mean you've... you sound like you know you've gotten some attention on it. Did you get a commitment for anything?"

Burke, K.: "What... what I, my conversation with the director was talking about exploring alternative venues other than the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

courts for these types of... for these types of disputes. And so what he has a... said that he would be part of or his department would be part of, is whether it's a task force or someday to... to have these talks. If we want to put together a task force to figure out where this should be housed and what the venue should be and what the alternatives for a dispute resolution are between the boards and owners, I think that would be a really worthy project and I'd be happy to work with you on it."

Feigenholtz: "I appreciate your commitment on that and we have many hearing officers and adjudication bodies in State Government and why we can't seem to find a place to put this is beyond me. It's what makes voting for something like this challenging, but I appreciate your effort. Thank you for your answers."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Lady yields."

Franks: "Representative, we dealt with this about a month ago and I'm not sure if I remember all the specifics... I'll wait 'til you are ready."

Burke, K.: "I'm so sorry."

Franks: "That's okay. We dealt with this about a month ago and I'm not sure I remember all the specifics, I want to try to get caught up."

Burke, K.: "Sure."

Franks: "Is this the Bill where there's presently a case in front of the Supreme Court?"

Burke, K.: "One in the same."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Franks: "Okay. And the Supreme Court is yet to rule, correct?"

Burke, K.: "Correct."

Franks: "So we're trying to change the law prior to their ruling?"

Burke, K.: "Yes."

Franks: "And it won't apply retroactively, I take it, it would just be prospectively?"

Burke, K.: "Exactly."

Franks: "Okay. Now, in your argument, I heard you earlier, you're saying that people who are condominium owners, that are homeowners, they would not have the ability, if the condo association was trying to evict them for nonpayment of their condo association fees, that they would not have the ability to withhold their fees if the condo wasn't taking care of the common areas, correct?"

Burke, K.: "Correct. And what I wanted to point out is that the 2nd District case is, appears to be an anomaly. There's a 1st District case which holds that under this section of the Code of Civil Procedure, the forcible entry and detainer, that the only, only matters that are germane to the action can be raised. And... and alleging that there's a dut... alleging a counter claim pretty much or a defense that that there was a failure due to maintain is not germane to that proceeding. I mean, these are summary in nature, they're not designed to be, you know, big fights. And the majority, the overwhelming majority of jurisdictions in the United States, do not recognize this concurrent duty to maintain, duty to pay assessments. So, it's... it's an outlier."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Franks: "So, the irony of your argument there is... that you're asking folks to trust the court system and to use the court system, but you're asking us to change the law before the court even rules."

Burke, K.: "But what I'm saying is that there is... there are remedies out there. One is before it even gets in the court to take... I mean, boards are self-governing; they are neighbors governing neighbors. Your immediate solution is to become a member of the board and push for the policy change or the direction that you want. The other is through the court system. But what if... what I was saying to both Representative Davis and the previous speaker, is I'm open to figuring out an alternative... an alternative way to resolve these disputes and I think the..."

Franks: "I agree with you."

Burke, K.: "...condominium association, so..."

Franks: "There ought..."

Burke, K.: "...it's just not, it's not... in this Bill."

Franks: "There ought... so, I don't like this Bill for that reason. I think they ought to have an alternative dispute resolution here because it is neighbors governing neighbors. But here's the deal, this is someone who owns their home, whether it be a condominium or whatever it is, they own their home. And the condo association is saying, even though you own your home and you might have paid your entire mortgage off and you don't owe a penny to the bank, we're going to throw you out because you have not paid your condominium assessment. Now, you might have a very... you might have a very good defense because you might be paying

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

hundreds of dollars a month for your condominium assessment and then it's being squandered or it might not be... There could be malfeasance, there could be misfeasance; it just could be people not doing their job, or you might have a genuine dispute. But this is such a high priority, we're talking about someone's home that you're asking them to be dispossessed of their home, that they may have paid for in full, without the ability to have the defense of withholding their payment for someone who may not be doing their job. I think we ought to have an alternative dispute resolution, but I don't think we should be able to throw people out of their homes because they haven't paid and then not giving them an opportunity to use that as a defense."

Burke, K.: "Representative, the flip side of that is you... is you're allowing... under your scenario, you're allowing a minority group of people, you know, let's... let's say it's a 20-unit building. You have 5 people who, for various subjective reasons, have decided that they don't like what the condo association is doing in terms of maintenance. They withhold their assessment, then what happens? Then... then the improvements the people want can't be done..."

Franks: "Not necessarily."

Burke, K.: "...because there's no reserve. Taxes can't be paid, garbage can't be picked up, water bills can't be paid, all those things. So, you are then jeopardizing the..."

Franks: "But the assoc..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Burke, K.: "...investments and the property and the values of every single person in that development on the whim of five people."

Franks: "But the association does have a remedy. And the remedy is to use the courts. And they can either place a lien and sometimes even in the documents that they're able to place a lien non-judiciously and they can pick... place a lien without having to get a judgment for that... for the person not paying. That's number one, so they already have one remedy. Second remedy, if they wish, they could take the homeowner to court to enforce it. I know you don't want to do that because of the length of time it could take in a Cook County courthouse. So, I think what we ought to do is not pass this Bill but instead maybe have an alternative dispute resolution, a rocket docket type of thing, to have people to be able to take this 'cause you're worried more about the time because you al... you, meaning the association, because the association already has a multitude of remedies; whereas, the homeowner does not. The homeowner can use self-help in this state, but this would be taking that away. So, to the Bill. And I appreciate what the Lady's trying to do, but there's a better solution here. I'd ask people to vote 'no', like we did last time. We should go back to the drawing board, we should negotiate an alternative dispute resolution to keep it quick for everybody, to protect everyone, but this Bill is so heavy-handed that what it could do is take away somebody's home because they are protesting the nonprovision of services. I think its poor public policy and I'd ask for a 'no' vote."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "The Chair would like to remind the Members that we've already thoroughly debated this Bill once. There are three people wishing to still speak on this Bill, Representatives Nekritz, Riley and Thapedi. I would ask that they be brief because, again, we've already debated this Bill. Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. This is, I agree, a very close call and there are certainly bad actors on the association side that refuse to maintain, refuse to uphold their obligations as a board. But I think that this is the kind of situation where we... we need to come down on the side of this Bill in order to prevent the situation where bad actors on the other side destroy the... as destroy home values for those who are paying their assessments and those who are doing everything they're supposed to do. When you buy a condominium, you buy in under a condominium declaration that obligates you under contract to pay those association dues and if you fail to pay those association dues you don't just affect yourself, you don't affect the board, you affect every other unit owner. So, I think that this is a really important policy decision for us to be making. I'd love to do... no one more than me would love to do an alternate dispute resolution. I've had a Bill for four or five years to do exactly that and I cannot find a home for it in the State of Illinois because no one seems interested in taking this issue on. I'm hoping that this Bill will spur some folks over in the maybe in the Executive Branch, and the Attorney General's Office to recognize that this is a very serious problem. There are

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

lots of condominium owners who are suffering under boards that don't do what they're supposed to do and it's too... and it's too expensive to go to court. This Bill, I think, is the right policy decision and then maybe we can tackle that alternative dispute resolution. And I'd urge you all of you to look at my Condominium Ombudsman Bill as a mechanism to do that. Thank you."

Speaker Lang: "Mr. Thapedi."

Thapedi: "Thank you, Mr. Speaker. And I will be brief. Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Thapedi: "Representative, do you recall when we had extensive debate on this the last time that you and I went through the procedural history in the courts as to how the case was proceeding?"

Burke, K.: "Yes."

Thapedi: "And currently the case is still before the Supreme Court, correct?"

Burke, K.: "Correct."

Thapedi: "And for some reason the Supreme Court has not yet ruled but yet you still want to proceed forward at this point. Is that correct?"

Burke, K.: "So, they've not yet heard oral arguments, and as you know Representative being an attorney that it, who knows what the court's going to do and it could end up being on remand, which means we start all over again. So, I think providing certainty for this... these situations is our... is my goal and... and the goal of the proponents and I think this Bill does that."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Thapedi: "And I certainly understand that and Representative, you and I are friends, we went to the same high school, we're both lawyers and... and we play to win and I understand that. But I do have to tell you that I was told, by one of the lobbyists, for one of the organizations that is a proponent of this Bill, that they would not be running the Bill, that they were going to give the Supreme Court the opportunity to rule and make that decision because that particular lobbyist felt that that was indeed the appropriate thing to do. So, having said that, will you remove and take the Bill out of the record until we can confirm what that lobbyist... what the intention of that trade organization is?"

Burke, K.: "I've been in contact with both those trade organizations today and they have never indicated that they wanted to do anything other than run the Bill."

Thapedi: "That's what they told you? Okay. Mr. Clerk, what is the status of this Bill?"

Speaker Lang: "Mr. Clerk."

Clerk Bolin: "House Bill 2360 is on the Order of Consideration Postponed."

Thapedi: "And?"

Speaker Lang: "Are you asking what Amendments are on the Bill, Sir?"

Thapedi: "I'm just asking in general, yes, what is the status. Are there Amendments on the Bill, are there any notes, is there anything on the Bill?"

Clerk Bolin: "For House Bill 2360, no Amendments have been adopted. Notes have been filed are correctional and fiscal."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

A judicial note was requested and has not been filed. There's a note request; it was not filed until after the Bill moved to Third Reading."

Thapedi: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, I do not fault the Sponsor here. She's an honorable, hardworking Legislator; she's also a lawyer that plays to win and I can appreciate that. The fault here lies with lobbyists, quite frankly and greedy lawyers, who are driving this Bill, who makes millions of dollars in this area of the law, off of the backs of condo owners. There are several reasons to vote against this Bill and I'm going to tell you why. First, this can truly be a better Bill. I personally agreed to work with the lobbyists and their lawyers to craft something that would ensure that the condominium associations can, in fact, remain viable and not subject to recalcitrant or scamming unit owners who simply want to be deadbeats and not pay their assessments. They refused to negotiate. In fact, as I said earlier, they told me that they would not be running the Bill. For an example, this Bill could be drafted to apply to smaller associations that would be more susceptible to gains by owners. I was happy to work with them on that issue. I was happy to give them language that they could accomplish that. But not surprisingly, they would not negotiate. They would not negotiate because they have one goal and one goal in mind. That is to circumvent the Illinois Supreme Court. They know that when the court goes up and they make a decision on this case that they're going to lose. They know that, Ladies and Gentlemen. So, that's why they're

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

utilizing this Body to try to circumvent the process in the Illinois Supreme Court. Secondly, I offered an Amendment that cures some of the problems. And if the Democratic Members will look at their analysis for a moment, they will see that my Amendment is still in Rules and is actually supported by the Condominium Association, they're opponents, yet at this point the Amendment is not approved for consideration and it's not before you. Thirdly, as written this is a bad Bill. Those of you that are considering voting 'yes', take a moment to watch the board and see all the red that goes up, and I'm going to tell you why all the red goes up because our respective staffs have looked at the Bill and they know that this Bill is about bad government and bad policy circumventing and completely going around the doctrine of separation of powers. Lastly, as I said before, the Supreme Court is gearing up to hear oral argument on this case as we speak and the lawyers that are involved are potentially going to lose millions of dollars and they're using this as a tool. Many of you know that I'm a straight shooter and I'm always been happy to negotiate Bills that are in the best interest of the people of this state, but when you're faced with lobbyists and greedy blood sucking lawyers who are not telling the truth and are not being honest, it's time for me to speak up and do something about it. I ask you to either vote 'no' or vote 'present'. And Mr. Speaker if this Bill does, in fact, receive the requisite number of votes, I would ask for verification. Thank you."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "Your request is acknowledged. Representative Burke to close. The Body will restrain itself. It's getting late in the day. Please proceed to close."

Burke, K.: "I'd just like to thank the Members for this very spirited debate and in a closing comment, the previous speaker had discussed an Amendment that he filed, the Amendment is not productive. It would basically gut the Bill and say that there is a defense. It is totally... it's not even an Amendment. It... it's simply just trying to make the... make the proposed Bill toothless. So, I don't think he is being straightforward in what that Amendment does. So, I... I... anyone who has condo associations, this is obviously a difficult issue. I have pledged to work with other Representatives who are interested in this issue to get people on board to come up with an alternative dispute resolution. But in the meantime for the good of all owners of a condo association or homeowners association, to protect their property values, to protect their investments, I urge you to vote 'yes'. Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Davis, Jakobsson, Mell. Will Davis. Please take the record. On this question, there are 47 voting 'yes', 66 voting 'no', 2 voting 'present'. And the Bill fails. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, reports the following committee action taken on April 18, 2013:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

recommends be adopted Floor Amendment #2 to House Bill 1463."

Speaker Lang: "Mr. Clerk, House Bill 2470, Mr. Turner. Please read the Bill."

Clerk Bolin: "House Bill 2470, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Turner."

Speaker Lang: "Mr. Turner."

Turner: "Thank you, Mr. Speaker, Members of the Body. House Amendment #1 to House Bill 2470 streamlines and clarifies some of the expungement process by... these changes are intended to ensure that the expungement and sealing process is consistent with the Code of Civil Procedure and that the petitioners will remain informed throughout the process. I would like to debate the Bill on Third renmen... on Third Reading and adopt the Amendment."

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

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

Speaker Lang: "Mr. Turner."

Turner: "Floor Amendment #2 is just some technical cleanup language. I'd like to adopt the Amendment as well. Thank you."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

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. House Bill 997, Mr. Phelps. Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 997, a Bill for an Act concerning firearms. The Bill was read for a second time on a previous day. Amendments 1 through 9 have been approved for consideration. Floor Amendment #1 is offered by Representative Currie."

Speaker Lang: "Leader Currie. It is my understanding that all Amendments are to be withdrawn and that Mr. Phelps is going to proceed on Amendment 9. Is there any objection in the Body to Amendments 1 through 8 being withdrawn? Seeing none, Mr. Clerk, withdraw Amendments 1 through 8. And please proceed with Amendment 9, Mr. Clerk."

Clerk Bolin: "Floor Amendment #9, offered by Representative Phelps, has been approved for consideration."

Speaker Lang: "Mr. Phelps."

Phelps: "I'd just like to have Amendment 9 adopted and debated on Third, please. All right, thank you..."

Speaker Lang: "Mr. Phelps, the Chair's made a decision that we will debate this..."

Phelps: "Okay."

Speaker Lang: "...on Second Amendment."

Phelps: "Fine."

Speaker Lang: "Please pro... Second Reading. Please proceed."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 9 to House Bill 997 is a new version of the Concealed Carry Bill that we've been working on for years. This is a combination of at least four different concealed carry Bills that we've done here on this floor in the past. We believe we made a lot of necessary changes to make this Bill the best Bill that we've had in a long time. Let's back up and revisit, too, where we're at today and why we're doing this and why we need to do this. December 7th the 7th Circuit of Appeals came down with a very harsh mandate that said we must pass something reasonable within 180 days. It also said that Illinois's ban on conceal and carry is unconstitutional. So, they gave us 180 days and the cliff, as we call it, is June the 9th. So, if we do not pass something reasonable, which we think we have here in Amendment 9, constitutional carry could set in meaning that if you have a valid FOID card in the State of Illinois you will be able to carry anything you want, wherever you want. And I don't think a lot of people that are planning on voting 'no' on this this evening understand what that means. So, to protect your districts I would say let's get on board 'cause this could be our last chance to passing something by June the 9th, and there's too much uncertainty, so that's something that each and every one of you need to think about tonight if you're planning on voting 'no' on this Amendment. I ask for this passage."

Speaker Lang: "Mr. Phelps, the Chair has relented. We're going to adopt the Amendment and then take this right to Third Reading. Those in favor of the Amendment say 'yes'; opposed

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments have been approved for consideration. No Motions are filed."

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

Clerk Bolin: "House Bill 997, a Bill for an Act concerning firearms. Third Reading of this House Bill."

Speaker Lang: "The Sponsor's already explained the Bill. The Amendment became the Bill. By agreement between both sides of the aisle, there will be eight speakers. The speakers have already been chosen. I will tell you who the speakers are. These will be the only eight speakers we have. The Democrats will be Representative Zalewski, Cassidy, Costello and Mautino, with Mr. Phelps to close. The Republicans will be Mr. Kay, Unes, Meier and Bost. First speaker is Representative Zalewski."

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

Speaker Lang: "Sponsor yields."

Zalewski: "Okay. Thank you, Mr. Speaker. And Representative, I mean, we've talked about this issue and there's nothing that I'm going to ask you that's meant to disparage your hard work on this or... or in any way do anything other than flush out what's before the Body. So, at the outset I want to say this. But I want to first talk about the penalties within the Bill, with respect to what happens if this Bill were enacted. Can you explain to me what the penalty would be if a person were to carry a weapon within a prohibited area?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Phelps: "Yes. Thank you, Representative. I know we've talked about this before. So, the first offense is a Class B and then the second offense is Class A and then finally the third offense would be revocation of the permit, the conceal cur... permit."

Zalewski: "So, under current law, and correct me if I'm wrong, but under current law, if a person is... has a... has a firearm on their person and they're in a prohibited area such as a school, a park, mass transit, what... wherever, what are they guilty of under current law?"

Phelps: "On the UUW it would be a Class A misdemeanor."

Zalewski: "And what if they have a prohibiting factor, such as they have a prior felony in their background, what are they guilty of then?"

Phelps: "Yeah. It's... Class... yep, Class 4 felony."

Zalewski: "Class 4. So, in effect, we are rolling back the penalty enhancement for the penalty of carrying a weapon with the enactment of your Bill for a first-time offender?"

Phelps: "Well, the thing about this though, Representative, is that felons are not going to be able to have a concealed carry permit to begin with."

Zalewski: "No, and I get... I understand, Brandon."

Phelps: "Or a FOID card for that matter."

Zalewski: "So... But my question is, we're going from under... well you just said, a Class A misdemeanor to a Class B misdemeanor."

Phelps: "Yeah. Class B, Class A, third offense is revocation. 'Cause remember, these... the bad guys already have the guns. We're setting up parameters with this, Amendment 9, to make

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

sure the good guys have the guns. And you know, with the people that's going to be vetted to try to get this... the training and try to get this permit, they're going to have the training. They're going to have the background checks, more than one because #1, to get the permit you got to have background check for that, to get the gun you have to have another background check and then the State Police does another background check. So, we've got more background checks than any other 'shall' issue in the country."

Zalewski: "To... to my next question, Representative, you're... tell me the status of a person with an out-of-state carry permit under your Bill?"

Phelps: "It's a... we got different states in there. We are going to allow reciprocity with a few, not all, states: Arizona, California, Florida, Iowa, Kentucky, Michigan, Minnesota, Missouri, New Mexico, Ohio, Tennessee, Texas and Wisconsin, and I believe that is reciprocal to a Florida license."

Zalewski: "Rep... Representative, are you sure about that?"

Phelps: "It's because, and the reason why we did that is because they had similar training to what we're trying to do. And they also go through background checks like we're trying to do."

Zalewski: "And Representative, okay. Well, we'll get to that question. Some states have fewer training hours than other states, correct?"

Phelps: "Absolutely."

Zalewski: "So, for instance, Utah, what is their training requirement?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Phelps: "Four. And that's what we started out with Representative, as you know, was 4 awhile back."

Zalewski: "But, you bumped it up to 8, right?"

Phelps: "We went from 4 to 6 to 8. And now we have 8 with the live fire exercise. So, we think it's going to be 10 and that's the intent."

Zalewski: "So, why would someone in Utah have to have fewer training require... hours than someone in Illinois? Personally, for the... for the person... I mean, why would we want to have our citizen's train more than the person from Utah?"

Phelps: "Because every... there are Legislators on our side more... more than anybody, Representative Zalewski, that wanted more hours of training because they said that would make a difference for them to vote on this. We've always given, as you know, we have worked on this very hard and tried to come up with the best concealed carry Bill we have, and I got to say, I ran a lot of them, this is the best one that we think we have."

Zalewski: "I... I think it's as... Representative, I commend you on how far you've come, I just, there's some questions we have. I mean, on page 19 line 23 what I read is those states with substantially similar laws include, but are not limited to: Arizona, California, Florida, Iowa, Kentucky, Michigan, Minnesota, Missouri, New Mexico, Ohio, Tennessee, Texas and Wisconsin. So, you..."

Phelps: "There's two... there's mainly two types of permits out there that a lot of people get and a lot people from our state have, one's Florida, one's Utah. We are not going to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

recognize Utah because we don't think they have a sufficient amount of training; therefore, if they want Illinois, they're going to have to apply for it."

Zalewski: "But... but to my... but to my question, Brandon. You said a minute ago you limited to those states and... and the language says substantially similar to and they're not limited to those states. So, can you clear up that discrepancy?"

Phelps: "Yeah. The State Police does that, Representative, to set up reciprocal agreements."

Zalewski: "Okay. My next question, Representative, is with respect to..."

Phelps: "I wish you would have brought these up before. I never heard you talk about these, Mike."

Zalewski: "I know, Representative; I understand. Local law enforcement, under your Bill, could you describe for us the process and the local law enforcement has objection to someone having a permit."

Phelps: "Yeah. Local law enforcement and local sheriffs, and I want everybody to pay attention to this 'cause this is a safeguard we put in, local law enforcement and local sheriffs' offices can flag or file an objection on anybody that they know of that they don't think should have a conceal carry permit."

Zalewski: "But under..."

Phelps: "We put that safeguard in there because we believe that they, a lot of local law enforcement and local sheriffs, know the people in their areas better, so we allowed that to... actually, for some of us we didn't want that, but we

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

thought that would be a safeguard because we're trying to make this Bill as reasonable as we can."

Zalewski: "Under your Bill, the objection by local law enforcement has to be connected... physically attached to the application?"

Phelps: "Yeah. Correct."

Zalewski: "So, who, and I'm not asking to be glib here, who would apply for a permit and first go to their local sheriff or police superintendent and say, can you tell me if you object to my application before I apply?"

Phelps: "We... the way we understand that, Representative, is that the State Police would contact you if you had filed... tried to file an application. You may not know that the local law enforcement and sheriff is going to object to your issuance, so therefore you would probably get contacted by the State Police."

Zalewski: "No, but my understand... the language says they have to be... it has to be attached to the application. So, why would someone applying for what... what would... what would induce someone to say I want to apply for this, I'm going to go first see if there's any objection from my local law enforcement official? It's not a question of people that don't abide by the law. I don't know that law-abiding people would want to go through that bureaucracy. Why do you do it that way in the Bill?"

Phelps: "It may be in a drafting error, Representative. I see what you're saying, but I mean, that's not the intent to me."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Zalewski: "Okay. I mean, I understand. The next question I have is, the State Police, they're the ulti... yours is a 'shall' issue... 'shall' issue Bill, correct?"

Phelps: "Correct."

Zalewski: "The State Police is the issuing agency?"

Phelps: "State Police is the issuing agency."

Zalewski: "They, under your Bill, if there's an objection, if the person wants the... if the person manages to get the application in and has the objection with it, submits it to the State Police, the State Police doesn't have to consider that objection, correct?"

Phelps: "Yeah, that's correct. They do not have to... it's at their discretion."

Zalewski: "Would... Brandon, would you give any thought to... to asking the State Police to... to compel them to consider the objection? I mean, if this local law enforcement agency has that much of a concern, why shouldn't the State Police have to consider that?"

Phelps: "Yeah. We don't want to give complete discretion to a full body without (unintelligible)."

Zalewski: "And that's fair... that's fair enough. I mean, I guess I would say that there's an objection, and we want the State Police to... to consider these objections. Giving them discretion is... is what some of us would consider to be is reasonable."

Phelps: "I don't think there's very many states in the country the... Remember, we're the last ones. We're... everybody remember that you're Illinois, we're the last ones to have conceal carry. I don't think there's any of the safeguards

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

that allows local law enforcement to object in most other states."

Zalewski: "Representative..."

Phelps: "That would and... yes, and because, remember, the more discretion you have this turns into a 'may' issue and you saw what 'may' issue happened yesterday."

Zalewski: "No, and I understand and I'm not trying to... Representative, I... I have a couple more questions and then I'll wrap up. In your Bill, if... if a local municipality decides to implement more restrictive measures, what... what affect does your Bill have on a municipality's ability to regulate its... its firearms?"

Phelps: "We... and this is a big issue because number one or number two either wherever you want to rank these 'shall' versus 'may' and preemption. We want preemption because we believe, and what Judge Posner believes in the 7th Circuit, that there should be one uniform law that everybody knows about. And therefore, that's why we don't want to give up preemption."

Zalewski: "So, in your Bill there would be no ability for a Home Rule unit to have any say over... over anything with respect to firearms?"

Phelps: "There's limited authority by local governments is what I'm being told, but also to control their own property... to control their own property. And for example, like City Hall, so to speak, can't go in, can't carry in there. But we just believe there should be one uniform law because we think that we would make law-abiding gun owners criminals because he or she are not going to be able to, when they

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

travel around different towns, know what that ordinance is. And you're making law-abiding gun owners criminals. And we don't think that's right."

Zalewski: "And I don't think it's right ei... and I don't think it's right either, but we're trying to resolve some of these concerns some of us have. What happens if a person... what is the liability a person has, say, a homeowner, a business entity, a college university if they decide they wish not to have someone possess on their property?"

Phelps: "Yeah. There's nothing in the Bill that relates to their liability. There's civil immunity, but any entity that permits carry on its premises is granted immunity from all civil suit based on its decision."

Zalewski: "So, anything that happens the... the owner of that property is immune from civil liability?"

Phelps: "Yes."

Zalewski: "Can you explain why that's a good policy judgment?"

Speaker Lang: "Mr. Zalewski, after this question can you bring your remarks to a close, Sir."

Zalewski: "I will."

Speaker Lang: "Thank you."

Phelps: "What... what I'm sorry, Mike, what'd you say?"

Zalewski: "Why is that a good policy judgment?"

Phelps: "'Cause that's what some Legislators wanted. They wanted to be able to take that liability off it, too, of the business owner and homeowner and things like that."

Zalewski: "So, Brandon..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Phelps: "So, that's why we did that, we were asked to put that in. 'Cause like I said, this has been a... this has been worked on for many, many years in many different versions."

Zalewski: "Thank you, Brandon. I'll bring my remarks to a close and speak to the Bill. There... there are some things that I think, if we could just tighten up within the constructs of your Bill, and I tried to go through some of them, we... we would... I would support your Bill. I mean, I asked maybe five minutes of questions, and there are things that can be easily resolved. And then I think you'd have the necessary votes to comply with the judge's order and give your constituents and law-abiding gun owners the desire they... their wish to... to carry and to protect themselves and assert their Second Amendment right. And you're... we're almost there, in my opinion. I just wish we could address those concerns. So, thank you for answering my questions, Brandon."

Speaker Lang: "Ladies and Gentlemen, I'm going to begin to use the five-minute timer. The next speaker is Mr. Kay for five minutes."

Kay: "Thank you, Mr. Speaker. To the Bill. We have had a lot of debate in here about legal aspects of this particular issue. And I want to clear up some misconceptions so we're dealing with the truth and we have a clear understanding of just what we're considering today. Yesterday's debate, as I understand it, made reference to a denial of certiorari for a New York conceal law under a case which is known as Kachalsky v. Cacace. Under the 1995 U.S. Supreme Court decision of Missouri v. Jenkins the denial of cert. as I

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

understand it, means that no binding procedure is created by the denial of itself and that the lower court's decision is treated as mandatory authority only when the region of jurisdiction of that court, in this case the New York Court of Appeals, and that has absolutely, and that is the New York case, has no bearing on what we're doing in Illinois. So, let's not confuse ourselves. What applies to the East Coast doesn't apply to the State of Illinois. We need to be very clear about that. We need to be sure that we understand what's correct. We need to be sure that as we debate this Bill, and we listen to where we are today, that short of an in-flight claim, there is no, there is no appeal by the State of Illinois for a higher or further hearing. So accordingly, what we have today is a final and binding decision upon us, which I think the Representative carrying this Amendment made reference to. Technically the 7th Circuit is not pending... is not pending, it's final, because the Attorney General of the State of Illinois has not elected to run the issue any further. Therefore, let's be real clear. Here's the truth about where we find ourselves today and I want to just read from the decision that came out of the 7th Circuit. I want to be clear..."

Speaker Lang: "Ladies and Gentlemen... excuse me, Mr. Kay."

Kay: "Yes."

Speaker Lang: "Ladies and Gentlemen, it's a very serious issue; many people have been waiting to debate this for some time. Let's keep the noise down. Let's finish this debate and move on with the rest of our business, please. Please, Ladies and Gentlemen, please. Mr. Kay."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Kay: "Thank you, Speaker. So, here is the truth, based upon what the court said, not what I say, not what any of the rest of us say, this is the law that's been handed down. Now, let me just read a part of it. We are disinclined to engage in another round of historical analysis to determine whether 18th Century America understood the Second Amendment to include a right to bear guns outside the home. The Supreme Court has decided that the Amendment confers the right to bear arms for self-defense, which is as important outside the home as inside. The theoretical and empirical evidence, which overall is inconclusive, is consistent with concluding that the right to carry firearms in public may promote... may promote self-defense. Illinois had to provide us with more than merely a rational basis for believing that it is uniquely... uniquely sweeping ban is justified by an increase in public safety. It has failed to meet the burden. Repeat that, it has failed to meet the burden. The Supreme Court's interpretation of the Second Amendment, therefore, compels us to reverse the... the decision in two cases before us and remand them to their respective district courts. Ladies and Gentlemen, the court has clearly, without any ambiguity, has told us what we must do. For years, we have been denied our Second Amendment rights and the court has given us 180 days to fix it. And we've had one debate after another with some good information and with some very bad information. The court has ruled. Let me just say this, if we do not decide this issue, it will be decided for us and those who have worked on UUW in this state for many years to have, first of all,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

put it in place and then enhance it, will have gone to waste. We will allow things that we don't want to happen in this state if we do not act today. We don't want people carrying grenades. We don't want people carrying very destructive devices that are used in war. That's why we have a UUW law. Ladies and Gentlemen, the truth is just this. We've been asked by a court based on the decision that I just read, based on their finding that we have violated the Second Amendment in the State of Illinois, to get busy and construct a Bill. What the Representative has brought us today, what Mr. Phelps has delivered, is precisely what the court has asked us to do. No longer can we deny the constitutional right of the Second Amendment, no longer. Some may dislike that, some may find it very pleasing that the court has come down on our side. But make no mistake, this is the time that we make a decision. We understand that there's some restrictions that may be needed, the Representative has dealt with that. There may be some things that we like and some that we don't, but make no mistake, the truth is that the court has told us that the time has run out and we have to act. Thank you, Mr. Speaker."

Speaker Lang: "The Chair recognizes Mr. Costello. For five minutes."

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

Speaker Lang: "Gentleman yields."

Costello: "Mr. Phelps, could you quickly explain the mental health component of this Bill, the changes that have taken place?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Phelps: "Yeah. Thanks, Representative, and I want to thank you for many hours that you've helped on this as well. But we moved the fee up. If you remember, Ladies and Gentlemen, we had it first at \$25, we moved it to 80, now we have it to \$100. And let me explain this about... 'cause this is the first time we've ever done this. We are letting... we are allowing \$70 of the 100 to go to the Illinois State Police to administer this program. We're also doing something new, which a lot of you wanted, we are taking \$30 and putting it in, creating a fund where it helps our mental health reporting that is a travesty right now today as all of you will agree. So, we are trying to help the mental health reporting. We're going to try to help speed up the FOID car... right now, 'cause there are not a lot of FOID cards being given out timely. So, we... we think we have a good model on the fees. Okay. And then... and then, the training we've had from 4 hours to 6 hours to 8 hours, and now we have 8 hours plus live exercise... fire, live fire exercise which we think it'll be a total of 10. So, we've moved that up. And the penalties, which I know Representative... wanted, we upped the penalties 'cause before they were petty offenses now they're B... Class B, Class A and revocation. So, we... we've put in some more prohibitive locations. I'm just... we keep giving and we keep giving and we keep giving."

Costello: "And Mr. Phelps, that's a terrific point and that's exactly the point I wanted to bring up is this has been something where there's been a compromise that's truly been worked upon. Ladies and Gentlemen, to the Bill. I want to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

tell you the Second Amendment of our Constitution gives you the right to bear arms, not own arms, bear arms. And I want to talk to you about a Supreme Court case which is Muscarello v. United States in 1998. And I want to give you a quote from Justice Ginsburg from the Supreme Court, 'Surely a most familiar meaning is as the Constitution's Second Amendment indicates wear, bear or carry upon the person.' The Second Amendment gives you the right to bear arms. We, in the State of Illinois, currently are denying our citizens that right. We believe Justice Ginsburg is correct. I also want to give you some stats here real quick and... and I want you to listen to these 'cause at first you may think I'm on the other side. Nationally, I want to tell you first, murder rates have gone down 50 percent in this country over the last 20 years. Murder rates have gone down 50 percent in the last 20 years. In 2012, there were 500-plus murders in the City of Chicago, 435 of those were committed with guns. In 2012, 319 students in Chicago pu... from Chicago Public Schools were shot, 24 of those died. Ladies and Gentlemen, since 2001 more than 2 thousand U.S. troops have been killed in Afghanistan, since 2001. At that same period of time, more than 5 thousand people have been killed in the City of Chicago. Chicago's murder rate is quadruple New York's and it's double that of Los Angeles. There's a very smart man known as Albert Einstein that said, 'The definition of insanity is doing the same thing over and over and over again and expecting different results.' The gun laws in Chicago, the tight gun laws do not work and the statistics prove that. When the handgun

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

ban was lifted in 2010, you know what happened in 2011? Homicide rates in Chicago went down 14 percent, violent crimes went down 9 percent and property crimes went down 1 percent. By the way, the source here is the Chicago P.D. and also the FBI Uniform Crime Report. I would also tell you the FBI Uniform Crime Report says in states that concealed carry is implemented there are 22 percent lower violent crime rates, 30 percent lower murder rates, 46 percent lower robbery rates, 12 percent lower aggravated assault rates. These are FBI statistics. We're under a court order to issue some reasonable form of concealed carry. We believe we have a very reasonable form of concealed carry in this Bill. This Bill sets one standard for people in the United... in the State of Illinois, it doesn't discriminate against citizens on any socioeconomic issues. I urge an 'aye' vote. And I ask you to support the Second Amendment. Thank you."

Speaker Lang: "Mr. Unes for five minutes."

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

Speaker Lang: "Sponsor yields."

Unes: "Representative Phelps, the language in this Bill that relates to universities is the language that was agreed upon by them in a previous Bill. Is that correct?"

Phelps: "That is correct. And to be honest with you our side, we wanted pass through. For example, let's take Representative Bost and myself district, Southern Illinois University where State Route 51 goes between the campus. We feel that if you're in your car and you're doing a pass

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

through, that should be okay. So, yes, this was agreed language from the previous Bill. And we just want the pass through language."

Unes: "Thank you, Representative. And I want to thank you for working with them and working so diligently and so persistently on this... this Bill and all of the work that you have done on this Bill. And Mr. Speaker, to the Bill. This is a critical issue for law enforcement, not only in my district, but for law enforcement all across the state. Indeed, every single sheriff and countless numbers of police chief from my district are all proponents, all very supportive of this Bill, and they tell me that they need the passage of this Bill sooner rather than later. This Bill incorporates all of the best practices of concealed carry states throughout the country. Now, I've talked to many or some opponents to this Bill and many of the opponents that I have talked to tell me that one of their fears is that with the passage of concealed carry in our state that somehow our state would turn into the wild, wild west. And when I hear this, I instantly go back to them and say, have you ever been outside the State of Illinois? And if their answer is yes, I ask them if they were in the wild, wild west then. Because the fact of the matter is 49 other states have concealed carry, and if you've ever traveled outside of the State of Illinois, you've been in a state that has concealed carry and very likely you probably didn't even notice, you probably didn't know. But the people that do notice are the criminals. And the reason we know that is because of what the previous speaker

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

acknowledged that when concealed carry is enacted the data time and time again shows that the crime rate doesn't go up, indeed, the crime rate goes down. This is a well-written, it's a very reasonable, and it's a public safety-minded piece of legislation that is long overdue. And I urge its passage. Thank you very much."

Speaker Lang: "Representative Cassidy for five minutes."

Cassidy: "Thank you, Mr. Speaker. Inquiry of the Chair. How many votes are required for passage?"

Speaker Lang: "This Bill preempts Home Rule and requires 71 votes."

Cassidy: "And I'd like to request verification if it achieves that."

Speaker Lang: "That request is acknowledged."

Cassidy: "Many of the previous speakers have referenced yesterday's debate, and clearly, we do simply come at this from different perspectives. I agree that this Bill in some ways is better than previous versions, there are other ways in which it isn't. One major concern, this Bill widely expands the definition of a handgun. Under this.. under this Bill, a person could freely carry a concealed handgun with an attachable high capacity magazine and a laser sighting device. This is not something I would want to see on a CTA train in my district. The Red Line runs through my district and this Bill specifically prohibits.. or specifically allows that.. that people can carry on mass transit. Anyone who has ever ridden the Red Line, anyone who listened to the debate on the Amendment that passed with 65 votes, has heard very clearly what our train and bus system is like

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

and what the impact of having armed people in that congested environment could possibly be. Carrying in prohibited areas, there are a significant number of prohibited areas under the Bill, but nothing... carrying in a prohibited area is a misdemeanor regardless of how many times you do it, and nothing triggers revocation of a carry license no matter how many times you willfully violate those prohibitions. Playgrounds, everybody knows that I talk about my kids a lot. Playgrounds are... are not exempted. Private owners can designate areas to be prohibited on their own property except a commercial or residential private landlord cannot prohibit lessees from carrying or possessing firearms either within the building or while walking to and from the building. What we're saying here is it requires a private building owner, whether residential or commercial, to allow carrying firearms within their own property. For the first 10 years of my kids' lives, we lived in a two flat that we owned. We rented one of the units out. We shared common areas with our tenants, and I would have to allow my tenant to possess a firearm. I would not be able to prohibit carrying a firearm in my home. We referenced the... that nothing triggers revocation of a carry license and the minimal penalties for... for carrying in prohibited areas, but a Home Rule unit would be liable for all costs, fees and damages, punitive and actual, to anyone impacted by a rule or ordinance related to firearm regulation. The application, which the Sponsor talked about the fee, and it is a higher fee and there are some... some clever... some clever,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

thoughtful ways that the fees will be distributed. However, the Illinois State Police says it will cost at minimum \$80 per license whether it's the first time or the renewal. So, from the very start we will be running at a loss. The fee will not cover the cost of the program. Any... any Illinois resident with a carry license from another state can carry as... as of the effective date of the Bill, no need to register with ISP or take the required training even if your carry license comes from a state with less training requirements. Ultimately, this isn't soup yet. We all know that we are operating under this deadline. We all know that we come at this from different perspectives. I spoke yesterday, very sincerely, of my respect for the differences in our communities, and I am asking for that same respect. I grew up in an area where hunting was... is a very popular pastime, I respect that. I... I have all the respect in the world for the Sponsor and the proponents of this Bill. The only hunting that's happening in my neighborhood is of young men. More guns are not the answer to our gun problem in Chicago. Please, let's get to the table, let's get a solution that respects the differences between our communities. There is a solution, and there is time. This isn't soup yet. Vote 'no'."

Speaker Lang: "Mr. Meier for five minutes."

Meier: "Mr. Speaker, to the Bill. I stand before you in strong support of conceal and carry. Law-abiding citizens have the right to protect their families and property from violent criminals. Where I live, farmers drive early in the morning and late at night checking their fields and their amon..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

ammonia anhydrous tanks. I'm one of those farmers. Conceal and carry would offer protection against criminals trying to steal ammonia to make meth, and at the same time, giving me the ability to protect myself. For the safety of the men and women in my district and in protection of our Second Amendment rights, I urge all Members of the House to vote 'yes'. Thank you."

Speaker Lang: "It appears that we're going to add a Member to each side of the aisle. The next speaker will be Representative Will Davis for five minutes."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "Representative Phelps, as I've had some dialogue with you about this, of course you know for me that leaving duty to inform in this Bill doesn't help me at all. We're clear on that, right?"

Phelps: "Yep. We talked. I know the last time we brought this up you and I discussed this and I know you said there was no language that could make this better, that you just wanted the duty to inform to be out, that the reason why we have so many law enforcement Sponsors or proponents of this Bill is because of the duty to inform because of their safety."

Davis, W.: "Okay. Fair enough. So, as I was trying to peruse the Amendment, let me just try to ask a few questions. Does this Amendment restrict the number of weapons an individual can carry at one time?"

Phelps: "Say that again, Will? I'm sorry."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Davis, W.: "Does this... does this Amendment restrict the number of weapons that an individual can carry at one time?"

Phelps: "No, it does not."

Davis, W.: "It does not?"

Phelps: "It does not."

Davis, W.: "So, if you're talking about reasonableness with this, then why would you allow... I mean, an individual could feasibly carry six, seven weapons on their person. So, again, if you're talking about reason... reasonableness with that, why wouldn't we restrict the number of weapons an individual can carry?"

Phelps: "These are individuals... remember now, these are individuals that have passed numerous background checks that has the proper training..."

Davis, W.: "Brandon..."

Phelps: "...and has a FOID card, so they're law-abiding gun owners."

Davis, W.: "So... so, let me ask, so I'm ignorant to this. So, can a law enforcement officer carry as many weapons on their person as they want to?"

Phelps: "I believe so."

Davis, W.: "They can?"

Phelps: "I think it's up to their bosses, I believe."

Davis, W.: "Do we... do we know that for certain?"

Phelps: "Most, yes, most... most law enforcement... Representative Costello was a law enforcement official, and he says that, yes, a lot of them have backup."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Davis, W.: "Well, I know they've got backup. So, I know they carry, I guess, a primary and maybe have a backup on their ankle or something like that."

Phelps: "Sure."

Davis, W.: "So, I'm talking about more than two. Do they generally carry more than two weapons?"

Phelps: "I... I don't know that, Representative Davis, I don't... I don't know that, I'm not an official or police officer, but I think there's one in the car, there are multiple guns in their car, their trunk. They could have multiple... they could have two on each hip, one on their ankle, I'm not sure. But I think these are hypotheticals. I don't see where other states that have conceal carry had this has never been a problem."

Davis, W.: "Okay. So, all right, got it. So, on... in that Section about restrictions, one thing that I want to be clear. It appears that an individual who may be able to carry is prohibitive from carrying a weapon in our parking lot of Stratton Building, but it doesn't prohibit me from allowing someone to come into my office with a weapon?"

Phelps: "Yes."

Davis, W.: "My district office."

Phelps: "No. Here's what we did Representative. We... I know you're going to... this was big for me, and I think it would be big for a lot of us. My district office is in Harrisburg, Illinois. We put in the Bill where it is up to the General Assembly Member, you, to have the discretion if you want to allow concealed carry or not. It is up to each

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

and every one of us. We thought that was the right thing to do."

Davis, W.: "That is not how I understand."

Phelps: "That is the intent of this. There is... we... with this drafting, that is the intent, Representative. And I'm saying it on the record."

Davis, W.: "Well, I understand the intent. So, you're saying that's the intent, but if it's different than what the language actually says..."

Phelps: "I will be glad to do a trailer Bill or a technical Amendment in the Senate or we can do it right after this. But that is the intent and the agreement that we had that it's up to each... you can't bring it in government buildings, but we can put them in the parking lots because we think we should allow the law-abiding gun owner to be able to safely store his or her concealed carry weapon in their car, glove box, trunk, things like that."

Davis, W.: "I'm clear. And let me just read. It says, except that nothing in this Section shall prevent a Member of the General Assembly from allowing licensees to carry a firearm into his or her district office. I'm reading the language."

Phelps: "And Representative, like I said, that might be in there, but the intent and I will do a change, that we want to leave it up to the discretion of the Legislator, only in the district office 'cause you can't bring it into the Stratton Building anyway 'cause it's a government building."

Davis, W.: "Correct. So, as my time is running out, can you tell me why there is such a difference between a school and

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

a library? Because the language says that a school you just have to notify the appropriate personnel or receive authorization from personnel and then that authorization or that personnel would then have to then inform the local law enforcement. But with a library you have to get authorization from that governing board to be able to walk into a library, and then the board's responsibility then would be to notify law enforcement. Why is there such a difference between school and library in that case? And then, also, what about a library that's in a school?"

Phelps: "It's the consent of school authorities, Representative Davis."

Davis, W.: "Right, consent of school authorities. But a library it says you have to get consent of a bor... the governing board. Why is there such a difference between schools and libraries?"

Phelps: "The library is governed by maybe the city, Representative Davis. I mean, you know, so, we just think it should be up to their discretion and basically those are prohibit... prohibitive locations."

Speaker Lang: "Representative..."

Phelps: "Matter of fact, Representative Davis, this is... a lot of people who don't really want to hear this but this is probably the strictest 'shall' issue Bill in the country..."

Speaker Lang: "Representative Davis, could..."

Phelps: "...the one I have up here right now."

Speaker Lang: "...could you bring your remarks to a close?"

Davis, W.: "Absolutely, absolutely. Well, just briefly, to the Bill, Mr. Speaker. And as I stated before, I understand

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

that we have to embrace something that the courts have required us to do. And I think it's always been the intent of Members, particularly from this side of the aisle, to talk about where we think there should be restrictions on this, restrictions. Now, whatever the court said, and I didn't read the opinion, it doesn't mean that you just have to open it up for any and everybody to be able to go any and everywhere they want to go carrying a weapon. I don't think that that was the intent of the court's decision. It just simply said that you have to have... be able to have a concealed carry law in the state. So, again, in our efforts to try to embrace what the Representative wants to do, I just think that this is going way too far, way too far. And I hate to say it, but unfortunately, I think this will actually get worse in our state before it ever gets better. Many of you will probably argue that now I'm able to protect my family, you know, I feel safer and I understand. I understand. But one of the things that we try to mitigate here are the issues that we have, unfortunately, in the City of Chicago. So, when you take this and overlay it into the City of Chicago, I think you're going to have more incidences that are going to happen when this becomes law than anyone would ever imagine. And I hope that we're prepared. As a matter of fact, I hope that we're willing to stand up and give moments of silence to all the individuals that are probably going to get harmed as a result of this kind of very open and unabridged, if you will, conceal and carry that we're going to have here in the State of Illinois. I appreciate all the Sponsor's work, everything

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

that he's attempted to do. And again, as this Bill moves over to the Senate, I hope that we'll be able to continue to have dialogue and offer some ways in which to restrict this. We need to restrict this, Ladies and Gentlemen. It should not just be open-ended the way it is now. Thank you."

Speaker Lang: "Mr. Reis for five minutes."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First, I'd like to thank Representative Phelps and everybody in this state that have worked many, many years to get us to where we are tonight. The negotiations, the compromises, it's taken a lot of work and a lot of effort. So, Representative Phelps, thank you. You know, we always hear on the floor that this is a Bill whose time has come. Ladies and Gentlemen, if there was ever a time for a Bill whose time has come, it's this one. Forty-nine other states have some type of concealed carry. And as Representative Unes said, you visit these states. We have national news that runs 24 hours a day. We know that it's not going to be the wild, wild west. We also hear on the floor that 10 other states have this, Illinois has to adopt it... 20 other states have this. Heck, sometimes it's only 4 or 5. We have to do this; we have to be a leader. Well, we can't lead on this issue, but certainly we can catch up. And I think we should be doing this, not because of a court order, but because it's the right thing to do and our Constitution allows for it. You know, we hear all the time that Chicago is a... is an island, and we have to have all these extra laws and setbacks and you can carry here and you can't

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

carry there because it's Chicago. Well, what about all the other big states... or all the other big cities in other states that have concealed carry. Let's use those as an example. Lower crime. Chicago's not an island. It's only an island because it's been a terrible crime-ridden, gang-banging city for so long. It's time for that to stop. It's time to take our city away from the gangs. They know the only people that got weapons are the police officers. Wouldn't it be nice for them to wonder if everybody had a gun? That's the real deterrent. You know, everyone talks about what this Bill doesn't include. What does it include? Training, lots of training. And not everybody's going to be carrying a gun. And those who are carrying a gun are going to have this training, they're going to be responsible with them. I hear the comments coming already. The criminals are always going to have the guns. They don't have a FOID card, they don't have a background check. They probably got three or four guns. You're never going to be able to control them. You control them by having an armed society. We have safeguards in this Bill: penalties, background checks, mental health checks and even fees, fees to support the process, including \$30 going to mental health reporting. You know, we spend a lot of time also in this chamber telling everybody what to do. We've told everybody in this state for too long that they can't protect themselves either in their house or outside their house. It's time for us to be able to do what the other states do and take care of ourselves. You know, this is just for the legal... this is just for the legal gun owners in the state. This is not

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

only for homeowners, people who walk the streets at night, for people who ride mass transit, for us in rural areas, 20 or 30 minutes before a sheriff can get to our house or our fields where we're working. And we should do this for the citizens in general. It's time to take the cuffs off the citizens of Illinois, allow them to conceal carry and follow the Constitution. Vote 'yes'."

Speaker Lang: "Mr. Mautino for five minutes."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's legislation. And over the past 20 years, it's been very, very rare that we have had the opportunity to vote on Third Reading, on a Bill which is supported by the Illinois State Rifle Association, by the National Rifle Association, which has been negotiated and gone through some very, very heavy and important changes in the course of the last few days. I commend the Sponsor also Representative Bost and Sullivan, Representative Bradley for their work on this issue. In the course of the last four weeks, we have heard gun Bills and 40, 50, 60 separate Amendments all talking about some of the differences between the different regions of the State of Illinois and what should be included, what should be excluded. Representative Phelps has taken much of the language from the Bills that all of us have voted for in one form or another and placed them in his legislation, in 997, the idea being to create a commonsense rule for the State of Illinois. Now, the courts have come down and they have said that we have to make a decision and to address a situation where the clock is ticking. In the beginning of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

June, then we will back at the court with the stay, we will have a potential for open carry. Whether you are a supporter of the Phelps Bill or some of the City of Chicago Bills, no one wants an open carry situation. In the course of all the Bills that we talked about, we said there needed to be a mental health component. There is a mental health background check component. It is comprised in the fees that were structured by Representative Phelps. It cost \$18 to get the background check. There's \$30 in there to administer it and purchase the background check. There is \$70 which is in that fee and that is to help process and make sure the cards can actually be done. We need to work together, as a Body, to address what the court has said has to be done. We don't want to get to that point or get over the cliff. The Cook County State's Attorney, her senior staff came to our hearing and said on the 7th of June he would still enforce AGG UUV statutes as he is doing now. In saying that, it's almost like he said the Federal Courts are advisory only. Well, Ladies and Gentlemen, we have two previous Governors that will tell you the Federal Courts are not advisory only. We have to take an action. And I think this is a commonsense, solid Bill which contains almost every one of the prohibited areas that both side said should be under consideration. It has training at twice the level of the original Bill. And it has recognized courses that can be designed and structured by the State Police for approval and have range time. We need to take an action. We need to do something that will put us in compliance with the courts but also make sense for the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

people who live in the City of Chicago as well as Cairo and the rest of downstate or Cairo for those of you from Cairo. Okay. So, I would rise in support. I want to thank the folks who have worked together to put together a meaningful, sensible Bill that meets the requirements of the courts and that's what's lacking in the other Bills that we saw. It does not meet that requirement and it puts all of our areas at risk. So, to those that said they would vote for this and keep it moving forward, I would hope that you would keep to your word, keep working with us and let us continue on to get a fair, decent law that works for all the people of the State of Illinois. Vote 'yes'."

Speaker Lang: "Mr. Bost for five minutes."

Bost: "Thank you, Mr. Speaker, Members of the House. Nineteen years, 19 years, different Members of this chamber have worked trying to pass sensible conceal carry legislation. Legislation that makes sure that people who are law-abiding citizens, who are capable to go through training, to work in a proper manner to carry in a way that is safe and in a way that still allows them to carry out their Second Amendment rights without violating anyone else's. Nineteen years, I've watched Legislators decide, okay, I'm taking the lead on it this year and... and next year someone else would take it. And... and I've watched people retire and I've watched people leave here and move on to other jobs. I watched 18 years ago as the late Terry Deering stepped right back in the corner of the old, before these chambers were remodeled, and was so upset whenever we had removed from the language to try... to offset the Home Rule issue so

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

we'd have 60 votes, and it was ruled it took 71 that he got so excited he came charging down the aisle. I've watched in committee where we've tried to argue and explain and the concerns. I've watched testimony being given by a person who had no input... or no concern whatsoever for the Bill but was strictly a number person from the City of Chi... or from Chicago State University, crunch the numbers and explain that when this language would be passed and had been in other states, all crime had gone down except in those areas where automobiles were left unattended or vending machines were left unattended. Now, those crimes went up, so we need to watch for that if this occurs because why... whether you don't know it or not, criminals are cowards and they will try to go somewhere. If they think that there is an even playing field, they will not play in that field. Ladies and Gentlemen, this has been a long time coming. This, as the Sponsor said, is one of the most tightly drafted concealed carry Bills in the United States. We do believe it meets the court's request. I mentioned Terry Deering, let me mention some others: Terry Deering, Doug Hoeft, Tim Osmond, David Wirsing, Joel Brunsvold, Mark Beaubien. All of these have passed and they fought and argued for this specific legislation because they knew of the importance of our Second Amendment rights. And they knew how important it was and they were from all over the state, they were from all over the state. Ladies and Gentlemen, this is an unbelievably important issue to all of our constituents here in the State of Illinois. I know that we may disagree on this legislation, but Ladies and Gentlemen, it's time in

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

the State of Illinois. It's time in the State of Illinois that we come online with the other 49 states. The other 49 states have some form of conceal or open carry. You don't see their crime running amuck because of it. Matter of fact, several of them that had crime situations, and I can remember Florida when they passed theirs, where Miami was one of the highest crime rate cities in the nation, it fell off once the legislation was passed. It's been a longtime coming. I would encourage your 'aye' vote. Let's pass this and let's move on. I'd encourage your 'aye' vote."

Speaker Lang: "Mr. Phelps to close."

Phelps: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Let me clear up one thing first. On the penalties, it's legislative intent: Class B; second offense, Class A and revocation of the permit is for the third offense. I want to clear that up 'cause many have asked about that. To the Bill. Representative Bost is right, we didn't throw this together overnight. This is over decades of people trying to run something, but now it's different. We have a court order that we must... that we must deal with. To some of the points on the crime, let's... let's begin there. As we know, and I think a lot of people cannot deny this, Chicago and Cook County have the strictest gun laws in the country but lead in the most shootings and the most murders in the country because the criminals know they don't fear retaliation. That's why I don't think there's anything wrong with you being able to protect yourself and your family 'cause most of the shootings are happening on the streets, not in the homes.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

FBI Uniform Crime Report again, let's go over this again. Twenty-two percent that have... state's have concealed carry, 22 percent decrease in violent crime, 30 percent decrease in murder rates, 46 percent decrease in robberies, 12 percent it's a decrease in aggravated assault cases. I think the proof is right there. And by the way, if it's so scary, why hasn't there been one other state in this country repeal concealed carry? Because it works. And we really know it does down deep and down deep there... you know your constituents want this and they need this. For the first time ever, we're trying to fix the mental health reporting fiasco that we have. It's in here and it's only going to get better. A lot of you said last time that if you brought 148 back up on the floor, you would pass it. Well, this is better than 148. And if we don't get something done because of the court mandates, constitution carry sets in on June the 9th. Now, we've talked about the wild, wild west. That, my friends, will be the wild, wild west if we go off the cliff June the 9th. I urge an 'aye' vote. We know this is the right thing to do. We have to do this. And Ladies and Gentlemen, this may be our last chance, our last chance to get something reasonable done. I urge an 'aye' vote."

Speaker Lang: "Ladies and Gentlemen, two things from the Chair. First, this Bill requires 71 votes. Second, Representative Cassidy has requested a verification. Please vote your own switches and be in your chairs. All 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?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 64 voting 'yes', 45 voting 'no', and 4 voting 'present'. Mr. Phelps."

Phelps: "I ask for Postponed Consideration."

Speaker Lang: "Bill will be placed on the Order of Postponed Consideration. Ladies and Gentlemen... Ladies and Gentlemen, I'm going to ask to keep order in the chamber. The time is 7:09. We've got a lot of Bills here to go through. So, I'm going to ask you to be brief in your comments, and let's move through these Bills. We're doing Bills on Third Reading. The first one is House Bill 2695, Representative David Harris. Please read the Bill. Did you wish to move this back to Second, Sir?"

Harris, D.: "There... thank you, Mr. Speaker. There is a... a technical Amendment on Second, if... I'd like to pass the Bill out of the House. Do you think we will come back to it, if we amend it on Second?"

Speaker Lang: "You can pass it tomorrow. Would you like to adopt your Amendment today?"

Harris, D.: "Okay. Then I would like to..."

Speaker Lang: "Mr. Clerk..."

Harris, D.: "...I would like to move it back to..."

Speaker Lang: "...please put the Bill on the Order of Second Reading and read the Bill."

Clerk Hollman: "House Bill 2695 was... a Bill for an Act concerning transportation. This Bill was read a second time on a previous day. Amendment #1 was adopted previously. Floor Amendment #3, offered by Representative David Harris, is approved for consideration."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

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

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

Speaker Lang: "Third Reading. House Bill 49, Mr. Franks. Please read the Bill."

Clerk Hollman: "House... House Bill 49, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Mr. Franks."

Franks: "Than... thank you, Mr. Speaker. This Bill would target businesses that use tax fraud software. Now, the vast majority of Illinois businesses play by the rules and they're put at a competitive disadvantage by this unlawful practice. There are seven states that already ban this practice and I believe it's time for Illinois to do the same. I'd be happy to answer any questions."

Speaker Lang: "Gentleman has moved for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Members, the switches are right in front of you. Have all voted who wish? Mr. Cabello. Please take the record. On this question, there are 109 voting 'yes', 6 voting 'no'. And this Bill, having received the Constitutional Majority is hereby declared passed. House Bill 2434, Representative McAsey. Please read the Bill. Out of the record, Mr. Clerk. House Bill 317... Out of the record on that. House Bill 253, Representative Sims to be handled by Representative Greg Harris. Please read the Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "House Bill 2535, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Harris."

Harris, G.: "Is... is there an Amendment, Mr. Clerk?"

Speaker Lang: "Mr. Clerk."

Clerk Hollman: "Amendment 1 was adopted already."

Harris, G.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm running this Bill on behalf of Representative Sims who had to leave to return home. This creates the Developmental Disability and Mental Disability Services Act and creates a Developmental Disability Services Regulatory Advisory Board. The Amendment takes away the opposition of the Department of Human Services. It is supported by the Center for Developmental Disabilities Advocacy and Community Supports, the Ark of Illinois and IARF. And for those of you who are interested, being sure that CILAs are appropriately operated and regulated. I think this is a very good piece of legislation."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Ives."

Ives: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Ives: "Just wondering what it... our analysis says that we don't know if there's going to be costs for this board. Are they going to be reimbursed or are they going to have a stipend?"

Harris, G.: "There is no stipend. I will check on if there is a mileage expense, I don't know that off the top of my head, Representative."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Ives: "Okay. 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? Mitchell, Moylan, Zalewski. Please record yourselves, Members. Please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority is hereby declared passed. House Bill 2668, Mr. Dunkin. Please read the Bill."

Clerk Hollman: "House Bill 2668, a Bill for an Act concerning agriculture. Third Reading of this House Bill."

Speaker Lang: "Mr. Dunkin."

Dunkin: "Thank you, Ladies and Gentlemen, Members of the House. House Bill eight... HB2668 simply allows universities the ability to ask the D.E.A. if they could do research on hemp products, industrial hemp. And I would ask for its favorable vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor 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. Acevedo, Burke, Smiddy, Thapedi, please record yourselves. Please take the record. On this question, there are 54 voting 'yes', 61 voting 'no'. And the Chair recognizes Mr. Dunkin."

Dunkin: "This is a research Bill of a university..."

Speaker Lang: "Mr. Dunkin."

Dunkin: "...I'd like to move for Postponed Consideration, please."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "The Bill will be placed on the Order of Postponed Consideration. House Bill 2335, Representative Gabel. Please read the Bill."

Clerk Hollman: "House Bill 2335, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This Bill makes it easier for farms and community gardens in suburban and urban areas to compost. It extends the unfarmed composting permitting exemption to the rest of the state with additional protections. There's no opp... there has been no opposition."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor say 'yes... vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? That's the fourth time. Fine, Hatcher, Hays, Zalewski. Fine, Hatcher. Please take the record. On this question, 101 voting 'yes', 14 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1200, Mr. Sosnowski. Please read the Bill."

Clerk Hollman: "House Bill 1200, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Sosnowski."

Sosnowski: "Thank you, Mr. Speaker. This Bill reduces the number of no cost days that museums are required to offer to the general public by half. Many museums, small ones, will save tens of thousands of dollars being able to reinvest them in programming. City of Chicago museums will

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

save literally hundreds of thousands of dollars to be able to put back in the programming their offerings to the public. I'm available for any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Sponsor yields. The Bill is on the Order of Short Debate. You have two minutes, Sir."

Franks: "Representative... I may ask for Standard Debate; we might need more time. Didn't we have a Bill like this previously last year, Mr. Sosnowski, as I recall?"

Sosnowski: "There was a Bill that, two years ago, I believe, I worked on that had to do with free days for people who are non-residents of the State of Illinois that... that Bill passed..."

Franks: "Yes."

Sosnowski: "...and that basically did not allow people from outside the State of Illinois to be able to take advantage of the free days that were offered to Illinois residents."

Franks: "I remember that and I remember that it passed, I thought that was good public policy. But here what you're saying even... even the taxpayers of Illinois, who with their tax dollars are supporting these, are not... are going to have their free days cut in half. I'm going to ask, how much money do we give in our budgets to state museums?"

Sosnowski: "Well, according to my information, as you're probably no doubt aware, that since 1999 the museums have received no funding from the State of Illinois. And essentially, this is an unfunded mandate on those museums."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Now, despite that, the museums still would have the ability to offer as many free days as they would like. They're still mandated by this legislation to allow 26. They still allow students, classes to come for free; it's all part of their policy, so all those things would still continue."

Franks: "So, you're telling me since 1999 they haven't received anything from the state?"

Sosnowski: "Yep. Since 1999 the state has not supplied any operating funds to the museums."

Franks: "So, why are we even involved in whether they get free days or not?"

Sosnowski: "Yeah. I would concur. But I think this is a happy medium that the museums have expressed their interest in around the state and they're still willing to offer a significant number of days to the public."

Franks: "Are there any payments by... I know there's trustees and boards. Do they get paid by the state?"

Sosnowski: "I couldn't comment on that, I'd have to get back to you on that information."

Franks: "Okay. And I appreciate what you're trying to do and I didn't know about the nonfunding. I'm concerned though because we want our people to be able to have access, because we have some of the finest museums in the world in Illinois."

Speaker Lang: "Mr. Franks, your time has expired. Please bring your remarks to a close, Sir."

Franks: "Okay. We have some of the finest museums in the world, I'm just concerned that people may not be able to access them. And I understand what you're trying to do and I'm

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

going to listen to more of the debate. I just hate to restrict access to these cultural gems that I hope everyone would be able to enjoy. And I know when they have these free days that oftentimes they're just so crowded that people can't get in. So, if we cut these free days, people may not be able to get in at all. So, I'm going to watch this closely, but right now I'm leaning towards a 'no'. But I want to hear what everyone else has to say."

Speaker Lang: "This Bill is on the Order of Short Debate. Mr. Sosnowski to close."

Sosnowski: "I'd appreciate an 'aye' vote. 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? Please take the record. On this question, there are 79 voting 'yes', 36 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 492, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 492, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members. This is an issue out of the Governor's Office about... in lieu of Sandy Hook issues and concerns about making sure that there's drills that are provided in every school throughout the State of Illinois. It adds in that they'll need to be one person of law enforcement there. And I ask for its passage."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Brauer."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Brauer: "Mr. Speaker, I had my light on that last Bill. I don't appreciate not being called on, it was on early."

Speaker Lang: "Mr. Brauer, there were four lights on, I ignored them all. The Bill was on Short Debate, I followed the Rules of the House, Sir."

Brauer: "So, we're just doing one Bill then, one question?"

Speaker Lang: "That's what short debate is the Sponsor, one person in response and the Sponsor to close. Those in favor of Representative Chapa La Via's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Franks, Harris, Tracy, Unes, Wheeler. Please take the record. On this question, there are 92 voting 'yes', 21 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Reboletti."

Reboletti: "Mr. Speaker, I'm going to move that every Bill be moved off of Short Debate so Members can have a chance to say a few words. I know we're in a big rush to get out of here; I'm not really sure why. We spent... we had only a few speakers on conceal and carry so we moved that large issue along that we spent six months debating, well, not really debating. However, if Representative Brauer or others want to talk so Representative Franks can get a better idea, I don't see what the big deal is, but if I have to I'll... I'll do it Bill by Bill instead."

Speaker Lang: "No need, Sir, there's only four or five Bills left..."

Reboletti: "That's fine."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "...on Third Reading and I will take them all off of Short Debate for you."

Reboletti: "Thank you."

Speaker Lang: "Thank you. The next Bill is House Bill 3081, Representative Mell. Please read the Bill."

Clerk Hollman: "House Bill 3081, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Take your time Representative, but hurry. Chair recognizes Representative Mell on her Bill."

Mell: "So sorry, Mr. Speaker, Members of the House. This is... very simply sets a minimum fine for littering at \$50."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Representative Gordon. Lady does not wish to speak. The Chair recognizes Mr. Costello. Who also does not wish to speak. There being 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. DeLuca, Franks. Please take the record. On this question, there are 68 voting 'yes', 45 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 479, Speaker Madigan to be handled by Leader Currie. Please read the Bill."

Clerk Hollman: "House Bill 479, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Leader Currie."

Currie: "The Medical District Commission used to be a state agency. A couple of years ago we made it a unit of local government, but we failed at the same time to take away the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

requirement that the Auditor General audit the agency every two years. As a unit of local government, they have to go out and have an audit by an outside firm every year unless we change it and say they don't need the Auditor General, they're going to be paying twice. In order for a more efficient response, the... this Bill would just say the requirement about the Auditor General doesn't apply to this unit of local government as it doesn't do any other. I appreciate your 'aye' votes."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, I'm aware that there is the Illinois Medical District in Chicago, I've been to some of those hospitals before but I'm not sure if all the Members know, I'm not sure exactly why they were put together and how they are funded?"

Currie: "I think they were put together many years ago to try to develop the area around Cook County Hospital, some of the private hospitals, the University of Illinois Hospital. And they were at one time a part of State Government, but they are now a unit of local government. And I think they have certain kind of revenues that they were able to establish by virtue of doing some building in that territory. But as a unit of local government they should not be subject to audits by the Auditor General."

Reboletti: "So, this will just leave this. Is this the same amount of audits that would occur?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Currie: "In fact, they'll have the same amount of outside auditing as every other unit of local government in the State of Illinois. But when they were a state agency, then they were subject, not to the annual outside audit, but to a biennial audit by the Auditor General. But the Auditor General doesn't generally audit local units of government. So, I think I'm trying politely to say that it was a mistake. That when we turned them into a unit of local government, we failed to take away the requirement that might apply to a state agency."

Reboletti: "And I appreciate that, Leader. Would the CPA be picked by the members that sit on that board?"

Currie: "It would be... it would..."

Reboletti: "Would they make a... have a vote and decide who should..."

Currie: "...like every other unit of local government, it's an outside entity. But because they have to have that annual audit and then every two years also, one by the Auditor General, it's costly."

Reboletti: "Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Hammond, Kay, Unes, Representative Hammond. Please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Postponed Consideration

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

appears House Bill 1391, Mr. Yingling. Please proceed. And please recall that we've already debated this Bill."

Yingling: "I understand that. This is... this is a reconsideration of 1391, which prevents an incinerator from being built, a garbage incinerator being built within a mile and one half of the school. It applies only to Lake County. I would appreciate an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, in the interest of time, has anything changed in this Bill from about maybe an hour ago?"

Yingling: "Not that I'm aware of, no."

Reboletti: "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? Dunkin, Durkin, Smiddy, Yingling. You want to vote for your own Bill, Sir? Please take the record. On this question, there are 63 voting 'yes', 49 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen... Ladies and Gentlemen, we have about 25 or 30 Bills on Second Reading. We're going to do them as quickly as possible. The first one is House Bill 3005, Representative Mayfield. Please read the Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "House Bill 3005, a Bill for an Act concerning employment. This Bill was read a second time on a previous day. Amendment #2 was adopted in committee. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Mayfield."

Speaker Lang: "Representative Mayfield."

Mayfield: "Okay. I'd like to adopt the Amendment. Basically what the Amendment does is it removes the opposition from... the underlying opposition. It incorporates language from the school board and from the cham... the Illinois Chamber of Commerce. It asks that we add a State Law which was left out; it says Federal and State Law now. There is a presumpture with rebuttal there for individuals... for employers who should hire somebody with a background. It is a very business friendly Bill. I ask for an 'aye' vote."

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

Clerk Hollman: "Floor Amendment #4 is offered by Representative Mayfield."

Speaker Lang: "Representative Mayfield on Amendment 4."

Mayfield: "Same thing, very business friendly. I worked with everybody to put the language in there that they wanted and looks like we're a go."

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

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

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "Third Reading. House Bill 3380, Representative Tabares. Please read the Bill."

Clerk Hollman: "House Bill 3380, a Bill for an Act concerning business. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Tabares."

Speaker Lang: "Representative Tabares."

Tabares: "Yes, thank you, Mr. Speaker. I'd like to adopt Amendment #1 which is the result of the discussions with the two parties who are proponents of the Bill. This just the attempt to create greater protections to disabled persons and minors and prevent guardian abuse. I'd like the adoption of Amendment 1 to the House Bill 3380."

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

Clerk Hollman: "Floor Amendment #2 is offered by Representative Tabares and has been approved for consideration."

Speaker Lang: "Representative Tabares."

Tabares: "Yes, this Amendment is a result of discussions with HCCI and TransUnion. I asked for the adoption of Amendment #2 to be adopted."

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

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

Speaker Lang: "Third Reading. House Bill 946, Mr. Yingling. Please read the Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "House Bill 946, a Bill for an Act concerning education. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. Floor Amendments #3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Yingling."

Speaker Lang: "Mr. Yingling."

Yingling: "Yes, these... these Amendments just make some changes to the composition of the board."

Speaker Lang: "Gentleman moves for the adoption of Amendment 3. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Amendment #4 is offered by Representative Yingling."

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

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

Speaker Lang: "Third Reading. House Bill 948, Representative Greg Harris. Please read the Bill."

Clerk Hollman: "House Bill 948, a Bill for an Act concerning adult protective services. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Greg Harris, has been approved for consideration."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Ladies and Gentlemen. This Amendment has been worked on by myself, Representative Bellock, Representative Flowers, Representative Kay, the Attorney General, the coroners, law enforcement. This is the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

comprehensive adult protective services dealing with prevention of abuse, neglect and exploitation of adults with disabilities. I would appreciate its adoption."

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

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

Speaker Lang: "Third Reading. House Bill 924, Mr. Hoffman. Please read the Bill."

Clerk Hollman: "House Bill 924, a Bill for an Act concerning employment. This Bill was read... was read a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill and this is the Responsible Bidder Act. This cleans up some issues that the Contractor Association had. Mr. Speaker, I was wondering if we could adopt the Amendment and debate this on Third Reading?"

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

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

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

Clerk Hollman: "House Bill 924, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Lang: "Mr. Hoffman."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 924, as amended, is an initiative of the AFL-CIO. It's the Responsible Bidder Act that currently is in place for state projects. This would make a responsible bidder for prevailing wage projects subject to all con... subject to prevailing wage projects on the local level. Our Responsible Bidder Act has been very successful in the state making sure that our precious state dollars that are used for construction programs are actually used in a responsible manner, that the jobs are done, that they're done right, that they're done on time and they're done and bid on at the lowest bid. I ask for a favorable Roll Call."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Sacia."

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

Speaker Lang: "Gentleman yields."

Sacia: "Representative, would you... would you list some of the opponents and explain why, please?"

Hoffman: "Well, my understand... you may have them, but I can tell you that a lot of... a lot of the opponents have removed their opposition including... including the Road Builders Association, the Construction Industry Council as well as the AGCI. In fact... in fact they've become in favor of this Bill."

Sacia: "Does it preempt Home Rule?"

Hoffman: "No, it does not."

Sacia: "Does not? You... you spoke very positively of responsible bidders. Is it in any way a prevailing wage Bill, Representative?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hoffman: "Well, this... this... what this does is it amends the Prevailing Wage Act. It does not affect any... in any way the projects that are subject to the Prevailing Wage Act. This is... what this says is if it is currently a prevailing wage job it then has to comply with the Responsible Bidder Act, which is this Act, inside of the Prevailing Wage Act."

Sacia: "But... but wouldn't it be fair to say, Representative, that in particular for smaller contactors it would be very difficult for them to meet the requirements of the legislation? Would that... would that be a fair statement, Sir?"

Hoffman: "I don't... I do not agree with that statement. I do not agree with that statement."

Sacia: "Well, Representative, looking at a sheet here that I... I can see at least 20 organizations that are in opposition and... and when I see that number in opposition from the Illinois Black Chamber of Commerce, Illinois Chamber of Commerce, Illinois Construction Industry, Illinois Movers and Warehouses, Township Officials of Illinois, Lake County, McLean County. I could go on and on Representative, but with that amount of opponents what... what is the... why are we doing it?"

Hoffman: "I believe, and I may be messing up on the name, but I believe the Construction Industry Council that does the vertical construction, I believe they have... with the Amendment are now in favor of the Bill. If it's a... if that's a different organization that you have, I apologize, but there are many groups that are in favor of the Bill. Groups that are in favor of the Bill are the AFL-CIO, the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Laborers, the Painters, the Teamsters, the Operating Engineers, the Bricklayers and every single organization that is affiliated with AFL-CIO. In addition, the certain very... certain contractor groups such as the Road Builders, Associated General Contractors of Illinois and the Construction Industry Council are also in favor of this Bill. And the reason they're in favor of the Bill is they want to make sure that the jobs that use state and local money actually are done right are done by a responsible bidder and we get our bang for our buck when we're using precious taxpayers' dollars."

Sacia: "What... I appreciate that, Representative, but I... I would ask some of my learned black colleagues when I see organizations like the Illinois Black Chamber and you know, Mid-West Truckers, National Federation of Independent Business, Illinois Statewide School Management Alliance, all these organizations in opposition, it just seems like an extremely cumbersome issue... I guess what I'm saying, Representative, it appears to me that we're trying to push something through maybe with some support but a huge number in opposition. I... I would have to say, Representative, I would encourage my colleagues to vote 'no' on this. Is this just a simple 'yes' or 'no', Mr. Speaker, or is it a... is it a recorded vote?"

Speaker Lang: "Sir, this is a Third Reading Roll Call."

Sacia: "It is a Third Reading. Thank you, Sir. I appreciate that. I'm not paying close enough attention. That being said, Ladies and Gentlemen, there is a large number in opposition to this. And again, the opponents just jump out

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

at me. I... I didn't have an opportunity to thoroughly review this, but I know there are many on this... on this floor who have had a chance and hopefully by me speaking for a little bit I've stalled it long enough that some others will chime in and more thoroughly look at this for as invasive a piece of opposition as it appears to be. I would encourage your 'no' votes. Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Thank you. Jay..."

Hoffman: "Would you like to join me as cosponsor, Mr. Kay?"

Kay: "Not yet."

Hoffman: "Okay."

Kay: "I'm curious, define 'responsible bidder' for me?"

Hoffman: "Someone was talking, I apologize."

Kay: "I understand."

Hoffman: "I... I couldn't hear."

Kay: "Okay. Define a 'responsible bidder'."

Hoffman: "Yeah. Under the Act, the 'responsible bidder' is a term that is currently used under the Illinois Procurement Code. And we use responsible bidders in all state projects over 30 thousand. So any state project over 30 thousand we now, in the Illinois Procurement Code, have a responsible bidder... must be the bidder. The... the individual requirements are: the individual must be entitled to conduct business in Illinois, must comply with the provisions of the Prevailing Wage Act, must comply with the Equal Employment Opportunity Requirements under the United

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

States Code, have an FBI and a federal employee identification number, must possess a valid certificate of insurance for various liabilities and must participate in applicable apprenticeship and training program that's approved by the U.S. Department of Labor."

Kay: "How many responsible bidders do we have in Illinois?"

Hoffman: "I... I would say the vast majority of people in Illinois who do construction or it would be deemed responsible bidders under this Act."

Kay: "Could... could a... a company that's not so-called a responsible bidder do acceptable work? Could they do good work?"

Hoffman: "Well, I think... I mean, what we... I can tell you this. Before we had a Responsible Bidder Act in Illinois on a statewide level and over a hundred municipalities since have adopted their own Responsible Bidder Act, and I've heard over and over and over from those municipalities and the people who oversee state construction that since the Responsible Bidder Act has been put into place, the amount of waste and abuse and fraud has a been significantly decreased on these types of... of municipal and state projects."

Kay: "Well, let me... let me... take that one step further. With respect to a responsible bidder, are we saying that those people that are not responsible bidders can't do good work? They can't do acceptable work, they don't have the talent or ability to do this kind work?"

Hoffman: "Well, the term responsible means, by its very nature, that you're going to be able to perform the work. That's

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

why whenever we have bids there are certain requirements in any type of RFP that the people have to follow. Now, does everybody... will everybody be able to follow under those RFP requirements, be able to meet them? No, but they can't now in other RFPs. I'm just saying to you that we have found in the State of Illinois and local governments that have this in-place have found that there's a huge decrease in the amount of incidence and safety hazards on this job site, the people who get hurt goes down, the jobs are finished up on time, and we make sure that our taxpayers dollars are being adequately spent."

Kay: "So, do you think this is the most competitive way to do business in the State of Illinois using the... the tax dollar of the taxpayer?"

Hoffman: "Yes."

Kay: "So, you think because we have responsible bidders they do better work at a higher price but that's okay?"

Hoffman: "It was not... this does not in any way affect the price of a project, not in any way. And I would submit to you that if you have these types of responsible bidder laws in place the jobs are going to be done on time, there's not going to be cost over runs because they have a track record of doing the jobs and we have ensured that certain criteria have been met."

Kay: "Well..."

Hoffman: "Let me just say one thing about the issue of training. First of all, the Bill... the law in Illinois already requires prevailing wage on all these projects, all these projects; therefore, there would not be any increase

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

in the cost. I submit to you it will decrease the ultimate cost because we're not giving the bids to fly-by-night contractors. In the prevailing wage itself there are four components..."

Kay: "I understand, you don't..."

Hoffman: "...four components..."

Kay: "...yeah, you told me that in committee."

Hoffman: "...and one includes training, one includes training."

Kay: "Yeah, you told me that in committee. Let me ask this question. Are we squeezing out competition in Illinois and just simply saying that the only people that can do work are so-called responsible bidders?"

Hoffman: "Well, I would say no, no."

Kay: "Well, who... who beside a responsible bidder can do work in Illinois?"

Hoffman: "I would submit to you, if you're not responsible you shouldn't be getting state contracts."

Kay: "Well, under the definition is what I'm talking about. I'm just trying to... I'm trying to figure out how this encourages competition in Illinois?"

Hoffman: "I think it saves money for local governments because number 1... number 1) the prevailing... this doesn't affect the prevailing wage. The prevailing wage has to be paid on all these contracts. It simply says that the people are doing the work are going to be qualified, they're going to be safe and they're going to get the job done."

Kay: "What about this apprenticeship? I think we had this conversation in committee. How does that fit in here as far

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

as keeping costs down with respect to a... a bidder, so to speak, that's responsible?"

Hoffman: "Once again, the... the... I believe if you have the proper training and you meet these criteria, you're going to save money 'cause the job and the work is going to be done right the first time."

Kay: "Well, I would submit... and I'm... I'm going to close, Mr. Speaker, on this note. I would submit that we are squeezing people out, that there are many, many contractors in the State of Illinois that are not necessarily what I would by definition call responsible bidders, but are very talented, very capable, they can do the job and they probably would do it for less. Your Bill is suggesting to me that you want to limit this to certain organizations who can do work in the State of Illinois and that's simply wrong. That's not the free enterprise system. So, I would... I would encourage the Body to vote 'no'. This is a bad Bill."

Speaker Lang: "Without shortening the Member's speeches, I would just ask that they restrain themselves. There's still five people on... six people on this Bill. Mr. Brauer."

Brauer: "Thank you, Mr. Speaker. I apologize. I didn't hear you talk about Short Debate. I will try and hang on every one of your words from now on. Will the speaker yield... or the Sponsor yield? I'm sorry."

Speaker Lang: "Sponsor yields."

Brauer: "Representative, I had a couple of contractors call me up and were very upset because of the reporting requirements that were in before the Amendment. And after that, they said they didn't really have a problem with this

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Bill since prevailing wage is pretty much takes care of the central Illinois area. Have you found any other people that have taken away their opposition to this Bill because of that?"

Hoffman: "Yes. We... we actually amended the Bill in order to comply with the wishes of not only mem... many Members of the Black Caucus but also the Hispanic Caucus and others. In addition, our Amendment took care of problems that were in the original Bill that dealt with the contractors. So now, the Association of General Contractors of Illinois, the Road Builders of Illinois and the, I believe, the Construction Industry Council are all hugely in favor of this Bill. Not only have they removed their opposition, they're in favor and proponents of the Bill."

Brauer: "When... when was this Amendment filed? I... I think it's just put on recently, if I'm not mistaken?"

Hoffman: "It was actually adopted today, earlier today."

Brauer: "So, there's a lot of people hadn't had an opportunity to respond, if they have taken their opposition off?"

Hoffman: "Yes, that's fair, yeah."

Brauer: "Well, I know Representative Poe and myself, we've both called several of these contractors and... and they've taken their opposition off to it because of that reporting requirement. Thank you."

Hoffman: "Thank you."

Speaker Lang: "Mr. Moylan."

Moylan: "Sponsor yield?"

Speaker Lang: "Sponsor yields."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Moylan: "Mr. Speaker, I am a former mayor of a 58 thousand resident city. We passed responsible Bill... responsible bidder language and our city council overwhelmingly, I can assure you, that not only did we get quality work but we got it on time and nobody had to come back for a second time and no contractors got squeezed out. And I urge an 'aye' vote. Thank you."

Hoffman: "Very good."

Speaker Lang: "Mr. Chrisen Mitch... Christian Mitchell."

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

Speaker Lang: "Gentleman yields."

Mitchell, C.: "Representative, I have two questions. The first is, it's my understanding that you have to participate in an apprenticeship program under this... the auspices of this Bill, if... where applicable, I believe is the language in the statute. A lot of folks have raised concerns outside the chamber about landscaping and shoveling snow. Can you talk about whether or not they're applicable programs and how often those kind of jobs reach that \$20 thousand threshold?"

Hoffman: "Yes. Two things that I think have been misunderstood by... by individuals and have been twisted by the opponents. First of all, the Prevailing Wage Act and therefore, this Act, will not apply to... or excuse me, I take that back. First of all, this Act, a Responsible Bidder Act will not apply on any projects that do not have our fees or do not have to be bid. It's a Responsible Bidder Act; therefore, in... under Illinois law if it's a project that's under \$20 thousand and it's on a local level, it doesn't have to go

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

out for an RFP and therefore, the provisions of this wouldn't apply if they didn't go out for an RFP. So, number one, anything under \$20 thousand this basically wouldn't apply; for the state, that number is \$30 thousand. Now, if there is not a apprenticeship program that is applicable, then under the terms of this you have to meet the other criteria but you must participate in an applicable apprenticeship program, if one doesn't exist you obviously can't participate."

Mitchell, C.: "Okay. Second question and I know, Representative Hoffman, we discussed this previously. There's a concern by the Illinois Black Chamber of Commerce that for contractors of a certain size working on projects of a certain scope that there's a difficulty already in complying with some of the USDOL training programs and that this could be an additional burden. Are you willing, assuming this passes out of the chamber, to have a discussion with those folks in the Senate to do something that addresses their concerns?"

Hoffman: "Absolutely, absolutely."

Mitchell, C.: "Thank you."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Zalewski: "Representative, wi... with respect to landscapers, I don't know if you've addressed this or not, and if you're being repetitive, I apologize, but what... what affect would your Bill have on landscaping businesses with respect to prevailing wage reporting?"

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hoffman: "Well if... if the project, if the local project is over \$20 thousand then under the laws of the State of Illinois, you must... you must have a... you must take a bid. You must do an RFP and you must do bidding, right?"

Zalewski: "Right."

Hoffman: "So, you would have to go out for bid and in order to bid, according to this law, you would have to meet the Responsible Bidder Act. Now, if you are part of an apprentice... if you are signatory or are part of an apprenticeship program that currently exists and you meet the other criteria, you can bid. If you meet all the other criteria but are not a part of an apprenticeship or training program, you could then go to U.S. Department of Labor's website. They tell me it's fair... it's fairly efficient and..."

Zalewski: "You believe that, Representative?"

Hoffman: "I'm told by people who've done it that... that it is. I've not done it, so I'm not going to say that I have. And so you can then get and become a part of a U.S. Department of Labor apprenticeship or/and training program and they say it is fairly easy to do. Here's the problem that we have if we don't do this. Under the Prevailing Wage Act as it currently exists, under current law in all these projects, prevailing wage... part of the prevailing wage that makes up the prevailing wage is money for training. If you don't have a training program, you're not spending it on training. You're putting it in somebody's pocket, okay? And I'm not saying that's wrong, it's just the way the law is today. So, in order to really be consistent with the intent

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

of the Prevailing Wage Act, you want to have adequate training, proper training and when they get reimbursed for it or paid for it, they should put it on the program."

Zalewski: "So, my understanding though is there's landscapers in Chicago who use union labor but they can't comply with your Bill. So, what... what would they be able to... I mean, how... can you elaborate on that?"

Hoffman: "Well, first of all, it's my understanding that Cook County and I believe the city also has... already has similar responsible bidder laws. So, I would assume, although I'm not familiar with their particular ordinances, I would assume they're having to somehow comply with them currently, on those types of projects for Cook County and the city. I don't... I doubt that every municipality does although the former Representative indicated to me, former speaker, Representative Moylan, indicated to me that several... several municipalities already... already do. In order to comply if you don't or aren't part of an apprenticeship or training program, you'd go to the Department of Labor's website and you would become part of one."

Zalewski: "Okay. Again, the opponent... I think the only opponent you have left is the landscaping community, right, Representative? That's the only one we haven't addressed. So, I guess my question is, if I vote for your Bill, can you... can you convince the Senate to... I know what you've said, but can you convince the Senate to adopt an Amendment to address them?"

Hoffman: "I... I don't know that I can... I can't guarantee..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Zalewski: "You're a persuasive guy Jay, come on..."

Hoffman: "Thank you."

Zalewski: "...keep... be confident."

Hoffman: "I appreciate that. Look, I'll talk to the Senate."

Zalewski: "Okay. It's as good as I'm going to get. I urge an  
'aye' vote."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker. A couple of questions for the  
Sponsor."

Speaker Lang: "Sponsor yields."

Reis: "Representative, how many... how many places are these  
apprenticeship training programs available at?"

Hoffman: "Well, they're... they're available throughout the  
entire state, all over the state."

Reis: "Are these all held in union halls?"

Hoffman: "No."

Reis: "Is all the testing done at union halls?"

Hoffman: "No."

Reis: "So, there will be public places for these  
apprenticeships to be done?"

Hoffman: "Well, for instance... and I... I apologize if I don't...  
ABC, which is a contractor's organization, they run an  
apprenticeship program that has nothing to do with the AFL-  
CIO. They're also training. Don't get stuck on the whole  
issue of apprentice; there's apprentice and training. So,  
you can have a... a U.S. Department of Labor approved  
apprenticeship and training program and you can do it in-  
house. Many people do, do that in their own business."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reis: "So, is it possible for a nonunion contractor to get this DOL apprenticeship program and still bid on projects?"

Hoffman: "Yes. And my understanding is it's... it's fairly quick and easy to do."

Reis: "Okay. To the Bill, Ladies and Gentlemen. And Mr. Speaker, I would ask that if this Bill gets the required votes that we do verification. We just... I've been here nine years and other people that have spoke on this Bill have been here a lot longer. We just keep chipping away. If we were 10th in the nation in jobs and financial stability, okay. We're 48th; we're last. We've got the most debt and the Sponsor of the Bill said that we want to make sure we get the bang... most bang for the buck. To me, you get the best bang for the buck when you have competition, as much of it as possible, that drives down bids. You can still have time lines; you can still have apprenticeship and training programs; you can still do all the things that are going to make sure that the project is done correctly and on time and on budget. We don't need another deterrent for the nonunion contractors in this state who, in fact, would give the state the best bang for their buck."

Speaker Lang: "Mr. Farnham."

Farnham: "To the Bill, Mr. Speaker. One day I was driving across the Fox River and I watched a guy climb the rail, hold on to a lamppost above a dam, reaching up trying to paint something and if he'd fallen off of that rail, he was going over the dam and he was going to die. Now, that's not a responsible worker, it's not a responsible contractor and therefore, he's not a responsible bidder. We preach safety,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

safety, safety. We want people to go to work and we want them to come home at night. We want them to be safe, we want them to do the job in the skillful manner, we want them to do it the first time and not have to have somebody else come in and fix up the messes. That saves time, it saves money for the municipalities and for everybody. There's a reason that large corporations like, Amoco and you are going to go on to their site, they want to make sure that the people that you send there are safe. If they don't kill themselves. they might kill somebody else or hurt somebody else. And I believe that it is very important that up front we know that these people are able to perform the job safe and on time. Therefore, I urge a 'yes' vote on this."

Speaker Lang: "Mr. DeLuca."

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

Speaker Lang: "Sponsor yields."

DeLuca: "Representative Hoffman, you had made a statement earlier that this will save local governments money. Is that correct?"

Hoffman: "Yes, I believe it will."

DeLuca: "I'm not sure if the local governments know that because if... I'm looking at my analysis here... there's a slew of them that are opposed. Do you know the reason why they're not aware of this?"

Hoffman: "Well, first of all, I believe that the original analysis was the original Bill not the Amendment. I don't know that the Amendment would change their minds. I believe that they would probably reevaluate. I can't tell you with

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

honesty what their belief is with regard to the Second Amendment because we just adopted it. But here's why I think that they're wrong because... for three reasons. First of all, they already on these contracts are already required to pay prevailing wage, so the cost isn't going to go up. Second of all, you're going to find that if you have a responsible bidder that the chance of an overrun on these construction projects is going to diminish. And third, you're going to have well trained people and a safe workplace because there will be a responsible bidder which will ensure that these projects, I believe, will be cheaper for the municipality and will be finished more on a timely basis."

DeLuca: "Do you know if the Amendment that you adopted earlier if it removed the opposition of the Illinois Association of Park Districts, the City of Chicago, the Illinois Municipal League? Do you know if those three entities, are you aware?"

Hoffman: "I don't know. I'm not going to say it did; I would doubt that it did."

DeLuca: "Okay."

Hoffman: "But I don't... I've not heard from them."

DeLuca: "One other question for the... the jobs... the contracts that are for... underneath the 20 thousand threshold, the nonbid proposals, is that per job or is it an accumulation of it?"

Hoffman: "It... it's per job."

DeLuca: "It's per job? So..."

Hoffman: "Per job."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

DeLuca: "...those contractors, the small operators that might be hired to do a board up or might be hired to do some tuck-pointing or some other construction work and it's under the bid limit, this will not affect them? This will not negatively impact those operators?"

Hoffman: "It's... it's... no, it does not unless... unless a local municipality were to adopt something that makes it less than the 20 thousand. And just so you know, it just was told to me and I had forgotten, the City of Chicago already adopted a very similar responsible bidder legis... or Act or ordinance. So, I... I don't know why they would be opposed to what's in Amendment 2, but maybe they are."

DeLuca: "Okay. Thank you very much."

Speaker Lang: "Representative Mell."

Mell: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just real quickly, to the Bill. I know it's late. I stand in opposition to this Bill and it's basically because of the landscaping component. I mean, this is... there's one business I know, in particular, that is a good business. It's been in business for 25 years, they're responsible, they do everything they're supposed to be doing, they're hire inner-city kids, it's a good company. And... and the Representative, the Sponsor, was talking about all these like hoops now that this company has to go through and I... I just don't think it's right. And so, I urge a 'no' vote. Thank you."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Will the Sponsor yield?"

Speaker Lang: "Mr. Hoffman yields."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Hoffman: "Yes."

Moffitt: "Representative, just... you made reference to Associated Building Contractors, I believe, or ABC on having an apprentice program. Just for clarification, are those programs already in place or did you mean they could put them in place?"

Hoffman: "Yes, they are in place."

Moffitt: "And have been used and members have... have made use of their programs?"

Hoffman: "Yes. And they do."

Moffitt: "Are they... are programs like that and then, I believe, you also mentioned there's an online program through U.S. Department of Labor. Was that..."

Hoffman: "Yes. And that's the way you were... if you wanted to become or sign up for or have a training program, that's where you would go to... to do it."

Moffitt: "And there are businesses in Illinois that have actually made use of those? And..."

Hoffman: "It's my understanding, yes."

Moffitt: "...and were able to then bid?"

Hoffman: "Yes."

Moffitt: "Another concern I would have would be access or location. If it was onlow... online, I guess that removes that element. I assume ABC maybe offers the programs different places around the state?"

Hoffman: "Well, you can... what you would do is if you didn't have this, as like the previous speaker what she made reference to, if you didn't have this you could go online

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

to create it and then you would ha... you could have it... you would have it done within your business..."

Moffitt: "Okay. And how often..."

Hoffman: "...in your business."

Moffitt: "...if you once you take the training or qualify, whatever the correct term would be, how long is that good for? Or then are you... so your business would comply and is there a just good for a certain length of time."

Hoffman: "Yeah."

Moffitt: "Do you have to recertify?"

Hoffman: "I believe if you... are you just talking about the online cert..."

Moffitt: "Either training, online or..."

Hoffman: "I... I believe that the Department of Labor you have to continue, like anything, you have to continue to get recertified. But I don't know at what time or how... how long it is, if it's once a year, twice a year, I don't know the answer to that."

Moffitt: "And... and I certainly would not want to see businesses not be able to... to access a program, to put some businesses out. You're saying that wouldn't happen, that's not the intent? I mean, a sma... I'm thinking of a small operation, almost a mom and pop type operation. Do you think they're still going to be able to qualify, to complete an apprentice program and be able to bid?"

Hoffman: "Yes, I do."

Moffitt: "Thank you for your response."

Speaker Lang: "Mr. Davidsmeyer."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Daidsmeyer: "Thank you, Mr. Speaker. To the Bill. Due to a possible conflict of interest, I will be voting 'present' on this Bill."

Speaker Lang: "Mr. Hoffman to close."

Hoffman: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to make a couple of points and I know the hour is late. This is not intended in any way... not intended in any way to prohibit, to deny, to not allow people to bid. It's to make sure that when they bid that they're going to do the job, there's going to be a safe workplace, that the peo... the workers are going to be properly trained and when our tax dollars are spent, responsible people are going to be doing the work. That's it; it's that simple. I don't understand why we're afraid to say if we're going to be spending our tax dollars we should be spending them wisely, we should make sure it's done on time, we make sure if you do it once it's done right, make sure that the workplace is safe. That's what I believe our public policy should be. It's that policy in the state... for state contracts; it should be for the entire state when it comes to governmental contracts. I ask for an 'aye' vote."

Speaker Lang: "Gentleman's moved for the passage of the Bill. Mr. Reis has asked for a verification, so Members will be in their chairs and vote their own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Currie. Representative Durkin. Please take the record. On this

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

question, there are 61 voting 'yes', 50 voting 'no' and 3 voting 'present'. And Mr. Reis has asked for a verification. Members will be in their chairs. Mr. Clerk, please read the affirmative vote."

Clerk Hollman: "A poll of those voting in the affirmative; Representative Acevedo; Representative Beiser; Representative Berrios; Representative Bost; Representative Bradley; Representative Brauer; Representative Daniel Burke; Representative Kelly Burke; Representative Cassidy; Representative Chapa LaVia; Representative Conroy; Representative Costello; Representative Crespo; Representative Currie; Representative D'Amico; Representative Monique Davis; Representative William Davis; Representative DeLuca; Representative Farnham; Representative Feigenholtz; Representative Flowers; Representative Franks; Representative Golar; Representative Gordon-Booth; Representative Greg Harris; Representative Hernandez; Representative Hoffman; Representative Hurley; Representative Jackson; Representative Jefferson; Representative Kifowit; Representative Lang; Representative Lilly; Representative Manley; Representative Martwick; Representative Mautino; Representative Mayfield; Representative McAsey; Representative McAuliffe; Representative Bill Mitchell; Representative Christian Mitchell; Representative Moffitt; Representative Moylan; Representative Phelps; Representative Poe; Representative Reboletti; Representative Riley; Representative Rita; Representative Scherer; Representative Sente; Representative Smiddy; Representative Smith; Representative

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Soto; Representative Tabares; Representative Turner;  
Representative Verschoore; Representative Walsh;  
Representative Williams; Representative Willis;  
Representative Yingling and Representative Zalewski."

Speaker Lang: "Mr. Reis."

Reis: "Representative Rita?"

Speaker Lang: "Mr. Rita is in the center aisle, Sir."

Reis: "Representative Jones?"

Speaker Lang: "Representative Jones is not voting, Sir."

Reis: "Representative Dan Burke?"

Speaker Lang: "Representative Dan Burke. Mr. Burke?  
Representative Burke? Please remove him, Mr. Clerk."

Reis: "Representative Williams?"

Speaker Lang: "Representative Williams. Representative Ann  
Williams. Please remove her, Mr. Clerk. Representative  
Williams has returned. Please restore her, to the roll. Mr.  
Reis indicated to me he was finished with his verification.  
Mr. Clerk, please take the record. On this question, there  
are 60 voting 'yes', 50 voting 'no', and 3 voting  
'present'. And this Bill, having received the  
Constitutional Majority, is hereby declared passed. House  
Bill 2809, Representative Feigenholtz. Please read the  
Bill."

Clerk Hollman: "House Bill 2809, a Bill for an Act concerning  
civil law. Second Reading of this House Bill. Amendment #1  
was adopted in committee."

Speaker Lang: "Representative..."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "Floor Amendment numbers 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Feigenholtz."

Speaker Lang: "Representative Feigenholtz on the Amendment."

Feigenholtz: "Thank you, Mr. Speaker. It's always a joy to do an Amendment after chaos. I just would like to... this is an Amendment that gets agreement from DCFS. I've been working with Representative Roth on this. This is a constituent issue about the intercountry adoption office at DCFS."

Speaker Lang: "Lady's moved for the adoption of the Amendment. And on this question, Chair recognizes Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. What you did to us is absolutely wrong, Sir. There were numerous others that are not here. Mr. Reboletti is not here, Sir"

Speaker Lang: "Let me make this very clear to you, Mr. Sacia. After Mr. Reis got the vote down to 59, he went like this, he was finished."

Sacia: "And then you held it open, Mr. Speaker."

Speaker Lang: "The prerogative of the Chair, Sir. Is..."

Sacia: "In other words we have no prerogative but you do?"

Speaker Lang: "Does Mr. ... Mr. Reis, do you wish to speak on this Bill? Mr. Reis, do you wish to speak on this Bill? Not yelling. You have to get the recognition of the Speaker. You have a microphone, Sir."

Reis: "It's off."

Speaker Lang: "Do you have something you want to say?"

Reis: "It's off."

Speaker Lang: "Mr. Reis is recognized, but not... but on this Bill, Sir, on this Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Reis: "You recognize me after this Bill."

Speaker Lang: "Representative Flowers."

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

Speaker Lang: "Lady yields."

Flowers: "Representative, can you... this... this is dealing with foreign adoptions?"

Feigenholtz: "It is."

Flowers: "With DCFS? So, you want the children of the State of Illinois to be taken out of the country?"

Feigenholtz: "No, no, no. This is... the Interstate Compact Office at DCFS, Representative, has to approve people who are bringing... has to approve adoptions coming into Illinois from other states and from other countries."

Flowers: "So, out of... I just need for clarity. So, for children that's in this state, this Bill is not applicable that someone from out of the... outside the state or outside the country could come in and adopt our children?"

Feigenholtz: "No. This is about children from other countries. This is an office that reviews home studies for adoptions from other countries and other states. But this Bill is specifically about the intercountry adoptions, the children coming from another country to be adopted by Illinois parents."

Flowers: "That's what I wanted clarity on."

Feigenholtz: "Okay."

Flowers: "Thank you very much."

Speaker Lang: "Representative Feigenholtz to close."

Feigenholtz: "I'd appreciate adopting this Amendment."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "Mr. Reis, are you speaking on this particular Amendment, Sir?"

Reis: "Speak afterwards."

Speaker Lang: "Well, your light was on during the Amendment, Sir. Those in favor of the Lady's Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #3 is offered by Representative Feigenholtz. It has been a..."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Again, this is clarifying Amendment requested by Representative Roth and some attorneys. I'd appreciate your support."

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

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

Speaker Lang: "Third Reading. Now, Mr. Reis is recognized and his light wasn't even on."

Reis: "Mr. Speaker, you and I disagree on some things; we work together on certain things. I was being nice tonight. It's 8:00; it's 8:14. We had more Members that weren't here. I got it below the 60. It was your job to call for the record. So, I was nice; you weren't. If we want to call for verifications all day tomorrow, our side will do it. We will drone through that. That was uncalled for. You have 71 votes in this chamber. You could've recalled the Bill tomorrow. That was an attack on me and I didn't appreciate it."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "House Bill 2764, Representative Scherer. Please read the Bill."

Clerk Hollman: "House Bill 2764, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments 1, 2, and 3 have been approved for consideration. Floor Amendment #1 is offered by Representative Scherer."

Speaker Lang: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 2764, regarding monitoring federal highway signs. I ask that we withdraw Floor Amendment 1 and 2 and adopt Floor Amendment 3 and move it to Third Reading. Thank you. I appreciate it."

Speaker Lang: "Lady moves for the adoption of Amendment 1. Those in... I'm sorry. The Lady has... withdraws Amendment 1 and 2. Mr. Clerk."

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

Speaker Lang: "Representative Scherer."

Scherer: "Yes. I just ask that we adopt the third Amendment and move it to Third Reading."

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

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

Speaker Lang: "Third Reading. House Bill 3178, Mr. Rita. Please read the Bill."

Clerk Hollman: "House Bill 3178, a Bill for an Act concerning local government. Second Reading of this House Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

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

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker. Amendment... Floor Amendment #2 lowers the threshold from 50 thousand to 40 thousand to make this an agreed Bill."

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

Clerk Hollman: "No further Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2618, Mr. Brady. Please read the Bill."

Clerk Hollman: "House Bill 2618, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2, Representative Bellock. Please read the Bill."

Clerk Hollman: "House Bill 2, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendment #2 was adopted in committee. Floor Amendment #3, offered by Representative Bellock, has been approved for consideration."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Amendment #3 to House Bill #2 creates a single audit commission to research and give recommendations to create uniform standards for

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

grant making processes across all the grant making pr...  
agencies in the State of Illinois. I don't know of any  
opposition. And I ask for your support."

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

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

Speaker Lang: "Third Reading. House Bill 3223, Mr. Beiser.  
Please read the Bill."

Clerk Hollman: "House Bill 3223, a Bill for an Act concerning  
wages. Second Reading of this House Bill. No Committee  
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1584, Representative  
Cassidy. Please read the Bill."

Clerk Hollman: "House Bill 1584, a Bill for an Act concerning  
regulation. This Bill was read a second time on a previous  
day. Amendment #1 was adopted in committee. Floor  
Amendments 2 and 3 have been approved for consideration.  
Floor Amendment #2 is offered by Representative Cassidy."

Speaker Lang: "Representative Cassidy."

Cassidy: "Amendment 2 addresses concerns raised by HCCI and  
removes their opposition. And I ask that it be adopted."

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

Clerk Hollman: "Floor Amendment #3, offered by Representative  
Cassidy, has been approved for consideration."

Speaker Lang: "Representative Cassidy."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Cassidy: "Amendment 3 simply corrects a drafting error referencing the wrong Section. And I ask that it be adopted."

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

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

Speaker Lang: "Third Reading. House Bill 2779, Mr. Moffitt. Please read the Bill."

Clerk Hollman: "House Bill 2779, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 963, Mr. Moffitt. Please read the Bill."

Clerk Hollman: "House Bill 963, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2322, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 2322, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2418, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 2418, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "Third Reading. House Bill 2631, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 2631, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1680, Representative Pihos. Please read the Bill."

Clerk Hollman: "House Bill 1680, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #3, offered by Representative Pihos, has been approved for consideration."

Speaker Lang: "Representative Pihos."

Pihos: "Thank you, Mr. Chairman. Floor Amendment #3 raises the CMS equipment control limit from five hundred dollars to a thousand dollars except for high-theft items for all reasonable officers of the state. And it will reduce tracking requirements, improve efficiency, and eventually result in savings realized through a reduced workload for accounting and property control of staff."

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

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

Speaker Lang: "Third Reading. House Bill 821, Representative Monique Davis. Please read the Bill."

Clerk Hollman: "House Bill 821, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #3, offered by

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Representative Monique Davis, has been approved for consideration."

Speaker Lang: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3 codifies the reasons a person would be given a certificate of innocence. We are tabling Amendments 1 and 2 and continuing with Amendment 3. The court orders... if the court ordered a new trial and the person was found not guilty at the trial, the case would have to be dismissed without a retrial before the court would order a certificate of innocence. This requirement is set out in the certificate of innocence statute. So, I would just urge an adoption of this Amendment."

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

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

Speaker Lang: "Third Reading. House Bill 130, Representative Monique Davis. Please read the Bill."

Clerk Hollman: "House Bill 130, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3215, Mr. Reboletti. Please read the Bill."

Clerk Hollman: "House Bill 3215, a Bill for an Act concerning courts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "Third Reading. House Bill 2473, Mr. Reboletti.  
Please read the Bill."

Clerk Hollman: "House Bill 2473, a Bill for an Act concerning  
civil law. Second Reading of this House Bill. No Committee  
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2659, Representative  
Will Davis. Please read the Bill."

Clerk Hollman: "House Bill 2659, a Bill for an Act concerning  
courts. Second Reading of this House Bill. No Committee  
Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2958, Mr. Drury.  
Please read the Bill."

Clerk Hollman: "House Bill 2958, a Bill for an Act concerning  
economic planning. Second Reading of this House Bill.  
Amendment #1 was adopted in committee. Floor Amendment #2,  
offered by Representative Drury, has been approved for  
consideration."

Speaker Lang: "Mr. Drury."

Drury: "Floor Amendment 2 just makes some minor Amendments  
based on the number of... when the committee needs to be  
appointed and also, puts out some looser... some smaller  
specifications on what the committee has to look at. I ask  
for an 'aye' vote on the Amendment. Thank you."

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

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

Speaker Lang: "Third Reading. House Bill 2962, Mr. Drury.  
Please read the Bill."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "House Bill 2962, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Drury, has been approved for consideration."

Speaker Lang: "Mr. Drury."

Drury: "This Bill just, again, made some technical Amendments to address some concerns that some of the opposition has. I believe it addresses all of them. Again, I ask for your 'aye' vote."

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

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

Speaker Lang: "Third Reading. House Bill 1682, Mr. Kay. Please read the Bill."

Clerk Hollman: "House Bill 1682, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #4, offered by Representative Kay, has been approved for consideration."

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

Kay: "I'd like to adopt the Amendment, Mr. Speaker."

Speaker Lang: "Can you just briefly tell us..."

Kay: "Yeah."

Speaker Lang: "...what it does, Sir?"

Kay: "The... the Amendment, basically, this is a submission and posting Bill essentially requiring the Comptroller's Office to post the number of bills that the state is obligated to pay from each department and agency."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

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

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

Speaker Lang: "Third Reading. House Bill 3061, Mr. Ford. Please read the Bill."

Clerk Hollman: "House Bill 3061, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Ford, has been approved for consideration."

Speaker Lang: "Mr. Ford."

Ford: "Thank you. I'd like to adopt Amendment #2. It simply removes the Class 2 Felonies from the Bill."

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

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

Speaker Lang: "Third Reading. House Bill 1683, Representative Bellock. Please read the Bill."

Clerk Hollman: "House Bill 1683, a Bill for an Act concerning finance. Second Reading of this House Bill. Amendments... no Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Bellock."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I want to withdraw Amendment #1 and do Amendment #2."

Speaker Lang: "Amendment #1 is withdrawn. Mr. Clerk."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "Floor Amendment #2 is offered by Representative Bellock."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Amendment #2 becomes the Bill. And what this Bill does, in response to mental health advocates, is it has money to follow the individuals when a state institution closes that that money would be transferred by DHS into a line item to... for a new venue of care, hopefully in community settings for the mentally ill."

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

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

Speaker Lang: "Third Reading. House Bill 2355, Mr. Mautino. Please read the Bill."

Clerk Hollman: "House Bill 2355, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. Amendment #2 contains the definition of 'travel insurance'. The idea is to send this over to the Senate, continue negotiating it there."

Speaker Lang: "Those in favor... Chair recognizes Representative Lilly, for what reason do you rise?"

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

Speaker Lang: "You just... just stand right there, Representative. I'll get right back to you on that. Those

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

in favor of Mr. Mautino's Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Now, Representative Lilly on a point of personal privilege."

Lilly: "Thank you, Mr. Speaker. We know the hour is late, but the Capitol COWL creative team will be meeting briefly in M-1, that's the directors, the team leaders, props, stage design and costumes. M-1 directly after Session. Thank you for your time."

Speaker Lang: "Thank you, Representative. House Bill 2776, Mr. Moffitt. Please read the Bill."

Clerk Hollman: "House Bill 2776, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 804, Representative McAsey. Please read the Bill."

Clerk Hollman: "House Bill 804, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McAsey, has been approved for consideration."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. The Floor Amendment becomes the Bill. This is a parity Bill with regard to offenses of sexual penetration. And I ask

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

for the adoption of the Amendment and to debate the Bill on Third."

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

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

Speaker Lang: "Third Reading. House Bill 2783, Mr. Sacia. Please read the Bill."

Clerk Hollman: "House Bill 2783, a Bill for an Act concerning health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Sacia, has been approved for consideration."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All the Amendment does is create an agreed Bill between the Department of Agriculture and the egg growers."

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

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

Speaker Lang: "Third Reading. House Bill 945, Mr. Yingling. Please read the Bill."

Clerk Hollman: "House Bill 945, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Yingling."

Speaker Lang: "Mr. Yingling."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Yingling: "The Amendment addressed geographic areas, and it makes modifications to population."

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

Clerk Hollman: "Floor Amendment #2, offered by Representative Yingling, has been approved for consideration."

Speaker Lang: "Mr. Yingling."

Yingling: "Same thing. It also addresses population restrictions."

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

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

Speaker Lang: "Third Reading. House Bill 2590, Mr. Sandack. Please read the Bill."

Clerk Hollman: "House Bill 2590, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2518, Mr. Zalewski. Please read the Bill."

Clerk Hollman: "House Bill 2518, a Bill for an Act concerning revenue. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2 offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Mr. Speaker, I want to table Amendment #1 and move to Amendment #2 just so that's clear."

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Speaker Lang: "You don't need to table..."

Zalewski: "Okay."

Speaker Lang: "Amendment #1 because it's still in Rules. Mr. Clerk..."

Zalewski: "Okay. So this pertains to Amendment #2..."

Speaker Lang: "...please proceed on Amendment #2."

Zalewski: "... Amendment #2 simply removes the issue of copy fees for making copies on a contested property tax matter. I ask for its adoption."

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

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

Speaker Lang: "Third Reading. House Bill 1040, Mr. Tryon. Please read the Bill."

Clerk Hollman: "House Bill 1040, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments are approved for consideration. No Motions are filed."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 996. Please read the Bill."

Clerk Hollman: "House Bill 996, a Bill for an Act concerning gaming. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3372, Representative Senger. Please read the Bill."

Clerk Hollman: "House Bill 3372, a Bill for an Act concerning public employee benefits. This Bill was read a second time on a previous day. Amendment #1 was... no Committee

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Amendments. Floor Amendment #1 was adopted previously. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 162, Representative Chapa LaVia. Please read the Bill."

Clerk Hollman: "House Bill 162, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Clerk, the Adjournment Resolution."

Clerk Hollman: "Senate Joint Resolution #34, offered by Representative Currie.

RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, April 18, 2013, the Senate stands adjourned until Tuesday, April 23, 2013, and when it adjourns on that day, it stands adjourned until Wednesday, April 24, 2013, and when it adjourns on that day, it stands adjourned until Thursday, April 25, 2013, and when it adjourns on that day it stands adjourned until April 30, 2013, or until the call of the President; and the House of Representatives stands adjourned until Friday, April 19, 2013, and when it adjourns on that day, it stands adjourned until Tuesday, April 30, 2013, or until the call of the Speaker."

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

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Clerk Hollman: "Agreed Resolutions. House Resolution 254, offered by Representative Davidsmeyer. House Resolution 255, offered by Representative Sente. House Resolution 256, offered by Representative Osmond. House Resolution 259, offered by Representative Kosel. House Resolution 260, offered by Representative Flowers. And House Resolution 261, offered by Representative Berrios."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. The Chair recognizes Representative Marcus Evans on a point of personal privilege. Please proceed, Sir."

Evans: "Thank you, Mr. Speaker. Last year, nearly 67 thousand Illinois residents heard the words 'you have cancer', and over 25 thousand lost their lives to this terrible disease. Cancer's a disease that touches families in all of our district and rarely do we have an opportunity to do something about it. Well, I rise, today, to present to you with an opportunity to do something. On my behalf as a cancer survivor and on the behalf of anyone who has suffered from this devastating disease, I urge you to participate in the American Cancer Society Cancer Action Network's first ever Suits, Sneakers, and Cancer prevention at the Capitol on May 1st. In the past, basketball coaches around the State of Illinois and around the country have laced up in similar events, but rec... coming up now are the Illinois will be racing.. excuse me.. Illinois are lacing up their sneakers for a common cause to promote awareness for the fight against cancer and provide the opportunity to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

become directly involved in cancer research through enrollment in the American Cancer Society's Cancer Prevention Study. On May 1, I will be wearing my sneakers and my suit to show support of the American Cancer Society and American Cancer Society Cancer Action Network efforts to promote enrollment in the Cancer Society's prevention study. I have flyers here, and I have these little cute shoes for any of the ladies that would like to have them. I urge you all to participate in this study. We want to solve cancer. The only way to do that is through these studies and research. So, I urge your support. You can get a flyer over here, and I'll get one to your office. Thank you."

Speaker Lang: "Thank you, Mr. Evans. Ladies and Gentlemen, please pay attention to the Clerk. Mr. Clerk, committee announcements."

Clerk Hollman: "The following committees are meeting immediately after Session: Judiciary is meeting in Room 114, State Government Administration is meeting in Room C-1, and Labor & Commerce is meeting in Room D-1. Tomorrow morning at 7:30 in the morning is the Appropriations-Higher Education meeting in Room 114."

Speaker Lang: "Ladies and Gentlemen, the Calendars that you were passed out indicates that Session tomorrow is at 9 a.m. It is not at 9 a.m. It is at 8:30 a.m. And now, allowing for perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned 'til Friday, April 19 at the hour of 8:30 a.m. Be here. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Motion is

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

adopted. And the House does stand adjourned 'til Friday, April 19 at the hour of 8:30 a.m. Have a lovely evening."

Clerk Hollman: "House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill 578, offered by Representative Pihos, a Bill for an Act concerning education. Senate Bill 724, offered by Speaker Madigan, a Bill for an Act concerning liquor. Senate Bill 1044, offered by Representative Lang, a Bill for an Act concerning civil law. Senate Bill 1214, offered by Representative Lang, a Bill for an Act concerning transportation. Senate Bill 1342, offered by Representative Currie, a Bill for an Act concerning criminal law. Senate Bill 1474, offered by Representative Franks, a Bill for an Act concerning local government. Senate Bill 1587, offered by Representative Williams, a Bill for an Act concerning criminal law. Senate Bill 1655, offered by Representative Sims, a Bill for an Act concerning regulation. Senate Bill 1687, offered by Speaker Madigan, a Bill for an Act concerning public employee benefits. Senate Bill 1768, offered by Representative Williams, a Bill for an Act concerning fees. Senate Bill 1784, offered by Representative Turner, a Bill for an Act concerning vehicles. Senate Bill 1817, offered by Representative Tracy, a Bill for an Act concerning transportation. Senate Bill 1822, offered by Representative Harms, a Bill for an Act concerning government. Senate Bill 1841, offered by Representative Sandack, a Bill for an Act concerning State government. Senate Bill 1871, offered by Representative Martwick, a Bill for an Act concerning transportation.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Senate Bill 1910, offered by Representative Crespo, a Bill for an Act concerning State government. Senate Bill 1911, offered by Representative McAuliffe, a Bill for an Act concerning State government. Senate Bill 1920, offered by Representative Nekritz, a Bill for an Act concerning public employee benefits. Senate Bill 1921, offered by Representative Nekritz, a Bill for an Act concerning public employee benefits. Senate Bill 1922, offered by Representative Nekritz, a Bill for an Act concerning public employee benefits. Senate Bill 1924, offered by Representative Pritchard, a Bill for an Act concerning revenue. Senate Bill 1940, offered by Representative Demmer, a Bill for an Act concerning transportation. Senate Bill 1955, offered by Representative Lang, a Bill for an Act concerning State government. Senate Bill 2185, offered by Representative Fortner, a Bill for an Act concerning utilities. Senate Bill 2196, offered by Representative Acevedo, a Bill for an Act concerning State government. Senate Bill 2257, offered by Representative Franks, a Bill for an Act concerning revenue. Senate Bill 2270, offered by Representative Harms, a Bill for an Act concerning criminal law. Senate Bill 2353, offered by Representative Brady, a Bill for an Act concerning regulation. These are referred to the Rules Committee. Second Reading of House Bills. House Bill 12, a Bill for an Act concerning regulation. House Bill 15, a Bill for an Act concerning education. House Bill 16, a Bill for an Act concerning education. House Bill 17, a Bill for an Act concerning education. House Bill 21, a Bill for an Act

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

concerning insurance. House Bill 24, a Bill for an Act concerning insurance. House Bill 62, a Bill for an Act concerning elections. House Bill 75, a Bill for an Act concerning State government. House Bill 123, a Bill for an Act concerning government. House Bill 158, a Bill for an Act concerning health. House Bill 169, a Bill for an Act concerning civil law. House Bill 172, a Bill for an Act concerning wildlife. House Bill 199, a Bill for an Act concerning civil law. House Bill 206, a Bill for an Act making appropriations. House Bill 208, a Bill for an Act making appropriations. House Bill 209, a Bill for an Act making appropriations. House Bill 210, a Bill for an Act making appropriations. House Bill 211, a Bill for an Act making appropriations. House Bill 212, a Bill for an Act making appropriations. House Bill 213, a Bill for an Act making appropriations. House Bill 214, a Bill for an Act making appropriations. House Bill 215, a Bill for an Act making appropriations. House Bill 259, a Bill for an Act concerning government. House Bill 274, a Bill for an Act concerning State government. House Bill 275, a Bill for an Act concerning State government. House Bill 276, a Bill for an Act concerning State government. House Bill 277, a Bill for an Act concerning State government. House Bill 278, a Bill for an Act concerning State government. House Bill 283, a Bill for an Act concerning State government. House Bill 290, a Bill for an Act concerning State government. House Bill 311, a Bill for an Act concerning State government. House Bill 378, a Bill for an Act concerning revenue. House Bill 394, a Bill for an Act concerning

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

revenue. House Bill 433, a Bill for an Act concerning local government. House Bill 439, a Bill for an Act concerning local government. House Bill 440, a Bill for an Act concerning local government. House Bill 489, a Bill for an Act concerning education. House Bill 491, a Bill for an Act concerning education. House Bill 495, a Bill for an Act concerning education. House Bill 497, a Bill for an Act concerning education. House Bill 509, a Bill for an Act concerning education. House Bill 530, a Bill for an Act concerning regulation. House Bill 531, a Bill for an Act concerning regulation. House Bill 566, a Bill for an Act concerning regulation. House Bill 575, a Bill for an Act concerning regulation. House Bill 596, a Bill for an Act concerning regulation. House Bill 598, a Bill for an Act concerning regulation. House Bill 641, a Bill for an Act concerning public aid. House Bill 656, a Bill for an Act concerning housing. House Bill 676, a Bill for an Act concerning military service. House Bill 701, a Bill for an Act concerning safety. House Bill 738, a Bill for an Act concerning fish. House Bill 758, a Bill for an Act concerning transportation. House Bill 773, a Bill for an Act concerning transportation. House Bill 787, a Bill for an Act concerning courts. House Bill 807, a Bill for an Act concerning criminal law. House Bill 808, a Bill for an Act concerning criminal law. House Bill 809, a Bill for an Act concerning criminal law. House Bill 810, a Bill for an Act concerning criminal law. House Bill 811, a Bill for an Act concerning criminal law. House Bill 815, a Bill for an Act concerning criminal law. House Bill 816, a Bill for an Act

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

concerning criminal law. House Bill 817, a Bill for an Act concerning criminal law. House Bill 818, a Bill for an Act concerning criminal law. House Bill 819, a Bill for an Act concerning criminal law. House Bill 825, a Bill for an Act concerning criminal law. House Bill 829, a Bill for an Act concerning criminal law. House Bill 890, a Bill for an Act concerning civil law. House Bill 907, a Bill for an Act concerning business. House Bill 927, a Bill for an Act concerning employment. House Bill 942, a Bill for an Act concerning health. House Bill 959, a Bill for an Act concerning public aid. House Bill 987, a Bill for an Act concerning employment. House Bill 1039, a Bill for an Act concerning revenue. House Bill 1053, a Bill for an Act concerning revenue. House Bill 1150, a Bill for an Act concerning State employment. House Bill 1163, a Bill for an Act concerning education. House Bill 1232, a Bill for an Act concerning regulation. House Bill 1267, a Bill for an Act concerning sex offenders. House Bill 1284, a Bill for an Act concerning insurance. House Bill 1326, a Bill for an Act concerning education. House Bill 1331, a Bill for an Act concerning State government. House Bill 1348, a Bill for an Act concerning criminal law. House Bill 1376, a Bill for an Act concerning finance. House Bill 1421, a Bill for an Act concerning safety. House Bill 1463, a Bill for an Act concerning liquor. House Bill 1490, a Bill for an Act concerning government. House Bill 1540, a Bill for an Act concerning regulation. House Bill 1546, a Bill for an Act concerning health. House Bill 1557, a Bill for an Act concerning local government. House Bill 1580, a Bill for an

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Act concerning wildlife. House Bill 1613, a Bill for an Act concerning revenue. House Bill 1614, a Bill for an Act concerning revenue. House Bill 1619, a Bill for an Act concerning revenue. House Bill 1625, a Bill for an Act concerning revenue. House Bill 1678, a Bill for an Act concerning public employee benefits. House Bill 1712, a Bill for an Act concerning local government. House Bill 1713, a Bill for an Act concerning local government. House Bill 1723, a Bill for an Act concerning local government. House Bill 1726, a Bill for an Act concerning local government. House Bill 1729, a Bill for an Act concerning regulation. House Bill 1731, a Bill for an Act concerning health. House Bill 1737, a Bill for an Act concerning business. House Bill 1741, a Bill for an Act concerning business. House Bill 1753, a Bill for an Act concerning government. House Bill 1774, a Bill for an Act concerning civil law. House Bill 1795, a Bill for an Act concerning employment. House Bill 1811, a Bill for an Act concerning transportation. House Bill 1812, a Bill for an Act concerning transportation. House Bill 1822, a Bill for an Act concerning military service. House Bill 1872, a Bill for an Act concerning State government. House Bill 1875, a Bill for an Act concerning State government. House Bill 1925, a Bill for an Act concerning criminal law. House Bill 1927, a Bill for an Act concerning criminal law. House Bill 1947, a Bill for an Act concerning liquor. House Bill 1968, a Bill for an Act concerning elections. House Bill 1969, a Bill for an Act concerning elections. House Bill 1977, a Bill for an Act concerning education. House Bill 1978, a

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

Bill for an Act concerning education. House Bill 1980, a Bill for an Act concerning education. House Bill 1984, a Bill for an Act concerning gaming. House Bill 2006, a Bill for an Act concerning public aid. House Bill 2034, a Bill for an Act concerning safety. House Bill 2247, a Bill for an Act concerning local government. House Bill 2290, a Bill for an Act concerning regulation. House Bill 2326, a Bill for an Act concerning government. House Bill 2332, a Bill for an Act concerning criminal law. House Bill 2340, a Bill for an Act concerning revenue. House Bill 2351, a Bill for an Act concerning transportation. House Bill 2372, a Bill for an Act concerning transportation, which may be referred to as Adam's Law. House Bill 2378, a Bill for an Act concerning State government. House Bill 2386, a Bill for an Act concerning local government. House Bill 2396, a Bill for an Act concerning elections. House Bill 2399, a Bill for an Act concerning transportation. House Bill 2406, a Bill for an Act concerning regulation. House Bill 2412, a Bill for an Act concerning criminal law. House Bill 2416, a Bill for an Act concerning State government. House Bill 2446, a Bill for an Act concerning criminal law. House Bill 2474, a Bill for an Act concerning criminal law. House Bill 2476, a Bill for an Act concerning transportation. House Bill 2478, a Bill for an Act concerning criminal law. House Bill 2484, a Bill for an Act concerning liquor. House Bill 2557, a Bill for an Act concerning revenue. House Bill 2572, a Bill for an Act concerning local government. House Bill 2599, a Bill for an Act concerning transportation. House Bill 2600, a Bill for an Act

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

concerning public employee benefits. House Bill 2637, a Bill for an Act concerning State government. House Bill 2660, a Bill for an Act concerning education. House Bill 2670, a Bill for an Act concerning education. House Bill 2703, a Bill for an Act concerning wildlife. House Bill 2704, a Bill for an Act concerning wildlife. House Bill 2707, a Bill for an Act concerning regulation. House Bill 2718, a Bill for an Act concerning regulation. House Bill 2741, a Bill for an Act concerning transportation. House Bill 2744, a Bill for an Act concerning public aid. House Bill 2745, a Bill for an Act concerning transportation. House Bill 2763, a Bill for an Act concerning human rights. House Bill 2774, a Bill for an Act concerning regulation. House Bill 2789, a Bill for an Act concerning public employee benefits. House Bill 2833, a Bill for an Act concerning State government. House Bill 2854, a Bill for an Act concerning State government. House Bill 2855, a Bill for an Act concerning business. House Bill 2878, a Bill for an Act concerning criminal law. House Bill 2879, a Bill for an Act concerning violence prevention. House Bill 2900, a Bill for an Act concerning public employee benefits. House Bill 2904, a Bill for an Act concerning civil law. House Bill 2909, a Bill for an Act concerning regulation. House Bill 2924, a Bill for an Act concerning regulations. House Bill 2927, a Bill for an Act concerning revenue. House Bill 2944, a Bill for an Act concerning education. House Bill 2948, a Bill for an Act concerning criminal law. Correction. House Bill 2945, a Bill for an Act concerning criminal law. House Bill 2946, a Bill for an Act concerning

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

43rd Legislative Day

4/18/2013

finance. House Bill 2960, a Bill for an Act concerning criminal law. House Bill 2963, a Bill for an Act concerning government. House Bill 2981, a Bill for an Act concerning regulation. House Bill 3035, a Bill for an Act concerning State government. House Bill 3053, a Bill for an Act concerning education. House Bill 3060, a Bill for an Act concerning regulation. House Bill 3068, a Bill for an Act concerning employment. House Bill 3071, a Bill for an Act concerning criminal law. House Bill 3120, a Bill for an Act concerning real property. House Bill 3125, a Bill for an Act concerning employment. House Bill 3214, a Bill for an Act concerning criminal law. House Bill 3230, a Bill for an Act concerning criminal law. House Bill 3241, a Bill for an Act concerning education. House Bill 3324, a Bill for an Act concerning regulation. House Bill 3348, a Bill for an Act concerning safety. House Bill 3349, a Bill for an Act concerning safety. House Bill 3368, a Bill for an Act concerning regulation. House Bill 3369, a Bill for an Act concerning State government. House Bill 3385, a Bill for an Act concerning local government. House Bill 3411, a Bill for an Act concerning public employee benefits. Those Bills will be held on the Order of Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."