

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

42nd Legislative Day

4/17/2013

Speaker Turner: "Members shall be in their seats. We shall be led in prayer today by Pastor Fred Doughty who is with the Glad Tidings Church in East Peoria, Illinois. Pastor Doughty is the guest of Representative Unes. 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 Doughty: "Let's bow our heads in prayer. We pray this morning and we come together seeking divine guidance for the business at hand. We pray for wisdom for our elected officials as they give oversight to the State of Illinois to deal with the multitude of complex issues in which there are no easy answers such as the pension funds and same sex marriage, financial crisis, and many other issues that arise on a daily basis. We also, this morning, lift up the people that have been affected by the bombing in Boston following the Boston Marathon. Those that have been injured, we pray for those families that healing would come in the process of elimination and finding out who's responsible and bringing them to justice is also on our minds. We pray today for bipartisan participation between the Parties here in Illinois that we can be known as a state that is able to cross political lines and to get things accomplished. And we also pray and thank today for those that have been elected to serve our state to be able to bring our state to the place where it's a wonderful place to live and a great place to raise our families. And we thank them for the sacrifices that they make, each and

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

42nd Legislative Day

4/17/2013

every day, in order to bring that to fruition. And we ask these things today, Amen and amen."

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

Smiddy - 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 reflect that not a single House Democrat is excused today."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present and ready to do the work of the people."

Speaker Turner: "Mr. Clerk, please take the roll. On a count of 118 present a quorum is established. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 17, 2013: recommends be adopted referred to the floor is Floor Amendment #1 to House Bill 831, Floor Amendment #2 to House Bill 1217, Floor Amendment #4 to House Bill 2496, Floor Amendment #2 to House Bill 2720 and Floor Amendment #1 to House Resolution 133. Representative Hernandez, Chairperson from the Committee on Consumer Protection reports the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #1 to House Bill

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

42nd Legislative Day

4/17/2013

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 702, Floor Amendment #2 to House Bill 1584, Floor Amendment #1 to House Bill 1683, Floor Amendment #1 to House Bill 2275. Floor Amendment #2 to House Bill 2330, Floor Amendment #2 to House Bill 2423, Floor Amendment #1 to House Bill 2535, Floor Amendment #1 to House Bill 3092. Representative McAsey, Chairperson from the Committee on the Environment reports the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #2 to House Bill 2036, Floor Amendment #3 to House Bill 2335 and Floor Amendment #2 to House Bill 3319. Representative Ford, Chairperson from the Committee on Restorative Justice reports the following committee action taken on April 16, 2013: recommends be adopted is Floor Amendment #1 to House Bill 1929. Floor Amendment #1 to House Bill 2470. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on April 17, 2013: recommends be adopted is Senate Joint Resolution #25. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on April 17, 2013: recommends be adopted is House Resolution 179 and House Resolution 202. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on April 17, 2013: recommends be adopted is Floor Amendment #3 to House Bill #2, Floor

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

42nd Legislative Day

4/17/2013

Amendment #3 to House Bill 1680. Floor Amendment #1 to House Bill 2764. Floor Amendment #2 to House Bill 2764 and Floor Amendment #1 to House Bill 2925. Introduction of Resolutions. House Resolution 247, offered by Representative Unes and House Resolution 253, offered by Representative Ford are referred to the Rules Committee."

Speaker Turner: "Representative Beiser."

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

Speaker Turner: "State your point, Sir."

Beiser: "If I could have the Members attention, I'd appreciate it. Today, I think not just myself, but all of us are... have people from the boys and girl... 26 Boys and Girls Clubs here in Springfield today because they are participating in the Youth of the Year Program for their local clubs. This is a program that's sponsored by the Tupperware Brands and it's the highest honor that a club member can achieve. These exceptional young people exemplify the hard work, determination, and hope of 60 thousand youth Boys and Girls Clubs serve each year. We recognize them today. They're in the gallery, I think, behind us along with their executive directors, board members and staff of their local clubs who work each day to ensure that the young people who face these significant risks and challenges develop the attributes they need to become responsible, successful, and patriotic citizens and leaders. Not only we recognize all of you today, I have the special privilege to congratulate the Illinois Boys and Girls Club 2013 Youth of the Year, Zack Romano who is a member of the Boys and Girls Club of Bethalto from my district. Thank you to all these young men

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

42nd Legislative Day

4/17/2013

and women for their ongoing investment in Illinois's young people. And we want to give them a big Springfield welcome and congratulations."

Speaker Turner: "Congratulations and welcome to your Capitol. Representative DeLuca."

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

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

DeLuca: "Ladies and Gentlemen, in the gallery behind me from my hometown of Chicago Heights, we have a group from Prairie State Community College, Dr. Radtke the President, and some staff and other students. Would you please give them a warm Springfield welcome."

Speaker Turner: "Welcome to your Capitol. Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I'm especially proud and honored today to have my granddaughter here who's serving as a Page for a day, Alyssa Nekritz. She is a 6th grader at Maple Junior High in Northbrook. She's a fabulous soccer player, I've been to a lot of soccer games watching her play and she's active in pompoms as well. So, make sure you say hello to my granddaughter."

Speaker Turner: "Welcome. Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Turner: "Please state your point."

Davis, M.: "In the gallery we also have students from student government from Chicago State University, and these students work diligently to advise the community on issues

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

42nd Legislative Day

4/17/2013

that affect their university. I'd like you to give a warm welcome to the students from Chicago State University."

Speaker Turner: "Welcome to your Capitol. Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker. Point of personal privilege."

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

D'Amico: "Thank you, Mr. Speaker. I just wanted to announce, weather permitting, tomorrow night right after Session we will have softball practice at the park on Washington and Amos, probably about 5-5:30 and we'll check on the weather tomorrow. Okay. So, just every... so everybody knows."

Speaker Turner: "Thank you, Representative. Members, we will begin on the Order of Third Readings, beginning with House Bill 490, Representative Monique Davis. Representative Monique Davis. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 490, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Davis."

Davis, M.: "House Bill 490 is legislation that permits universities to make the decision of when their students will take the Illinois State Basic Skills test. Every student must take and complete that test before they go into student teaching. We think that it allows a number of students to make their choices if they want to take it the first year, second year, or third year and this will allow a number of people to get into the educational curriculum. I know of no opposition to this Bill. Thank you."

Speaker Turner: "Representative Pritchard."

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

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

42nd Legislative Day

4/17/2013

Speaker Turner: "She indicates that she will."

Pritchard: "Representative, we debated this considerably in committee and I know you've worked hard to answer many of the questions that have been raised in this. Would you go back and explain why you feel it's necessary to delay the taking of this test beyond the first year or entering a teacher education program?"

Davis, M.: "Well, there's actually no delay in it. The prior law stated that they had to take it the second year and sometimes students are a little better prepared on that third year. I think the most concern the committee had was that this test be taken prior to student teaching. And as you know, Representative Pritchard, they can take the test over if they miss certain parts of it."

Pritchard: "And wasn't the present rule put in place because of the concern that students oftentimes take several years of teacher preparation courses and then can't pass the test, in an essence, have wasted those years and the time, most importantly, that could have be devoted to getting career... a different major."

Davis, M.: "That was a concern of some students, but as Illinois State University pointed out, it was limiting the number of students they had going into that course of study, and they.. I think they had over a hundred, hundred percent decline, or a hundred decline in those students going into education."

Pritchard: "And isn't it a part of this Bill that universities could give the test at a different time?"

Davis, M.: "That is correct."

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

42nd Legislative Day

4/17/2013

Pritchard: "So, if universities sill want to make sure that students are in the right field and investing their time and MAP dollars or whatever else in the right area that this would be an efficient way and really a benefit to the student as well."

Davis, M.: "Yes, that is correct, Representative. The student.. the college does have that opportunity and that right."

Pritchard: "Were there other concerns about other majors that would also have to take this test?"

Davis, M.: "Yes. The hearing... speech and hearing... the speech and... excuse me, the speech and hearing curriculum also, even though they have a master's degree, have to take this exam. And I think the idea is to not prevent them from getting into education. You know, perhaps they had been into private practice or working for a hospital, but in order to work in education, even though they have a master's degree in these fields, they have to take the basic skills test. So they are a part of this Bill."

Pritchard: "So, even after your working on this, are there any groups that are still in opposition?"

Davis, M.: "I have no knowledge of any groups. None have come to me."

Pritchard: "Thank you very much."

Speaker Turner: "Representative Pihos."

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

Speaker Turner: "She indicates that she will."

Pihos: "The basic skills test it is basic skills, it's not content area, am I correct? It is just basic skills."

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

42nd Legislative Day

4/17/2013

Davis, M.: "I... I think it's basic skills. I have not seen the test, but they call it a basic skills test. That's correct."

Pihos: "I, too, have had many students disappointed because they've gone through their educational requirements to become a teacher and never could pass the basic skills test even though they took it the requisite number of times. And my understanding, from the State Board of Education, is it's equivalent to about an 11th grade education.

Davis, M.: "That is correct. It is about 11th grade. But the State Board of Education, they have removed their opposition."

Pihos: "Well, I still have concerns that a student invests their money in their college education and their career and then at the end of that find that they can't pass this test. So, I just wanted to make note of that."

Davis, M.: "Thank you."

Speaker Turner: "Representative Davis to close."

Davis, M.: "Thank you, Mr. Speaker. This Bill was debated and amended and hopefully, I will have the support of the Legislature. I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 490 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Costello, Ives, Senger. Mr. Clerk, please take the record. On a count of 84 voting 'yes', 34 voting 'no', 0 voting 'present', House Bill 490, having received the Constitutional Majority, is hereby

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

42nd Legislative Day

4/17/2013

declared passed. House Bill 630, Representative Farnham.
Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 630, a Bill for an Act concerning
liquor. Third Reading of this House Bill."

Speaker Turner: "Representative Farnham."

Farnham: "Yes, Members of House. House Bill 630, what this does
is it allows home brewers to participate in fundraising
events, park district events, which they have been doing
for some time. However, the... the regulatory agency for the
state decided that they were going to stop that, that it
was a violation of the Code. And what this does is,
corrects this. There's no opposition to it. The beer
distributers are fine; the wine and spirits are fine. And
it sets forth all the rules which they have to adhere to. I
urge a 'yes', vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall
House Bill 630 pass?' All those in favor vote 'aye'; all
those opposed vote 'nay'. The voting is open. Have all
voted who wish? Have all voted who wish? Representative
Drury, Sims. Mr. Clerk, please take the record. On a count
of 118 voting 'yes', 0 voting 'no', 0 voting 'present',
House Bill 630, having received the Constitutional
Majority, is hereby declared passed. House Bill 2856,
Representative Manley. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2856, a Bill for an Act concerning
local government. Third Reading of this House Bill."

Speaker Turner: "Representative Manley."

Manley: "Thank you, Mr. Speaker and Members of the House. House
Floor Amendment 3 becomes the Bill and is agreed language

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

42nd Legislative Day

4/17/2013

between the Illinois Commerce Commission, the Illinois Chapter of National Emergency Numbers Association, the Illinois Telecommunications Association, myself and chief cosponsor Representative Sullivan. House Bill 2856 is a public safety Bill and will improve how 9-1-1 call centers transfer or forward calls between each other to improve emergency response time and save lives. Recently, in my district, an elderly couple living out of the area some 50 miles away had an emergency, but instead of calling 9-1-1 they called their son who was working 50 miles away. He tried to assist them and was unable to reach the call center near their home. This Bill answers a question and will allow the ICC to create and distribute a statewide directory to each 9-1-1 call center, so that all jurisdictions have an accurate information available. 9-1-1 centers must participate in supplying the ICC with their accurate contact information and must keep the ICC updated if they should make a change. This Bill sets forth a time line and a time frame for accomplishing this goal. I believe this is a needed change in public safety. And I urge an 'aye' vote. And I'm answering any questions."

Speaker Turner: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. I want to congratulate the Sponsor for working very hard to make this an agreed Bill. This is the way legislation should be passed in the General Assembly when there's concerns, address the concerns, and move forward. At the end of the day, aside from the good work that she's done, this is going to save lives. And she had a very pointed idea. It

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

42nd Legislative Day

4/17/2013

worked out and she's solving a problem back home, which we all come here to do. And at the end of the day, as she said, it's a good step forward in saving lives. Thank you."

Speaker Turner: "Representative Manley to close."

Manley: "I appreciate all the help I've had on the Bill, especially to Representative Sullivan. And I urge an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 2856 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Jefferson, Phelps. Representative Manley. Mr. Clerk, please take the record. On a count of 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2856, having received the Constitutional Majority, is hereby declared passed. Representative Hays, for what reason do you rise?"

Hays: "Point of personal privilege."

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

Hays: "Mr. Speaker, please welcome in the gallery, students from my alma mater of Catlin High School, in Vermilion County. About 30 students here from Catlin High. Welcome to your Capitol."

Speaker Turner: "Welcome to your Capitol. House Bill 2716, Representative Walsh. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2716, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker, Members of the House. Present House Bill 2716, what this Bill does is codify language in

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

42nd Legislative Day

4/17/2013

the Illinois State Board of Elections dealing with township caucuses. If a township chairman doesn't present to the township clerk in the 20 days allotted prior to the caucus date, that that caucus will not be held and they will not be able to slate candidates. I would urge an 'aye' vote and answer any questions."

Speaker Turner: "Seeing no debate, the question is... Representative Franks."

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

Speaker Turner: "Sponsor yields."

Franks: "Representative, why do we need this legislation?"

Walsh: "Well, I have... in my district I had a township chairman that was four days late out of the 20 days that's in the statute to notify the township clerk of the time and place of their caucus. And under discussion, they allowed them to have the caucus but there was no language in the Election Code that basically said, if you're not on time, you don't have your caucus. So basically, this is kind of codifying that language. We have the responsibility as Legislators when we file our petitions we have to have them in on a certain date, if we don't, we're not on the ballot. That's not the case in township caucuses."

Franks: "Okay. And when does the time frame usually for the caucuses?"

Walsh: "The township chairman or the central committee has 20 days prior to the date of the caucus, which is set in statutes I believe the first Friday of December. It's in the first week of December, but they have 20 days prior to

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

42nd Legislative Day

4/17/2013

that caucus date to notify the township clerk of the time and place of the caucus."

Franks: "So, if it's the first week of December... let me just ask you this. Are the statutes being changed, because oftentimes we've changed the Primary? When President Obama ran we changed the Primaries to February then we moved them back to March recently. And I'm wondering because, if someone needs to file a... your petitions, if you're running, let's use our office for an example, for State Representative, you need to file them, it's typically in December if it's in March Primary, correct? And I'm wondering with the township caucuses, how do those dates mesh with Primaries because you don't want to have a different date for township caucuses then when the Primary may be held."

Walsh: "Well, for one, the township caucuses in many townships take the place of a Primary."

Franks: "Well, let's assume one Party caucuses and another Party has a Primary."

Walsh: "This would... this would just deal with the caucus. It doesn't change anything with the Primary Election or petitioning or anything to that fact."

Franks: "But would the dates be changed? My... I know where you're going. My question is, with the dates, because if we change the dates for the Primary, would we also concurrently change the date for when the townships have to have the caucus?"

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

42nd Legislative Day

4/17/2013

Walsh: "The township caucus date is set in statute and as we move that... it's in the Township Code not the Election Code."

Franks: "Well, maybe we should look at that as well maybe in the Senate because if... should we be moving the Primaries and one Party Primaries and another Party caucuses, the one that caucuses could be at a disadvantage because they're not sure whether... what's going on with the Primary."

Walsh: "I'd be happy to work with you on that."

Franks: "Okay. Thank you..."

Walsh: "No, I'd be happy to work with it when we get it over to Senate if there... I'll talk to you."

Franks: "Just want to make sure it works."

Walsh: "Yeah. That's fine."

Franks: "But I understand what you're doing."

Walsh: "Well, what we were doing here is just basically putting some teeth into it because we get, throughout the state, chairmen that don't turn it in on time and then the township clerk is scrambling to get it put into the paper for the public to know. And..."

Franks: "And it costs the taxpayers more money if you have to reprint a ballot."

Walsh: "Right. Right so."

Franks: "It makes sense."

Walsh: "Okay."

Franks: "Thank you."

Speaker Turner: "Representative Walsh to close."

Walsh: "Thank you. And I'd urge an 'aye' vote."

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

42nd Legislative Day

4/17/2013

Speaker Turner: "The question is, 'Shall House Bill 2716 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar, Gregg Harris, Jones. Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 2716, having received a Constitutional Majority, is hereby declared passed. House Bill 226, Representative Sente. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 226, a Bill for Act concerning elections. Third Reading of this House Bill."

Speaker Turner: "Representative Sente."

Sente: "Thank you, Mr. Speaker. House Bill 226 allows individuals who are 18 years of age by the General Election to also select the candidate of their choice in the Primary Election at 17. The Bill allows first-time voters to participate in all aspects of their first Primary and General Election. This Bill has bipartisan support, 43 Sponsors and passed out of Exec unanimously. The State Board of Elections is neutral. The Illinois Association of County Clerks is also neutral and 19 states have passed this Bill."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, do you know how many other states might be able to do this right now?"

Sente: "Yes, 19."

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

42nd Legislative Day

4/17/2013

Bost: "Nineteen. Okay. What happens in the case... so, basically, what you're saying is, if a person in the... let's say the first day of November falls on a Monday and the election's on a Tuesday, then actually back in the March before that, when they're 17, they should be able to vote in a primary is that correct?"

Sente: "That's what this Bill would allow."

Bost: "Is this... what do you think the reasons... when were we first made it to where a person 18 can vote? Can you tell me that?"

Sente: "That was with the Vietnam War in the 26th Amendment where we lowered the voting age nationally to 18."

Bost: "From 21, correct?"

Sente: "Yes, correct."

Bost: "And so, now we're going to 17 and you and I had a discussion based on the fact that... let's talk about the war situation, okay? Someone can actually go into the military at what age?"

Sente: "They can enter the military of their own accord at 18 and with parental consent they can fight at 17 years of age."

Bost: "Okay. And your discussion with me, and I'd like to go ahead and bring that up on the floor, was that you feel that if they are able to join the military they should be able to vote. Correct?"

Sente: "Absolutely, you just took my close away but..."

Bost: "Okay."

Sente: "...thank you very much."

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

42nd Legislative Day

4/17/2013

Bost: "But here's the problem I have. See I have many young people that come to me and say, I'm old enough to join the military, but I can't drink. You should allow me the opportunity to drink. So, let me give you the answer that I would give them on that situation. Join the military and on a base you can. So here's my thought, how about we work with you as government and then make it to where, if they join the military, then they can. I think that the 18 is an appropriate age, I know there's many people are.. that are in agreement on this on the floor. I do believe that 18 needs to be the guideline set. Disagree with the Bill, but I've got a feeling you're going to get plenty of votes on it. But I just think that we ought to set the line and if you can't vote in the Primary 'cause you're not 18, what a great privilege that you're going to be able to vote in the General."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "Sponsor yields."

Pritchard: "Representative, what's the genesis of this Bill?"

Sente: "This Bill came to me from the Stevenson High School government class and their professor. They've been working on this Bill for over 4 years. This is a Bill from a civics class and they want to get engaged as young adults."

Pritchard: "So, this affects students who will be eligible to vote in the General Election in November. And what you're saying is they ought to have an opportunity to vote in the Primary, for the candidates that they'll be voting on in the November election."

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

42nd Legislative Day

4/17/2013

Sente: "Precisely."

Pritchard: "So, can students that are less... under 18 years of age, do other service dealing with the election?"

Sente: "Yes, absolutely. A 16-year-old can be an election judge and so they can participate in that way. And I find in my district, many high school students are wanting to get engaged in the election process."

Pritchard: "So, our Constitution says that the voting age is 18. How is this going to work in cooperation with that?"

Sente: "That's a very good question. So, of those 19 states, as an example, 19 other states have... or numerous other states of the 19 have similar state provisions that indicate constitutionality is not a problem when encountered with 17-year-old students. Ohio, Indiana, Oregon, and Mississippi have very similar State Constitutions. The earliest one that was passed is in Ohio in 1972 and there has been no challenge in any of these states."

Pritchard: "Thank you. To the Bill. Ladies and Gentlemen, this is an idea that I think whose time has come. When we have elections with very few of our adult voters turning out, here we have an opportunity for students who want to vote and can't because they're not 18 in the Primary to have that opportunity and that right. I suggest we support the Lady's Bill."

Speaker Turner: "Representative Costello."

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

Speaker Turner: "The Sponsor will yield."

Costello: "As previously stated, I think some very important points here. Men and women are able to serve in the U.S.

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

42nd Legislative Day

4/17/2013

military at 17. There are men and women who have given their lives for our country at 17; they deserve the right to vote. These are people that are already voting in the General Election for a General Election candidate. They should be allowed to also vote in the Primary to decide who that General Election candidate would be. That's the obvious purpose of this Bill, correct?"

Sente: "Yes, it is. Thank you."

Costello: "Also, 19 states already have this, correct? So, I think that puts Illinois in a progressive mode as far as getting youth involved in government. How many people here have visited schools, you're telling youth that they need to be more involved in government, more involved in shaping our country? I imagine a number of you. I urge an 'aye' vote."

Speaker Turner: "Representative Reboletti."

Reboletti: "Thank you, Speaker, and to the Bill. Yesterday, 89 folks in here said that 17 years of age an individual should be treated like a juvenile because of brain development and that they were more immature than mature. Now today, this Bill suggests that they're mature enough to understand the voting process, but they're too immature to understand they're committing a burglary. So I think at some point we need to decide what... where 17-year-olds actually are at, and we keep nibbling around the edges. So you can't... you can't give them privileges on one end and then say that you should treat them as a juvenile on one end, but an adult on the other. I'm going to remain consistent and believe that we've had the age of 18 to

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

42nd Legislative Day

4/17/2013

vote. Just like when kids start school, September 1 is the cutoff; same thing with your birth date, if you're not 18 before the election, then you don't get to vote. You can vote in the next election. So, I would urge a 'no' vote."

Speaker Turner: "Representative Sente to close."

Sente: "Thank you. To the last speaker, I would just like to comment. This is something that we can consider. When are we mature enough to vote? And at what age do we make mature decisions? I think at a point where we can participate and we can work, we can pay taxes, with consent we can go and fight for our country. And I think this is an excellent opportunity for more young people to get engaged in the elections. And I heartily ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 226 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative DeLuca, Hatcher. Mr. Clerk, please take the record. On a count of 95 voting 'yes', 22 voting 'no', 0 voting 'present', House Bill 226, having received the Constitutional Majority, is hereby declared passed. House Bill 1604, Representative Sullivan. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1604, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 1604 is a very simple Bill. It says that when a chief county assessment officer discovers property that has been granted a homestead exemption for which it is been done

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

42nd Legislative Day

4/17/2013

erroneously, that portion of the property may be considered as omitted property for that tax year only. I'll be happy to answer any questions."

Speaker Turner: "Representative Zalewski."

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

Speaker Turner: "Sponsor yields."

Zalewski: "Ed, we had a good discussion in committee. I asked to be added to your Bill because we've been battling this battle for a good 2, 3 years now and we've hit a wall. So, I think sometimes you take what you can get and my question is, with respect to this erroneous instance where maybe somebody just inherited the property and they made a mistake, this sort of addresses that. Can you elaborate on what... what you think... that's sort of the carrot... what you think the stick approach is to this problem?"

Sullivan: "Well, you are correct. We've been discussing this for several years, you and I and the Cook County's Assessor's Office. This Bill, if you have moved and you've got an erroneous property assessment... exemption, you will not be charged the interest. And so, that will be waived for you because it was an administrable error and it's actually written into the underlying Act that we're just amending and adding to. And in the underlying Act, you ask for the... the stick, the stick is the 10 percent penalty for having this erroneously assessed."

Zalewski: "So, going forward, let me ask one question. Are the realtors... Illinois Realtor's Association how... what's their position on your Bill?"

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

42nd Legislative Day

4/17/2013

Sullivan: "They are neutral on the Bill. They've been opposed to the concept in the past, but the main difference between this... in the past, the Bills that have been put forth have taken what is owed in taxes and turned it into a lien on the property which they were opposed to. Under this legislation, it's treated as an assessment portion of it thereby not being a lien and it's something that you can go to the Board of Review and say, hey, I disagree with that and have a hearing on it."

Zalewski: "Going forward, Representative... again, I think it's a great first step I hope and I would respectfully urge that we continue to on what I call the voluminous aggressors the ones that aren't just... it's not just a mistake, it's those who are what we consider to be abusing the system. I'd hope that you would continue to work with me and some of the... specifically the Cook County Assessor to see what we can do about that problem because..."

Sullivan: "Sure."

Zalewski: "...we've got a great first step here, but I think we got to do more to ensure that those people that are abusing this process are held accountable as well."

Sullivan: "Well, Representative, what you see here today will constitute a majority of the violations and addressing a majority of the violations. What you're talking about, I fully agree with you and we have legislation to take the bad actors that are doing this voluntarily, if you will, illegally and penalizing them. And we will get to that someday, but for now, let's start with... this is, in the end, going to be tax reform. It's going lower property

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

42nd Legislative Day

4/17/2013

taxes by taking the people, the ba... the smaller bad actors, out of the equation."

Zalewski: "Okay. To the Bill. I encourage an 'aye' vote. We've been working on this issue. I know there are other permutations out there, but the Gentleman has a great first step and it's our duty as a Body to try to address this because we see situations where people are... our property tax bills are going up because not everybody is playing by the rules. And this is a great first step, so I urge an 'aye' vote."

Speaker Turner: "Representative Sullivan to close."

Sullivan: "Thank you, Ladies and Gentlemen. I want you to know that this is an addition to the underlying statute that has penalties, but if you had an administrable error, you would not be penalized for this. So, this is not going to hurt anybody that had an accident and didn't know about this potential homestead exemption. I urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 1604 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Lilly. Wheeler. Mr. Clerk, please take the record. On a count of 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1604, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson, for what reason do you seek recognition?"

Jakobsson: "Thank you, Mr. Speaker. I rise for point of personal privilege."

Speaker Turner: "Please state your point."

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

42nd Legislative Day

4/17/2013

Jakobsson: "I would like to have the House welcome with a nice big warm welcome two guests today in the balcony in back of me. Teri McCarthy is my Legislative Assistant in my Champaign office, and next to her is an intern in my office this year this semester from the University of Illinois and his name is Patrick Dunne. Let's all welcome them, please."

Speaker Turner: "Welcome to your Capitol. House Bill 806, Representative Bradley. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 806, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Bradley."

Bradley: "Thank you. This is an initiative of the Attorney General's Office. In 2006 we passed the Meth Precursor Control Act to limit the ability of individuals in the production of methamphetamine to be able to buy an amount of Sudafed necessary in order to make methamphetamine. Unfortunately, the criminals have figured out ways around this by using 'smurfs' as it's called, bringing people with them to the store, four, five or more to purchase the methamphetamine Sudafed individually and then bring it to the meth producer at inflated rates. The problem then with law enforcement is, is that we've had the inability to prosecute efficiently the folks that are actually doing the smurfing or buying the pseudoephedrine for the meth manufactures. This legislation eliminates that hurdle. It would allow law enforcement to purchase the people buying the pseudoephedrine components which are being used for the manufacture of methamphetamine and would also increase the penalties for doing so. I would ask for an 'aye' vote."

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

42nd Legislative Day

4/17/2013

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 806 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Gordon. Mr. Clerk, please take the record. On a count of 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 806, having received the Constitutional Majority, is hereby declared passed. Representative Brown, for what reason do you seek recognition?"

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

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

Brown: "Thank you, Mr. Speaker. I'd like to welcome to the House gallery students from Richland Community College. Welcome to your House."

Speaker Turner: "Welcome to your Capitol. Representative Scherer, for what reason do you seek recognition?"

Scherer: "Thank you, Mr. Speaker. I, too, would like to recognize the students from Richland Community College, just right down the road over in Decatur and thank you for coming. And they have bright futures ahead of them. Let's give them a round of applause."

Speaker Turner: "Welcome, again. House Bill 1810, Representative Poe. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1810, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Representative Poe."

Poe: "Yeah. Mr. President... I better say, Mr. Speaker. I moved you over to the Senate. Ladies and Gentlemen of the House, I got a Legion of Merit license plate and this is a license

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

42nd Legislative Day

4/17/2013

plate that is awarded by the Armed Forces of the United States. And it's... very few recipients get this, is the way we can recognize those soldiers that put in a lot of years. And we'd like to honor them in the State of Illinois and ask for a 'yes' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1810 pass?' All those in favor vote 'aye'; all those 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 112 voting 'yes', 4 voting 'no', 0 voting 'present', House Bill 1810, having received the Constitutional Majority, is hereby declared passed. House Bill 513, Representative DeLuca. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 513, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative DeLuca."

DeLuca: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Governors State University, which is in my district, is asking for a one-year extension from January 2015 to January 2016. In committee yesterday, the Illinois State Board of Education is listed as an opponent. They testified in committee yesterday that we have an agreement. The language is not in this Bill, but we have a commitment from the State Board of Ed and the Sponsor in the Senate that this language will be attached and make it an agreed Bill. I ask for your approval."

Speaker Turner: "Representative Franks."

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

42nd Legislative Day

4/17/2013

Franks: "Thank you, Mr. Speaker. Will my seatmate yield... or my officemate yield?"

Speaker Turner: "Sponsor yields."

Franks: "Representative, the initial legislation required Governors State University to provide the documentation by 2013, correct?"

DeLuca: "I do believe that is correct."

Franks: "So, why do they need three more years? What's... what's the hold up? Why have they not been able to comply with the General Assembly's order?"

DeLuca: "What I am told is that the deadline... the state changed the deadline and therefore; the extension was needed."

Franks: "And what exactly... what they're trying to do is extending a date for the completion of an alternative teaching certificate program?"

DeLuca: "Yes, which will affect between 40 and 50 teachers. It's a federal grant."

Franks: "And right now there's a grant that provides funding for about 170 student teachers, correct?"

DeLuca: "It's approximately \$7.1 million, yes."

Franks: "Okay. And they're doing it for 170 teacher student residency placements over the next few years. My question is, by extending the deadline, would we be putting that federal money at risk?"

DeLuca: "No. It's being put at risk if we do not extend the deadline."

Franks: "Okay. That's what I was trying to figure out. Thank you, Sir."

DeLuca: "Yes, thank you."

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

42nd Legislative Day

4/17/2013

Speaker Turner: "Representative DeLuca to close."

DeLuca: "Thank you, Ladies and Gentlemen. I ask for your approval."

Speaker Turner: "The question is, 'Shall House Bill 513 pass?' All those in favor vote 'aye'; all those 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 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 513, having received the Constitutional Majority, is hereby declared passed. House Bill 494, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 494, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. And you look amazing today by the way, so I'll let you know that."

Speaker Turner: "Thank you very much."

Chapa LaVia: "Much younger. In fact, have we found out if you're the youngest person who's ever been a Speaker in the House of Representatives in the United States?"

Speaker Turner: "I'm not sure about the United States, but we could look into it."

Chapa LaVia: "I definitely think you are. Now yesterday I discussed this a little bit... this Amendment a little bit. I've taken my moratorium down a lot and actually down a lot, from three years to one year, we exclude Chicago, removed all opposition to the Bill at this point. I want to thank everybody for all their comments and their hard work

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

42nd Legislative Day

4/17/2013

to put it where it is. Also, I'd like to get on the record for Representative Roth that if the commission comes up with findings before the total year of the moratorium, that I would come back in January and put a sunset on it. I'm open for any questions."

Speaker Turner: "Representative Ives."

Ives: "I was just wondering why exactly they feel that they need this extra time to look at the specifics of a virtual charter school in this district, in these multidistricts?"

Chapa LaVia: "Well, Representative Ives, when the statute for the charter schools was put into place and discussed and negotiated out, virtual reality charter schools at this magnitude as far as multidistrict were never discussed. Therefore, there were no statutes put into place to help school districts make a decision whether they would choose to have a virtual reality charter school or not at that level. So, even when the... there is one corporation in the State of Illinois right now going through in, out in our area, trying to collect any support. They've been going to all the school districts and they've been denied at 16 of the 18. Now some of this is due to the fact that the school districts don't really know how to do virtual reality charter schools in the sense plug them into what the state statutes say; therefore, the organization lacks information on how to answer questions of school district members and the school district members lack the backing of the state to say, yes, that fits in that category. So, what we're trying to do is put in place procedures and policies in order for eventually a virtual reality charter school to

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

42nd Legislative Day

4/17/2013

exist on a multilevel pathway, but presently, there is not one yet. So, they're going to continue to be denied and... and they've even stated now the process goes into play where local control says they don't want them at this point and now that entity can come petition at the charter school commission saying that the local charter school doesn't know what they're talking about, you should grant us this multidistrict thing. And even the commission itself doesn't have the tools to do that on that level. So, what we're trying to do is slow the process down, not erase virtual charter reality school... charter reality schools 'cause I think there is an application in the future for this. I think this is a viable discussion; however, we need to put those tools in place in order for them to exist in the future."

Ives: "Okay. Do you... do you realize that there is already a multidistrict virtual charter school?"

Chapa LaVia: "Not outside the sub... not outside Chicago, Ma'am."

Ives: "No, but there..."

Chapa LaVia: "Not at the level of 18 districts."

Ives: "...there... there is a process here. I mean, we have a state... To the Bill. We have a state process here for charter schools. If we're going to go ahead and set up a legislation that tells you how you can start a charter school and then not abide by that same legislation simply because one particular area of the state wants more time or is opposed to it, I have a problem with that. There currently is a multidistrict virtual charter school in Illinois. That charter school must comply with all the

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

42nd Legislative Day

4/17/2013

requirements of any school. They must test; they must evaluate student performance. They already know how to fund multidistrict charter schools. This is already happening in the State of Illinois. And I will tell you, the reason that these particular districts don't want it and it goes along the Fox Valley area is because they don't want the competition. That's what charter schools are about. They are about evolving into competition and when you talk to the people that are going to run this charter school, they will tell you that they are not looking for the traditional school. They're looking for the child who maybe doesn't fit into the traditional setting, the child who may have some difficulty in the classroom. They're looking for maybe the athlete who needs to have a different learning environment so they can pursue their dream. That's who they're looking at. They don't think that they're really going to be taking away significantly from the population. Additionally, I will tell you the on... all these districts that are opposed to it, at least my district and another one in my area, they are... they told me the reason we're opposed to it is we want a year to set up our own virtual school. That's the truth. They want to do it by themselves with the public money. This has nothing to do about not understanding how to fund or operate a multidistrict charter school. This has to do about competitiveness and that's why we put in a charter school legislation and that's how we're doing it. And we should let the board do their work. We should let the charter board do their work. Just recently, March 19, they had proposals for charter schools; they approved two

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

42nd Legislative Day

4/17/2013

of them and they denied one of them. So they are apparently doing their work in looking at the aspects of all these schools and deciding that they're a viable reason... they're viable or not. So I would say that we should support an institution that we legislated into action, the charter school and let that happen. Thank you."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "Sponsor yields."

Pritchard: "Representative, there is no... or I should say, is there standards in current law regarding what the charter commission should consider in evaluating an application?"

Chapa LaVia: "Not to the degree of virtual reality charter schools at a multidistrict level and not even... And I spoke to the chairwoman of the charter commission the other day, so there are issues there. So, they're in favor of me doing this moratorium as well."

Pritchard: "So, there's no standards that really look at student learning outcomes?"

Chapa LaVia: "Right now, and you know, because you and I have been here the longest having to deal with this. Hopefully, this summer we'll sit down and make sure that the charter schools in the state are going under the same requirements as regular traditional schools as far as standards and testing and all the issues that are going great with the charter schools and great... and not so great, and how we can work together to make sure all these pieces of the puzzle, you know, equal up a great education in the State of Illinois."

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

42nd Legislative Day

4/17/2013

Pritchard: "So, there's currently a proposal that is before some 18 school districts and a number of them are already considering it and voting on it. One of their concerns has to do with the compensation that the charter school would get. Could you amplify..."

Chapa LaVia: "Correct."

Pritchard: "...the extent and who's responsible for that?"

Chapa LaVia: "The district would be responsible for the virtual reality charter school tuition, and in this application as far as entity that's coming to this state doing the multidistrict, they're asking for \$8 thousand per child with no building, no on-site teachers, none of the operational cost of a physical building. So, that detracts from a lot of school districts in the sense of East Aurora, we're only getting 5900 per kid for general state aid and West Aurora a little bit 61, but where's the rest of that money going to come from? So, there's issues there too and they couldn't explain why they were charging more money than the general state aid application."

Pritchard: "So, just to establish legislative intent, your intent is to proceed with these rules as expeditiously as possible and that this would not affect established charter schools that deal with virtual learning?"

Chapa LaVia: "Correct. I've removed the blend in virtual reality schools that are in existence. I've removed all of Chicago virtual reality charter school that they have. They only have one and it's their only district. I've given it to the commission because we created them; they should be capable individuals of giving this General Assembly back

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

42nd Legislative Day

4/17/2013

suggestions on policies and the statute that they'd like to see to make their process easy and fluid, and once again, it is a year moratorium. I took it down from three to one and I discussed this with one of your Representatives that, if they came back with policy procedures and changes, I'd be more than happy to sunset this moratorium in January and February once we write legislation to put in policy to help them."

Pritchard: "And a final question. If any of the current charters or districts want to expand a virtual school or a portion of a virtual school, does this legislation also ban that kind of extension?"

Chapa LaVia: "I'm sorry. Say that once more, Representative Pritchard."

Pritchard: "So, any current charters that deal with this blended virtual learning wanted to expand to another school, would this prevent that from occurring?"

Chapa LaVia: "No. Just virtual... I took out virtual blended schools. So, they're in existence and there are a way on getting application, what have you, it's fine. This has nothing to do with virtually... virtual blended charters."

Pritchard: "Because I thought there was concern, especially in Cook County..."

Chapa LaVia: "Yeah. I took it out."

Pritchard: "...where they were looking at trying to chart..."

Chapa LaVia: "That's..."

Pritchard: "...a new charter..."

Chapa LaVia: "Right."

Pritchard: "...as an alternative school."

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "And that's why Chicago's neutral now. They removed their opposition 'cause I took Chicago off of this altogether."

Pritchard: "Well, I appreciate your willingness to work with the questions..."

Chapa LaVia: "Thank you."

Pritchard: "...and the opposition that has developed and I look forward to a speedy resolution on this issue."

Chapa LaVia: "Thank you. Thank you for all of your help, Representative Pritchard."

Speaker Turner: "Representative Dan Burke."

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

Speaker Turner: "The Sponsor will yield."

Burke, D.: "Representative Chapa LaVia, if you recall last year I introduced a Bill that would have provided for equal funding for charter schools. Do you recall?"

Chapa LaVia: "Correct."

Burke, D.: "And you rose in opposition to that initiative insisting that there was a MOU in place."

Chapa LaVia: "Correct."

Burke, D.: "And you waived it and said my legislation was contrary to the MOU."

Chapa LaVia: "Correct."

Burke, D.: "And now you're purposing to what I would suggest, go contrary to that MOU."

Chapa LaVia: "Right. And I discussed this with the individuals who were there at the negotiations of the original charter school statute and the proponents... that are proponents of this legislation now is that within that, there was never

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

42nd Legislative Day

4/17/2013

any discussion at all, period, on virtual reality charter schools. So, that's the issue, Leader Burke. It has nothing to do with coming after the charter statute that... everything that was discussed and negotiated on doesn't come into play again until the middle of the summer. In June, the moratorium is closed on that and we start to discuss charters and how they're funded. However, the proponents that sat at the table and the proponents that are with me on this moratorium, have stated that the virtual reality charter schools were never discussed; therefore, they felt that it was okay to introduce this to help our charter commission come up with statute so they can fulfill their obligation to the state under the charter statute."

Burke, D.: "So, if I'm understanding you correctly, you're saying it is okay for your recommendation to be considered, but it wasn't okay for mine."

Chapa LaVia: "Well, Leader Burke, yours had to do with the traditional charter, as you well know, and this... it was never discussed at all. So, if it was, then we would have the policies and procedures in place so they could deal with this, but our commission that we set up, the charter school commission, doesn't know how to handle the multidistrict virtual reality charter school 'cause they didn't have that written into the statute 'cause that was never discussed. Technology changes in such a rapid rate that that wasn't even on the plate four years ago or two years ago and now this came into our state and we don't know how to deal with it on that level. Now Chicago has a

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

42nd Legislative Day

4/17/2013

virtual reality charter school, but they have it within one district. The commission doesn't know how to deal with multidistricts 'cause what happens now, if... let's say two of them... two of the school districts said they want it and the other 16 didn't, the other 16 can be petitioned and forced to join the virtual reality charter school and they'd all have to pay \$8 thousand per kid. So, there's a lot of complications that come into play. I'm just trying to put some language to help the commission continue its business and how we established it."

Burke, D.: "Well, as you know, again, Representative, the MOU will expire, I believe, this June or July. So, my question is, what is the..."

Chapa LaVia: "June 30."

Burke, D.: "...urgency of your initiative? Why is this so urgent?"

Chapa LaVia: "Be... because they're going through all the school districts right now and they're being denied on a rapid rate, okay. Because the school districts don't have the statute to look at and say, how do we deal with a virtual reality charter school and how do we except them in our district? They're being denied, okay. Now what's happening is that, I think there's two left and they can go appeal to the commission, but the commission can't even deal with them because they don't have the statutes in place to help them live and breathe. So..."

Burke, D.: "Okay. Thank you very much."

Chapa LaVia: "Thank you."

Speaker Turner: "Representative Tryon."

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

42nd Legislative Day

4/17/2013

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

Speaker Turner: "The Sponsor yields."

Tryon: "Thank you. Representative Chapa LaVia, I had heard last night that you... and I know you've have been working very hard to... to try to remove the opposition that you've had and I had heard that you had pretty much had an agreed Bill, but this morning then I heard there was still some opponents to it so I was kind of wondering who was still opposing it and who..."

Chapa LaVia: "The only person that I know of was opposed to it is K12 the organization that's trying to get the business in the State of Illinois."

Tryon: "So, the Policy... I had heard the Policy Institute this morning was still opposed."

Chapa LaVia: "They... they've never come to me or said anything about their opposition physically and I've, you know, I've been a very open chairperson in a sense of I always say if you have issues with my Bill come see me the day before the Bill is run. They probably slipped into opposition. Now let me tell you this, Representative Tryon, four of the board members for K12 are from the Institute. So, there's a big conflict of interest there and a lot of issue and innuendo. I did not want to bring up their name because there's a lot of lawsuits happening throughout the United States in different school districts based on their lack of performance. Children taking tests over and over again to get better grades. Money, profit for pupil as opposed to educating the kids of the State of Illinois and any other state. So there is issues there that they're slipping in

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

42nd Legislative Day

4/17/2013

and there's members on their... the board of K12 that are from the Institute itself so."

Tryon: "So, on our Bill analysis we have CPS being opposed to it."

Chapa LaVia: "They removed their opposition because they're removed from the moratorium."

Tryon: "Okay."

Chapa LaVia: "So, CPS is no longer."

Tryon: "So, would that mean... then that would mean that CPS could still do a virtual charter?"

Chapa LaVia: "Yes. They can keep on doing what they're doing right now."

Tryon: "And this would only apply to the rest of the state?"

Chapa LaVia: "That only... this only applies to the rest of the state so we can proceed... put procedures in place."

Tryon: "And then we also have on our analysis that the Chamber is opposed. Would they still be opposed?"

Chapa LaVia: "They might have slipped in opposition also, but they never came to talk to me at all, Representative Tryon."

Tryon: "Okay. So, then pretty much then CPS is who you've got it worked out with. One of the things that concern... I mean, I looked at..."

Chapa LaVia: "And the Illinois Network of Charter Schools has removed their opposition too and agree that we need to slow this down and make sure the policies and procedures are there for their future memberships as well."

Tryon: "Okay. No further questions."

Chapa LaVia: "Thank you."

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

42nd Legislative Day

4/17/2013

Speaker Turner: "Representative Reis."

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

Speaker Turner: "Sponsor yields."

Reis: "Representative, I've been trying to follow the debate here and would you please explain again. You've taken the City of Chicago out of this. What does that mean?"

Chapa LaVia: "Chicago has... in its one district that it has it has a virtual reality charter school and they're in existence and they're operating there. And since they're operating, I didn't want to detract from what's going on there at all."

Reis: "So, could they add a virtual charter school within CPS?"

Chapa LaVia: "Yep."

Reis: "Because if your moratorium was to pass could they still add one?"

Chapa LaVia: "Yes. They still have them and my moratorium doesn't affect them at all, Representative."

Reis: "So, they could add one?"

Chapa LaVia: "They could add one. Chicago Public School could do whatever they're doing in the next year and do, but they're only one district. So, it doesn't affect multidistrict what I'm talking about outside the City of Chicago."

Reis: "And I know, you keep bringing that phrase up multidistrict, but you know, I guess it kind of baffles me that if it's so bad why is it still okay for the City of Chicago to do this? You know, if it was bad for everybody, you should be trying to remove it for everybody. Will this, in any way, if they did form this... this virtual charter

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

42nd Legislative Day

4/17/2013

school, would it go over the cap that's been in place for years in your district?"

Chapa LaVia: "I don't understand the question. I'm out in Kane County."

Reis: "Well, we have a cap on charter schools."

Chapa LaVia: "No, this has nothing to do with the cap."

Reis: "So, it has nothing to do with it."

Chapa LaVia: "No, Sir."

Reis: "That's the answer I was looking for. How many kids would be in this virtual charter school?"

Chapa LaVia: "They were claiming... the gen... the application itself, I don't have any of the paperwork in front of me, for some reason the back of my head because it was 18 districts... I can't remember."

Reis: "Like 500."

Chapa LaVia: "You know, it's... I'm doing it for policy and procedures. I'm not doing this because I have some issue with that organization. So, I don't know the particulars of any of the applications that were done with any of the school districts, any of the 18 school districts."

Reis: "Okay. Well, I was told that it's about 500 kids out of an aggregate of 240 thousand. So, I mean, it's... it's a relatively small thing with regards to how many kids that are actually in those districts. To the Bill. Ladies and Gentlemen, we have a process in place to approve or disapprove of these charter schools. And you know, I think to come here and ask for a special favor for one school district because they don't want the competition it's just not the right policy. We do have a Memorandum of

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

42nd Legislative Day

4/17/2013

Understanding in place, as Representative... one of the prior speakers brought up, that this would be in violation of. That moratorium leaves this summer. So, let's let the process work. It's worked very good. Let's use technology to try to make sure that the multidistrict problem that the Representative says she wants to address, let's technology maybe work that out. And... so, with all due respect to the Sponsor, you know, Linda, I love you very much and I would encourage a 'no' vote on this. Let's let the process work."

Speaker Turner: "Representative Christian Mitchell."

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

Speaker Turner: "Sponsor yields."

Mitchell, C.: "Representative, I was in your committee and I know you made a ton of changes to this Bill, removed a lot of opposition and I'm grateful for that. I have actually just one technical question."

Chapa LaVia: "Sure."

Mitchell, C.: "In House Amendment 1 you make a very clear distinction between virtual schooling and virtual blended learning, that's not present in House Amendment 2. So, I'm concerned that... it's my understanding that you don't intend to apply this across virtual blended learning, but that the way House Amendment 2 is currently written, I'm concerned it could. So, I guess my question is, as this goes over to the Senate, if it favorably passes, would you be willing to consider cleanup language to tighten that definition?"

Chapa LaVia: "I don't understand where you're saying that, Representative..."

Mitchell, C: "Sure."

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "...Mitchell, because the language... my understanding is you think it does not cover virtual blended reality schools right now?"

Mitchell, C.: "So, my understanding from talking to you in committee is that your intention is to deal, one, specifically with... with a school issue in your district, but two, with a virtual online specific school and that virtual blended learning, which is just an online component, it wasn't something that you were intended to try to shut out."

Chapa LaVia: "Correct. Correct."

Mitchell, C.: "Right."

Chapa LaVia: "We're not putting a moratorium on the virtual reality charter schools law. It's taken out. It's removed."

Mitchell, C.: "Right. You're taking out blended learning, correct? That's the intention?"

Chapa LaVia: "That's the intention."

Mitchell, C.: "So, my concern is just that in House Amendment 1 you've got language that breaks out under Section... I want to say it's (b-5). Virtual blended has a definition and then virtual schooling has a separate definition and then in House Amendment 2 you only have virtual schooling and it notes..."

Chapa LaVia: "Okay. So..."

Mitchell, C.: "...school with online components."

Chapa LaVia: "...so, the intent of the legislation, I'm going to put the intent out there..."

Mitchell, C.: "Sure."

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "...was to perfect virtually... virtual blended schools right now in the entire State of Illinois. Okay, they're not on this moratorium. So..."

Mitchell, C.: "Right."

Chapa LaVia: "...I'd be more than happy to clarify that with a little detail change in the Senate."

Mitchell, C.: "Thank you."

Chapa LaVia: "Thank you for noticing that, Representative."

Speaker Turner: "Representative Pihos."

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

Speaker Turner: "Sponsor yields."

Pihos: "Thank you. Yes, I have several comments that I would like to make. First of all to Representative Reis, there may be some misinformation out here. I have spoken to K-12..."

Chapa LaVia: "Speaker, can you please quiet the... Thank you."

Pihos: "Okay. I'll start again, thank you. Number one, I want everybody on this committee to know that I served with Representative Mitchell on the charter school subcommittee and I was in a very strong support of charter schools. We gave up downstate charter schools so the City of Chicago and other areas of the state could have charter schools, but I'm also in very strong support of Representative Chapa LaVia's Bill for a moratorium on charter schools for a variety of reasons. And we need to understand this is not a one district charter school. I keep hearing responses to the Representative. I don't... he think all of us understand that this is an 18 district charter school and right now these 18 districts are having an issue through their boards

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

42nd Legislative Day

4/17/2013

of education and the decision-making process because it's become evident that the concept of virtual multidistrict charter schools requires further study, guidance, acceptance, benchmarking, and legislation. And the reasons for this include that the current law is silent on virtual charter schools. Virtual charter schools were not in existence at the time that the law was created. Current funding formula for charter schools is not applicable. Now we don't want to... we did put a process in place and in no way do we want to take away that responsibility from the charter school commission, in fact, it's essential that they take the lead on this discussion. So, we're looking to them to be leaders to find out what indeed it is they need to go through the decision-making process. They've never had to make a decision relating to 18 school districts. So, this is just to slow down the process. You have most of these school districts objecting to the charter school. I would just want to respond to Representative Reis, this is not for 500 students. This is for 500 students the first year, 500 students the second year, 500 students the third year, 500 students the fourth year. I don't know if they're going to cap it at 2 thousand students and it doesn't matter. The other problem is, the moratorium expires June 30 of 2013. This virtual charter school needs to be approved because if you look at the effective date of the legislation it's this school year, the '13-'14 school year. And how you would get this up and running in just less than two months, I have no idea. So, I urge strong support and a 'yes' vote for Representative Chapa LaVia's Bill. She's

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

42nd Legislative Day

4/17/2013

doing the right thing, so that our charter school commission can continue to make good decisions as they evaluate these school applications."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "Sponsor yields."

Kay: "Representative, I am caught in the middle here, and I think Representative Burke probably got the conversation started off in the direction I want to go, but last year we had a Bill and this Memorandum of Understanding came up, which I think had to do with something known as Senate Bill 612. Is that correct?"

Chapa LaVia: "Correct."

Kay: "Okay. And that memorandum said we weren't going to do anything until what, June 30 of this year with respect to this issue?"

Chapa LaVia: "This is correct, Sir."

Kay: "Okay. Why are we doing this?"

Chapa LaVia: "Once again, as I explained earlier to Leader Burke, when the original statute was negotiated out before it turned into a Bill, there was never any language placed in the statute of the charter school statute of the State of Illinois dealing with virtual reality charter schools multidistrict like the policies are not there for something at that magnitude to exist in our state presently. And the proponents of that initial legislation are also proponents of this legislation on the moratorium 'cause they understand that virtual reality charter schools were never discussed in charter school language, okay and that we need

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

42nd Legislative Day

4/17/2013

to add something now to help virtual reality charter schools exist in the future."

Kay: "Well, as a single subject matter though, charter schools are charter schools..."

Chapa LaVia: "No."

Kay: "...and I think that was the subject..."

Chapa LaVia: "No."

Kay: "...that was the subject of the memorandum, because I saw it."

Chapa LaVia: "Okay. You could, but..."

Kay: "Representative Mitchell gave it to me."

Chapa LaVia: "...were you here in negotiations for charter schools, Representative Kay? Were you part of that negotiation?"

Kay: "No."

Chapa LaVia: "Okay. I've spoken to people and they were on record in my committee and it was Kip Kolkmeier with the... Charter School Association and there was one union, Sharon Teefey from IFT. Never, ever, ever, did virtual reality charter schools and multidistrict charter schools, were they ever discussed. So, therefore, the proponents of that original Memo of Understanding said it was okay to put a moratorium on virtual reality charter schools so we can put in place mechanisms so they can exist in the future 'cause right now they can't. At a multilevel arena they cannot exist and it's 18 school districts. The..."

Kay: "So, what... let me... let me just ask you this. Isn't this just an attempt to kill... as far as I can see, kill single charter applications?"

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "No, Sir. If it was that, I'd attempt to kill them, why would I include the commission to give us the policies and procedures that they need to put these into place."

Kay: "Well, here's... here's why because we agreed not to do anything with the issue until June 30, 2013."

Chapa LaVia: "Once again, you're talking apples to watermelon other here. I just told you."

Kay: "Well, I don't... I don't think so."

Chapa LaVia: "It's not in the original statute."

Kay: "It wasn't apples..."

Chapa LaVia: "You were not there at the initial get go..."

Kay: "Ma'am?"

Chapa LaVia: "If you would have come to my committee..."

Kay: "By implication a subject and a topic covers that topic."

Chapa LaVia: "No. It doesn't, Sir."

Kay: "Well, it does."

Chapa LaVia: "With all due respect, technology changes every day, and this is part of technology. Now, if you would like..."

Kay: "Really, what you want to do..."

Chapa LaVia: "...technology of this magnitude..."

Kay: "Just... just tell me the truth."

Chapa LaVia: "...to come into our... our state..."

Kay: "If... if you just... if you just..."

Chapa LaVia: "...then we need to put policy and procedures in place to allow them to exist."

Kay: "I may..."

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "Right now we can't at the multilevel. So, if you want to take over the world with virtual charter reality schools in Illinois, you can't at this point because the fact there's no policy and procedure in place."

Kay: "Well, I don't want to take... I don't want to take the world over. I just want to ask you some questions."

Chapa LaVia: "It doesn't exist. You can't do that; you can't help them."

Kay: "I'm sorry, what?"

Chapa LaVia: "You can't help virtual reality charter schools at that magnitude exist in the State of Illinois without getting the commission without giving..."

Kay: "So, you want to prohibit the establishment of any charter outside the City of Chicago. Is that correct?"

Chapa LaVia: "No, absolutely not. Charters already exist outside Chicago, Mr. Kay."

Kay: "Why... why are we doing this before the end of June?"

Chapa LaVia: "This is virtual reality charter school that has gone through 18 districts trying to exist and they can't exist 'cause there's no language there to help them."

Kay: "The simple truth... the simple truth, Ma'am, is..."

Chapa LaVia: "So, if you would have listened to your own Minority Leader for Education, she's making sense."

Kay: "...if you want to prohibit the use... you want to prohibit the use of any virtual component. Is that not correct? Any virtual component you want to eliminate?"

Chapa LaVia: "No, that's absolutely false, 'cause I would have left in virtual reality blended schools and I took them out of the moratorium, Mr. Kay. So, if I wanted to eliminate

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

42nd Legislative Day

4/17/2013

them, I would have left them in on the moratorium and I didn't. I took them out."

Kay: "Well, I think... I think it's a shame because it was portrayed one way last year, it's portrayed a different year this year. A Memorandum of Understanding kept us, a lot of us, from voting one way and this year you want us to forget it and vote another. And I'm not going to do it and I encourage the Body not to do it. This is not right, vote 'no'."

Chapa LaVia: "This is not ri..."

Speaker Turner: "Representative Roth."

Roth: "Thank you, Mr. Speaker. May the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Roth: "Representative Chapa LaVia, we had a great discussion I thought in committee about the charter schools and stuff. And I have upmost respect for you and I appreciate you taking it from three years to one year, but I still do have reservations about going to one year. Just because a discussion that we had on the floor... or excuse me, in committee was that in 2009 when we were looking at the charters that we had never anticipated the virtual learning environment in terms of an entire school. So, here we are just a few short years later and we have a virtual charter school in Chicago that's doing extremely well, K-12... a K-12 school, and now we're looking at putting the potential of another charter school, K-12 charter school, K-12 as in the years K-12, on hold for a year. So, I guess my reservation is, with technology and the way it's moving, why... why can't we work out the issue? It seems to be how to fund it in

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

42nd Legislative Day

4/17/2013

multischool districts. And I understand that... that problem, but do we have to put a moratorium on it and hold it up for a year? Can't we figure out how to solve that problem?"

Chapa LaVia: "No, it needs to be done legislatively. We need the policies to help the commission deal with the virtual reality charter schools in a multidistrict. They need language to help them. There's nothing in place right now, Representative Roth, for that."

Roth: "Are there places outside of Illinois where they do have multidistricts?"

Chapa LaVia: "Well, it's totally apples and oranges. Once again, our state statutes dealing with charter schools is totally different than any other state and we don't have the ability and the capacity under state statute to deal with virtual reality charter schools at that magnitude, as far as multidistrict."

Roth: "I think they're doing it in Florida, actually..."

Chapa LaVia: "But not in Illinois, Representative Roth."

Roth: "But can't we..."

Chapa LaVia: "I mean, Illinois's different. We don't... we can't just... I wish we could snap our fingers and say, here commission, let's do it intergovernmentally or whatever you want to do, but no it takes statute to change that and allow that."

Roth: "But does it take a... I've seen lots of Bills that have been created in the last three months that we've been down here."

Chapa LaVia: "Well, I want... I would like the commission to give us their suggestions on what they'd like us to do and then

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

42nd Legislative Day

4/17/2013

take that. Now, I've also discussed this with you that I'd be more than happy..."

Roth: "Right."

Chapa LaVia: "...to sunset this moratorium when I come back in January if they give us recommendations before the moratorium ends. I have no problem with that."

Roth: "So, a couple other reservations I have on it is, and I understand the funding aspect and I do think that we can solve that without having to do a moratorium. But I think more importantly there's a process in place already. These 18 schools, most likely all of them, will deny the charter coming into their schools. And then at that point this company will appeal to the commission. That commission then has to make a decision. It's my understanding in the 11 school... or 13 schools that have gone to this commission, only 2 of them, only 2 were approved over and above the schools that disapproved of the charter coming into their school. So, I guess my question is, shouldn't we allow the process to play out fully and then take this on?"

Chapa LaVia: "Well, if anything is out there in process, this is not going to stop it. This doesn't come effective until we pass this and put it on the Governor's desk and we ask them, the commission, to give us statute. But they're not going to be able get through the process 'cause they don't have the statute to do it. So, this doesn't do anything for anybody out there doing anything right now. They still appeal and would have you. I am just and so is the commission and all the proponents that were in charge of the original charter school language is that we do... we do

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

42nd Legislative Day

4/17/2013

get... we do get the statutes corrected so they're able to be viable in the future, Representative Roth, that's all we're trying to do. I'm not trying to stop the process for six years. I'm not doing it for three years. I've been extremely amenable, I brought it back to three, I took out Chicago, I... I took out blended because your son does a blended virtual reality charter..."

Roth: "Right."

Chapa LaVia: "...and he love it and it's great. I think it's great too. We do it in West Aurora, but this is to deal, once again, with the multidistrict virtual reality charter component in this state that we've never seen before, and in order to do it right, we want to make sure we put in the policies and procedures so they can exist. That's all we're trying to do here. It's... you know, it's unbelievable how much push back I'm getting on this which just leads to a lot of question."

Roth: "I guess my... my final just comment or concern is, if we have never anticipated this, then how does Chicago have a K... K-12 virtual school?"

Chapa LaVia: "Single district."

Roth: "Single district. So we can do virtual schools?"

Chapa LaVia: "They have the ability. Yeah. There's no problem with doing a single district virtual reality charter school right now, Representative Roth. You can't do multidistricts. So, we're talking 18 districts that run differently that have different AEBs, that have different general state aid. They're all LUDA districts. They're extremely all different in what this entity wants to do is

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

42nd Legislative Day

4/17/2013

come in and say your... I'm going to treat you guys all the same and you all owe me \$8 thousand per kid. That's not what... what they want or else they would be saying yes to these individuals, okay? So, at this point, we're so concerned about local control now this entity has the ability to petition and say I don't care that your local control said no, I'm going straight to the commission, and if they authorize it then they can become a virtual reality charter school. So, there's issues here. Now, if you want to go back to those 16 school districts that denied them and say, you know what, I'm sorry, it already exists. I don't care what your local control thinks, but hey, that's fine. But I'm not willing to do that. As the chair of Elementary & Secondary Ed, I put a lot of heart and soul into what I do in this state for children of the State of Illinois. This and the proponents that were there with the charter school language originally are proponents now. The commission's a proponent; the Charter School Association is a proponent. Chicago is off of it. Everybody is for this Bill now except for the Illinois Policy Institute that has four board members who are on K12, okay. And who else is against this? The K12 and then the Illinois Chamber of Commerce. Come on. Education in the State of Illinois is very important, okay."

Roth: "Exactly. And so we're..."

Chapa LaVia: "And it's not..."

Roth: "...going to slow down virtual education..."

Chapa LaVia: "And not..."

Roth: "...by a year."

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "...not... not profit for pupil. You know, educating the children in the State of Illinois and doing it right. This is all I'm trying to do is help put the statutes in place so they can exist if they want to, Representative Roth."

Roth: "To the Bill. I don't think anybody is saying that education in the State of Illinois is not important for K-12 education. I think that we're looking at is the ability to continue to move forward with virtual education. If they can do it in the City of Chicago and doing it absolutely wonderfully at the virtual school there, we had testimony there from the parents, then I think that we can do it outside of the state of... excuse me, outside of Chicago, and we should be able to do it well. If the funding is the issue, which I'm thinking is the problem here, then I think we're a smart enough Body that we can figure out how to legislatively put that in place. I think the process should play out. We should have let the schools deny it and then see how the charter commission actually handles it. At that point, it's let the system play out that's supposed to."

Speaker Turner: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I yield my time to Representative Pihos."

Speaker Turner: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker. To the Bill. People that have spoken in opposition to this Bill are making this about charter schools; this Bill is not about charter schools. This Bill is about an 18-district charter school for which we do not have any model, any assessments, that we do not

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

42nd Legislative Day

4/17/2013

have anything in place. It's a new proposition for our state. The Bill does not affect current charter schools, blended charters, online charters, CPS, or the Illinois virtual charter school. So, if you're making this about charter schools, you're going down the wrong path. This is to make sure that we get an implementation of rules right the first time as these charter schools for 18 districts are evaluated. Also, I would like to say, I wonder if this was so important, why K-12 did not come to our committee to testify. I do not remember them being in our committee testifying. To the best of my knowledge, I don't know that they went to any of the community meetings to testify. I don't know that for a fact. I believe they did not go to many if any of the communities to testify about their importance to those communities either. Thank you."

Speaker Turner: "Representative Bellock."

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

Speaker Turner: "Sponsor yields."

Bellock: "I just wanted to go back over 'cause I couldn't hear in the chamber. If the opposition was removed by the Illinois Chamber of Commerce, Stand for Children and the charter school network or whatever that's called."

Chapa LaVia: "The latter two have removed their opposition. The first one..."

Bellock: "The Chamber?"

Chapa LaVia: "No, the latter two. The... Stand for Children they're not opposed to this any longer, nor is the Charter School Association. They're not opposed to this."

Bellock: "But the Chamber still is?"

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "They never came to talk to me, Representative Bellock. They've never come, said anything to me. They might have slipped in, but they've never spoke to me. And we have an on standing rule in my committee that you come talk to the Sponsors of the pieces of legislation that they're going to play out in my committee before the day before committee meets. Everybody knows that in my committee."

Bellock: "Okay. Thank you."

Chapa LaVia: "Thank you."

Speaker Turner: "Representative Chapa LaVia to close."

Chapa LaVia: "Thank you, Members, and thank you for all the heated debate. Because of this issue, we will be having a subject hearing matter from the commission in the following weeks in my committee, so it's understood a little bit further. For all of my colleagues, I want you to understand and look at the board and who are the Sponsors. These have been individuals that have been working with me with education in the State of Illinois for the last 8 to 10 years, and when they put their name on something they don't do it lightly, okay? So, out of the respect for the Members that you see up there, understand, we don't do anything down here on a whim. We take hours and we negotiate stuff and I've backed off this moratorium to a great deal out of respect for Members on the other side of the aisle. So, I'd appreciate... and I just got word right now, the Chamber is not in opposition any longer. For those of you worried about the Chamber, they're no longer in opposition. We need to make sure that we put policy in place so amazing virtual

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

42nd Legislative Day

4/17/2013

reality charter schools can exist in this state. Right now, there are no policies and procedures. So please, take to heart when you look at who's on the board and what they represent in this state. And please don't... just understand, that it means a lot, the integrity... the integrity of those people and what they do for the children of the State of Illinois. We don't take anything lightly and we're not trying to kill virtual reality charter schools or charter schools. Every piece of the puzzle whether it's home school, whether it's Christian home school, whether it's parochial school, they all belong in the piece of the puzzle of education in the State of Illinois. I appreciate your support. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 494 pass?' All those in favor vote 'aye'; all those 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 80 voting 'yes', 36 voting 'no', 1 voting 'present', House Bill 494, having received the Constitutional Majority, is hereby declared passed. House Bill 18... Excuse me. Representative Reis, for what reason do seek recognition?"

Reis: "Thank you, Mr. Speaker. Just a quick point of personal privilege."

Speaker Turner: "Please state your point."

Reis: "We have a special visitor today. I would like the House Chamber to help me in welcome... in welcoming former Representative and future mayor of Bloomingdale, Franco Coladipietro."

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

42nd Legislative Day

4/17/2013

Speaker Turner: "Welcome back, Franco. Representative Dunkin, for what reason do you seek recognition?"

Dunkin: "Thank you, Ladies and Gentlemen. A point of personal privilege."

Speaker Turner: "State your point, Sir."

Dunkin: "We have on our side of the aisle former State Representative, Kim du Buclet."

Speaker Turner: "Welcome back, Miss du Buclet. House Bill 1815, Leader Cross. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1815, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Leader Cross."

Cross: "Thank you Mr. Speaker. This is a Bill I talked about yesterday on... when the Amendment was adopted it became the Bill. It creates a license plate for diabetes, specifically, awareness and research. We have a... as I said yesterday, there's a current mechanism in the law with a tax checkoff that we split the money for research purposes between the ADA and the JDRC. We would do that likewise with this... this plate if enough money was raised. I'd appreciate an 'aye' vote and would be glad to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1815 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Bellock, Conroy, Hoffman. Mr. Clerk, please take the record. On a count of 112 voting 'yes', 6 voting 'no', 0 voting 'present', House Bill 1815, having received the

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

42nd Legislative Day

4/17/2013

Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 1217?"

Clerk Bolin: "House Bill 1217, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Rita, has been approved for consideration."

Speaker Turner: "Representative Rita."

Rita: "Thank you, Mr. Speaker. I move for Amendment #3 which is a gut and replace. And then we can explain it on Third Reading."

Speaker Turner: "Amendment #2, Sir?"

Rita: "Or Amendment #2."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to House Bill 1217. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, House Bill 1217, Representative Rita. Please read the Bill."

Clerk Bolin: "House Bill 1217, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1217 is the extension of a sunset for the irrigation contractors licensing. It's something that's been negotiated for the last year and a half. And to my knowledge, it's all agreed language. It just extends the

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

42nd Legislative Day

4/17/2013

original Act that was in for the last 10 years for another 10 years."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "Sponsor yields."

Franks: "Representative, I see in our analysis that the Illinois pipe trade... pipe trades are an opponent. Was that on the original Bill? Has that been taken care of with the Amendment?"

Rita: "It's all been taken care of. Yeah, they're not an opponent of..."

Franks: "Thank you."

Speaker Turner: "Representative Rita to close."

Rita: "I ask for a favorable vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 1217 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Hoffman, Jones. Mr. Clerk, please take the record. On a count of 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1217, having received the Constitutional Majority, is hereby declared passed. House Bill 2919, Representative Fine. Out of the record. House Bill 3207, Representative Halbrook. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3207, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Halbrook."

Halbrook: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This was a great honor that I bring this Bill

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

42nd Legislative Day

4/17/2013

today to the floor. This Bill does two things concerning 9-1-1 boards. First thing it does, it allows for three years staggered terms. Currently there are none; it's just appointed. And also allows for the removal of members either for misconduct, official misconduct or neglect of office. These would be done by the majority of the board of the county or the municipality. I know of no opposition and I'm looking for an 'yea' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 3207 pass?' All those in favor vote 'aye'; all those 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 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3207, having received the Constitutional Majority, is hereby declared passed. House Bill 1648, Representative Cavaletto. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1648, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Turner: "Representative Cavaletto."

Cavaletto: "Thank you, Mr. Speaker. House Bill 1648, Floor Amendment 1 becomes the Bill and requires organizers of coon hunt events with at least 25 coonhounds to provide adjacent landowners written notice, at least 30 days before the event. This is supported by IDNR. I will ask for an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1648 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all

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

42nd Legislative Day

4/17/2013

voted who wish? Have all voted who wish? Representative Cassidy, Lang. Mr. Clerk, please take the record. On a count of 118 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1648, having received the Constitutional Majority, is hereby declared passed. House Bill 3006, Representative Dunkin. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3006, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Turner: "Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. House Bill 3006 simply allows retired inactive police officers in the City of Chicago to serve summons. And I would ask for a favorable vote."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "Sponsor yields."

Franks: "Representative, you put in a... an Amendment yesterday which would allow private process servers as well as retired police officers to also serve process in Cook County, correct?"

Dunkin: "Yes."

Franks: "I want to thank you for that and I know when you brought this Bill last week, your stated reason was to put more police officers on the street for public safety. And I believe this will go a long way to do that. So I... I appreciate your work on this. Is it now an agreed Bill after you made this change?"

Dunkin: "Yes."

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

42nd Legislative Day

4/17/2013

Franks: "Well, thank you and to the Bill. I'd encourage everyone to vote 'yes'. And I'd like to thank Mr. Dunkin for making the required changes. I think it's not only good business, it's good morals and hopefully, it will also help protect our streets. So, please vote 'aye'."

Speaker Turner: "Representative Reis."

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

Speaker Turner: "Please state your inquiry."

Reis: "We had some computer problems yesterday and I'm just wondering if we have some carryover? I read the board as saying Dunkin, Durkin and Reboletti are cosponsors of a Bill and I didn't know if that was a technical difficulty or in fact that was the truth."

Speaker Turner: "It's a great team. That's the..."

Reis: "I encourage a 'yes' vote. Thank you."

Speaker Turner: "Thank you. The question is, 'Shall House Bill... Representative Dunkin to close. My apologies.'"

Dunkin: "Thank you, Ladies and Gentlemen. I would ask for a favorable vote, given you have three great Sponsors on the board."

Speaker Turner: "The question is, 'Shall House Bill 3006 pass?' All those in favor vote 'aye'; all those 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 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 3006, having received the Constitutional Majority, is hereby declared passed. House Bill 2335, Representative Gabel. Mr. Clerk, please read the Bill. There's an Amendment on the Bill. Would you like to

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

42nd Legislative Day

4/17/2013

move it back to Second? Mr. Clerk, please move that Bill back to Second Reading and read the Bill, please."

Clerk Bolin: "House Bill 2335, a Bill for an Act concerning safety. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Gabel, has been approved for consideration."

Speaker Turner: "Representative Gabel."

Gabel: "Tha... Thank you, Mr. Speaker. This Amendment is just a technical Amendment. It exempts municipalities with more than a million inhabitants from the... from how far away the composting has to be from the... from the road, and another technical change about the composting additives. So, I'd appreciate an adoption of this Amendment."

Speaker Turner: "The Lady moves for the adoption of Floor Amendment #3 to House Bill 2335. 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 1650, Representative Hammond. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 1650, a Bill for an Act concerning fish. Third Reading of this House Bill."

Speaker Turner: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. House Bill 1650, Floor Amendment 4 becomes the Bill. This is a Bill that Representative Unes and I have worked on together with the Department of Natural Resources and it provides that a

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

42nd Legislative Day

4/17/2013

commercial watercraft be tagged as such. A commercial watercraft and commercial fishermen will also have to secure a sport fishing license, but this does not apply to the folks that would be taking Asian Carp for sport purposes and noncommercial purposes. And I appreciate your 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 1650 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 Zalewski. Mr. Clerk, please take the record. On a count of 118 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1650, having received the Constitutional Majority, is hereby declared passed. House Bill 2675, Representative Lilly. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2675, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I rise today to offer House Bill 2675, a measure that creates a standard for existing sexual health education courses taught in public schools grades 6 through 12. Under House Bill 2675, if a public school offers comprehensive sex education in grades 6 through 12 then the information provided must be medically correct, age appropriate, and complete. This includes information on abstinence. All courses offered may be decided by local officials... school officials not this Body, and parents, as

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

42nd Legislative Day

4/17/2013

they currently are empowered, can withdraw their children from any sexual health education class if they believe it's not appropriate for their child. House Bill 2675 is not a mandate. It does not force any school to teach a particular curricula when it comes to sexual health education. Many of you may ask why is this Bill is needed now? The facts are, over 30 thousand teenagers ages 15 to 19 years of age in Illinois experienced pregnancy in the year 2008, and additionally 690 pregnancies were experienced by girls under the age of 15. In 2009 Illinois saw over 60 thousand reported cases of Chlamydia, of which 34 percent of these cases were to adolescents between the ages of 15 to 19. Also, between 2003 and 2009 the number of youth ages 13 to 19 who were diagnosed with HIV increased 50 percent. It rose 20 percent for young people ages 20 to 29. As you may know, in recent years, Illinois has seen an alarming increase in the rate of sexually transmitted diseases amongst young people. This is a statewide problem. Some of these diseases have long-term and harmful consequences for our young, especially if undetected and untreated. They are at risk of becoming sterile, devastating organ damage, life threatening diseases such as cervical cancer and HIV. House Bill 2675 has broad support. Public health officers and medical organizations including, but not limited to, the Illinois State Medical Society and the Illinois Association for Public Health Administrator. Today, we have an opportunity to set basic standards that will help more students in Illinois get access to complete comprehensive age-appropriate, medically correct sexual health education

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

42nd Legislative Day

4/17/2013

that will serve them well throughout their lives. Let's together provide our youth with the information they need to make healthy life decisions. If there's any questions, I'll take them at this time."

Speaker Turner: "Ladies and Gentlemen, can we please keep the noise level down. It's becoming increasingly difficult to hear in the chamber and we have many people wishing to speak on this Bill. Representative Will Davis."

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

Speaker Turner: "Sponsor yields."

Davis, W.: "Representative, I just have a few questions, if you could be kind enough to answer them for me. The first question is, isn't it true that House Bill 2675 has a long list of supporters including, but not limited to, the Illinois Chapter of the American Academy of Pediatrics, the Illinois Academy of Family Physicians, the Illinois Public Health Association, the Illinois Association of Public Health Administrators, Lurie Children's Hospital, the Illinois Association of School Social Workers, the Illinois Parent Teachers Association and the Illinois Maternal and Child Health Coalition?"

Lilly: "Yes, Representative."

Davis, W.: "Thank you. Second question. Was there any opposition from schools or administrators when the Bill was heard in committee?"

Lilly: "No."

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

42nd Legislative Day

4/17/2013

Davis, W.: "Thank you very much. And my last question, Representative. Does this Bill... does the Bill analysis show any opposition from school management?"

Lilly: "No, it does not."

Davis, W.: "Thank you very much, Representative. I encourage all Members to support this piece of legislation. Thank you."

Speaker Turner: "Representative Willis."

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

Speaker Turner: "She indicates that she will."

Willis: "Representative Lilly, am I correct that parents still have the option to have their child opt out of this if they so deem necessary?"

Lilly: "Yes, Representative."

Willis: "And it is part of the Bill to make sure that all of this sex education is age appropriate?"

Lilly: "Correct."

Willis: "Okay. And also that we're going to make sure that we all have medically correct information. So, therefore, we'll be doing much better than having these young children find out their sex education on the playgrounds or from their friends?"

Lilly: "Yes, Representative."

Willis: "Okay. I would... to the Bill. I would encourage this Body to vote 'yes' on this. Whether you are conservative or liberal, this is a good Bill. This is giving correct information to our students. This is something that we should all encourage; good education with correct

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

42nd Legislative Day

4/17/2013

information is the best thing we can do for our students. I encourage an 'aye' vote. Thank you."

Speaker Turner: "Representative Reis."

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

Speaker Turner: "Sponsor yields."

Reis: "Representative, it was our understanding that you were going to add an Amendment that made this for only public schools."

Lilly: "Yes. That was done yesterday."

Reis: "Has that Amendment been approved? Or just introduced?"

Lilly: "It... it was approved yesterday."

Reis: "Okay. What exactly is age appropriate curriculum?"

Lilly: "Representative, age appropriate basically deals with providing information at the age of which the youth is prepared to receive."

Reis: "And who determines that?"

Lilly: "The schools. They determine the curriculum."

Reis: "So, the State Board of Education will be mandating a certain curriculum at a certain time with your Bill."

Lilly: "The State Board of Education... it's a local school decision by local officials of the school system."

Reis: "Now, you said that it's not a mandate to teach a particular curriculum, but it is a mandate with your Bill that they have to teach something. Is that correct?"

Lilly: "This Bill, 2675, is not a mandate."

Reis: "No, listen to my question, Representative. It's not a mandate to teach a particular curriculum, but it is a mandate that they have to teach something. Is that not correct?"

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

42nd Legislative Day

4/17/2013

Lilly: "No. It is not Representative."

Reis: "Are you sure?"

Lilly: "I am positive, Representative."

Reis: "If that's the case, why do you need your Bill?"

Lilly: "Currently, the schools already have comprehensive sex education on the books. This Bill brings clarification and definition to the existing Code."

Reis: "But if each school district has their own control over their own curriculum and what they do and whether or not they choose to do this, why do you need your Bill? Your Bill is a mandate that they have to teach something."

Lilly: "This Bill brings a standard of comprehensive as... sex education... education throughout the state. Comprehensive basic standard sex education within the public school system."

Reis: "So, now you're saying there is a basic curriculum that needs to be adhered to and then if the school... local school district wants to teach more of that they can?"

Lilly: "No, Representative."

Reis: "I'm having trouble following you."

Lilly: "Every school or each at school... each school has the opportunity to decide whether they would want to render or offer sex education to their school. That decision is made by the local school professionals and officers."

Reis: "There's a lot of people that's going to discuss this with you, Representative. I don't think..."

Lilly: "I appreciate it."

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

42nd Legislative Day

4/17/2013

Reis: "...that that's what your Bill will do. I'm going to continue to read it and we'll come back to that if we have to with somebody else."

Lilly: "I appreciate your asked questions."

Reis: "Ladies and Gentlemen of the House, to the Bill. I know that the Sponsor is trying to give some school districts, if the Bill is what she says and parents the ability to opt out of this. But you know, where do we stop with this? Where on earth do we stop with this? And we wonder why we have some of the problems we have today that the Sponsor and other people in this chamber are trying to address is because this is all we talk about all the time. And you know... I think there's just a certain amount of innocence with kids and I think going into 11-year-olds is too much, because then there'll be a Bill to go to 10 and 9 and 8. And you know, I think once the kid's in high school this is more of an appropriate thing for them and that this Bill goes too far. We're teaching too young of kids too much stuff. And I would encourage a 'no' vote."

Speaker Turner: "Representative Gabel."

Gabel: "Tha... thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "Sponsor yields."

Gabel: "So, does House Bill 2675 provide instruction on both abstinence and contraception for the prevention of pregnancy and sexually transmitted diseases including HIV/AIDS?"

Lilly: "Yes, it does, Representative."

Gabel: "And isn't it true that numerous studies show that comprehensive sexual health education that stress

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

42nd Legislative Day

4/17/2013

abstinence as well as provides information on prevention result in positive health outcomes for teens and young adults?"

Lilly: "Yes, Representative."

Gabel: "Ye... To the Bill. I stand in strong support of this Bill. I have seen and we all know that there's a public health crisis out there. There are too many teens getting pregnant. There are too many teens suffering from preventable sexually transmitted diseases. Our children deserve medically accurate information about their sexual health. I know that when my daughter was a preteen I got her a book Our Bodies, Ourselves, which has all the information that anyone would need about their own sexual health and I would see her and her friends just reading through this book. And her friends had no other place to go, they would call her on the phone, they would come over to the house to read the book. I think that this information is important to have in school and that for programs that offer sex education in the schools, and that is what this... this Bill does is, it's for people... it's for schools that offer sex education that they have to provide medically accurate health education. I urge an 'aye' vote."

Speaker Turner: "Representative Currie."

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

Speaker Turner: "She indicates that she will."

Currie: "I want to talk a little bit about the medically accurate information in quotes. Do you mean that just as with other subjects like science or history you want to make sure that the sexual health curriculums are factually

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

42nd Legislative Day

4/17/2013

correct, so the teachers have the correct information to counter myths and misinformation?"

Lilly: "Yes, Representative."

Currie: "So, for example, would the information provided in class about anatomy be factually correct? Would it be the same information that a student's family doctor would say about anatomy?"

Lilly: "Yes."

Currie: "To the Bill. It's long overdue in the State of Illinois. This is a Bill that provides parents with the opportunity to opt out if for some reason they think their particular child should not understand sex information. It seems to me that those of us who are concerned about unwanted pregnancies, about abortion, about the fact that so many young people develop sexually transmitted diseases, a way to stop is a way... is to make sure that kids do have accurate comprehensive information about their own sexuality. I can imagine no reason to oppose this Bill unless you think that it's a really good idea to keep our young people ignorant and not give them access to strong information that is also tempered within this Bill, a good dose of sexual abstinence. This is a way to solve problems for our young people and our schools which are teaching our kids science and history and math and English, should also be teaching them about their own sexuality. I urge your 'aye' vote."

Speaker Turner: "Representative Chapa LaVia."

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

Speaker Turner: "The Sponsor will yield."

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

42nd Legislative Day

4/17/2013

Chapa LaVia: "Thank you. Representative Lilly, I want to thank you for all your hard work with this Bill over the last couple of years. What if a school district... if you can answer some questions for me for intent... what if the school district does not want to teach sexual health education to the younger grades?"

Lilly: "This Bill allows them if they chose to teach sexual health education to grades 6 to 12."

Chapa LaVia: "Okay. And so, under the Bill the school district would still have local control on whether they wanted to or not?"

Lilly: "Correct."

Chapa LaVia: "Okay. Under this Bill, if a local school decides to teach sex health education they have local control to choose what is taught. They choose the curriculum that they want."

Lilly: "Correct."

Chapa LaVia: "Not what the state tells them to. And then last, under this Bill, if a parent doesn't want the child to be in sex education class, can they still opt out under this Bill?"

Lilly: "Correct. All parents who always had the opportunity to have their child opt out if this is not appropriate education for them."

Chapa LaVia: "Thank you. Speaker, to the Bill. The Sponsor has worked extremely hard on this Bill. She has worked with everybody under the Capitol on lessening some points where they thought were issues. I am supporting this Bill and I

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

42nd Legislative Day

4/17/2013

hope we can get the support of the entire General Assembly.
Thank you."

Speaker Turner: "Representative Feigenholtz."

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

Speaker Turner: "Sponsor yields."

Feigenholtz: "Representative Lilly, I just have a couple of questions for you that are very simple. Am I correct that this Bill, House Bill 2675 is not a mandate on public schools?"

Lilly: "You are correct."

Feigenholtz: "I see that there was an Amendment that you put on the Bill. What does it do?"

Lilly: "The Amendment addresses public schools only."

Feigenholtz: "So am I correct that this is... doesn't involve any other schools, just public schools?"

Lilly: "You are correct, Representative."

Feigenholtz: "And what grades? The way I read it, it only applies to grades 6 through 12. Is that correct?"

Lilly: "That is correct."

Feigenholtz: "And what about Kindergarten? It's not included. Is that correct?"

Lilly: "That is correct."

Feigenholtz: "Okay. Thank you. Ladies and Gentlemen of the House, I'm in... I rise in strong support of this Bill. I know that the Sponsor has (unintelligible) and responded to a lot of requests and myths that have been going on. We owe it to our children and to families to teach them accurately about life. And I strongly urge an 'aye' vote."

Speaker Turner: "Representative Bost."

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

42nd Legislative Day

4/17/2013

Bost: "I yield my time to Representative Reis."

Speaker Turner: "Representative Reis."

Reis: "Thank you, Mr. Speaker. One more question for the Sponsor."

Speaker Turner: "She yields."

Reis: "Representative, I see here with Amendment 2 that you put in on page 2 all public classes that teach sex education. But then down in paragraph (c) it says all classes that teach sex education and discuss various things will have to do the following criteria. How come you didn't put all public schools into that paragraph as well because some people interpret that that... that would require private schools to teach it as well?"

Lilly: "Thank you, Representative. We spoke to ISBE about that because we already had put it in the paragraph right above it we did not need to insert that in that paragraph. ISBE has reviewed and approved this Amendment."

Reis: "Okay. And we're going to have to take you and ISBE for their word, but do we have your word that if a different interpretation comes out about this, the fact that it should have been included in other paragraphs in your language, that you would help us sponsor that Bill so that private schools would not have to do this?"

Lilly: "Yes, Representative."

Reis: "Thank you."

Speaker Turner: "Representative Morrison."

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

Speaker Turner: "Sponsor yields."

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

42nd Legislative Day

4/17/2013

Morrison: "Representative Lilly, this... our analysis says that this Bill is an initiative of Planned Parenthood. Could you describe why or what's... or why Planned Parenthood would be behind this Bill?"

Lilly: "This initiative is sponsored by 50-plus Sponsors."

Morrison: "I understand that, but it says in our analysis, this Bill is an initiative of Planned Parenthood."

Lilly: "This is a public health initiative and I'm not sure about your analysis."

Morrison: "When this Bill was up in the Senate, there were some... well, first of all, we've talked about this Bill a few... few times and you had said that the textbooks are medically accurate, that they are age appropriate and what have you. When this Bill was debated in the Senate last Session, there were some suggested activities that were presented. In other words, I taught school for six years, I know that the publishers of textbooks will oftentimes include some activities that are idea generators for the teachers, you know, to kind of get the discussion going and just... help the... the lesson plan along. In a few of those activities, the... I just I couldn't believe what the textbook publishers were purposing as an activity in class. So, for example, the teacher was encouraged to ask the students and I quote, 'What turns you on?' Do you think that's an appropriate question for a teacher to ask his or her students?"

Lilly: "Representative, the schools on an individual basis approves their curriculum and this Bill standardizes the

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

42nd Legislative Day

4/17/2013

education, making sure that it's age appropriate, medically correct, emphasizing abstinence."

Morrison: "Would a... would a school or a school district also approve or disapprove of those types of activities that I just described or just the textbook itself?"

Lilly: "The school and the school officials approve every curriculum here in their particular school system. And also, the parents have the ability to opt out of whatever was approved by the school board officials."

Morrison: "So, my question is, what if... what if a school or a school district permits that kind of... that kind of activity or extra textbook activity? Do you see a problem with a teacher asking his or her students those sorts or questions?"

Lilly: "This is a local control. The school... the local schools make the determination of what curriculum will be taught. The students' parents have the ability to opt out, and they get the opportunity to review that curriculum so they can determine if they would like their child to be opted out of that class."

Morrison: "If you had a child in one of those classes, would you think that it'd be appropriate for the teacher to ask that kind of a question? If you were the parent with a child in that class?"

Lilly: "Representative, this... this legislation is about standardizing our local curriculum and I'm hoping that each of us here will understand this is education for our students. They have and will maintain the ability to approve or disapprove the curriculum that is being taught

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

42nd Legislative Day

4/17/2013

and it's awesome that the parent has the ability to opt out as well. This is a joint effort to make sure that our students are getting the correct information that they need to make healthy decisions."

Morrison: "I have some information from the CDC that says that teenage sexual activity, that pregnancy is on the decline as abstinence only based programs across the country have been adopted over at the last 10 to 20 years that we've seen the rates decline. If... let me go in a different direction, actually. Do you think... is it possible to give students a mixed message on things like smoking use or drug use? You know, for example, if we were... if a teacher were to in a health class say, well, we all know that smoking is dangerous, but if you are going to smoke then make sure you're using filtered cigarettes or you're using smokeless tobacco or what have you. Would that... is it possible for students to get a mixed message? What you're... That was a question. Is it... I'm asking you, is it... is it possible to give students a mixed message on things like drug use or smoking use... tobacco use?"

Lilly: "That... that has nothing to do with this Bill."

Morrison: "I... I think it does have to do with this Bill because, again, if in an abstinence only curriculum, we are making the assumption that the students are gon... are going to withhold from sexual activity until they are in a monogamous married relationship. We're saying to the young people, this is what the standard is. If you truly want to be safe from STDs or if you truly want to avoid pregnancy, then this is what the standard is."

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

42nd Legislative Day

4/17/2013

Speaker Turner: "Representative Morrison, we have many other Members seeking recognition."

Morrison: "Okay."

Speaker Turner: "Could you bring your remarks to a close, please?"

Morrison: "Okay. Thank you, Mr. Speaker. To the Bill. The abstinence only curriculums that are... that are out there, that would be disallowed if this Bill were to become law, are very effective. They are the message that our young people... or they do teach the message that our young people need to hear now, more than ever. I asked the Sponsor, initially, why Planned Parenthood would be a proponent of this Bill? It's no secret that Planned Parenthood is a major abortion provider in this state and in the country. And I think it can be... it's not a stretch to realize that young people, as they engage in more sexual activity, are going to be in situations where they're going to be pregnant, where they are going to turn to an abortion provider like Planned Parenthood because of an teenage pregnancy. In addition, even if they're not pregnant, they're putting themselves at very high risk of getting a sexually transmitted disease, some of which we have treatments for, some of which we do not. We need to teach our young people that to be truly safe to be in a... to be truly safe they need to practice abstinence until they're in a monogamous married relationship. The CDC backs up the abstinence only curriculum. We're seeing a decline in rates of teenage pregnancy and transmission of STDs because of the abstinence based programs. This Bill would undermine

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

42nd Legislative Day

4/17/2013

that and would be a grave detriment to our young people here in the state. Thank you."

Speaker Turner: "Representative Welch."

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

Speaker Turner: "Sponsor yields."

Welch: "Representative Lilly, isn't it true that House Bill 2675 preserves local control? If a local school district believes that a particular curriculum or classroom activity is inappropriate, they are not required to teach it, correct?"

Lilly: "That is true, Representative."

Welch: "So, to clarify then that House Bill 2675 does not require any particular curriculum, lesson, or classroom activity, correct?"

Lilly: "That is correct, Representative."

Welch: "Speaker, to the Bill. As a 12-year member of a high school board, I urge the House to support this Bill. This Bill is keeping it real. These kids are having sex, let's not ignore that. This Bill is not a mandate; it's teaching them and stressing abstinence. It respects marriage, it respects parents, but it addresses the public health issue that is involved in these children having sex. It is important that we make sure that they do it properly and safely and that we can make sure the public health is maintained. I urge support of House Bill 2675."

Speaker Turner: "Representative Christian Mitchell."

Mitchell, C.: "Thank you, Mr. Speaker. To the Bill. There's been a lot said here, but the bottom line of this is, is that we are dealing with a public health problem. This is a

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

42nd Legislative Day

4/17/2013

Bill that emphasizes abstinence as the only safe way to avoid sexually transmitted diseases and unintended pregnancy. It respects marriage and notes that course material instruction shall teach and honor respect for monogamous heterosexual marriage. What this is dealing with is the reality that half of all teenagers are reporting that they're having sex. And the fact that we may not agree on abortion but certainly we can all agree on avoiding unintended pregnancy. And quite frankly, to my friends on the other side of the aisle, it also emphasizes this is the fiscally responsible thing to do. We're going to avoid spending money on the treatment of STDs; we're going to avoid additional money on social services for unwanted children. There are a ton of benefits and upsides to this Bill. I understand the concern, but the bottom line is this is about public health, about protecting kids, about making sure that they have the education necessary to make the kind of decision that is going to keep them safe with input from their parents. I urge an 'aye' vote on this Bill. Thank you."

Speaker Turner: "Representative Hatcher."

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

Speaker Turner: "The Sponsor will yield."

Hatcher: "Representative, could you tell me about the last time that this was updated?"

Lilly: "The Bill came in 1986."

Hatcher: "Thank you. Thank you. The late '80s. Now, if you all can think back, the late '80s was the era of a pretty famous movie. It was called When Harry Met Sally. And every

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

42nd Legislative Day

4/17/2013

single one of us can remember the one section of that movie that made everyone laugh, but was considered just about as close to being scandalous as you could be and still be in the mainstream movies in the mid-'80s. Now, just a few weeks ago, I was... I was complimenting Representative Ford when he ran a piece of legislation that updated how we deal with HIV in the education system. And how, as a school board member in the '80s, we set a certain number of rules in place which a quarter century later... a quarter century... we discovered weren't always appropriate and so, Representative Ford brought legislation forward that changed that and I applauded that. This is exactly the same kind of legislation. If we're lucky and our families... our youngsters learn what comes with their actions and the consequences of those actions, but that's not true all across the state. And there are different tools that can help different people thrive. Our youngsters have to learn the consequences of their actions and that is what this legislation allows our school districts to do. They learn on the Internet how to do a lot of things, but they don't always learn what happens when they do those things. I would urge an 'aye' vote on this to protect our families, to protect our children, and to let them understand that half the youngsters... half the babies in this state shouldn't be born in an environment where the state pays for that birth. Again, if they learn what happens, then it very well won't happen. I urge an 'aye' vote."

Speaker Turner: "Representative Jakobsson."

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

42nd Legislative Day

4/17/2013

Jakobsson: "Thank you, Mr. Speaker. Thank you, Representative Lilly, for coming forward with this Bill, for working so hard on it and getting it to be one that is so strong and so good. And I think a lot of people have already asked you a lot of questions and we have verified that this is not a mandate and... on the schools. We want to make sure that there is appropriate... age appropriate education giving. And if I understand correctly, parents can opt out for their children if they really feel that this is inappropriate for them, that they can do a better job or they feel their children aren't ready. For whatever reason, they can opt out. I, also, think that this is part of the goal of education in general, to make sure that students are making healthy appropriate decisions as they become mature and mature into adulthood. Representative, I want to thank you again for bringing this. And I certainly would urge an 'aye' vote."

Speaker Turner: "Representative Pihos."

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

Speaker Turner: "The Sponsor yields."

Pihos: "Is this the Bill about education?"

Lilly: "Yes."

Pihos: "Then I'm just curious why it didn't come to the Education Committee."

Lilly: "This is a public health issue as well."

Pihos: "All right, thank you. I have another question for you. I understand it is not a mandate. It's not a mandate on schools that choose not to teach it. Nobody has to teach it if they don't want to teach it. But it is an instructional

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

42nd Legislative Day

4/17/2013

mandate. Am I correct as far as, if you're going to teach it, what you teach?"

Lilly: "It sets a standard of comprehensive sex education within the school system."

Pihos: "And did I understand before that you said the schools can choose what they teach?"

Lilly: "Correct."

Pihos: "Is the State Board of Education going to provide them with the resource material?"

Lilly: "They... the materials can be identified through the schools on the website and the CPS has a website of instruction that they can choose from."

Pihos: "No, you're talking about CPS. But is the State Board of Education going to provide the resource materials that schools can choose from on their website?"

Lilly: "I'm trying to understand your question. Is it... they will have information on curriculums, yes, but it's not a budgetary issue."

Pihos: "No, no."

Lilly: "Okay."

Pihos: "I'm not looking at the budget."

Lilly: "Yes. So, yes."

Pihos: "Okay. Thank you. So, I have one more question. On page 2, I realize, in Section (b), and Representative Reis addressed this before, you do have all public elementary, junior high and senior high school classes that teach sex education and discuss sexual intercourse in grades 6 through 3(sic 12) shall emphasize that abstinence from sexual intercourse is a responsible and positive decision.

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

42nd Legislative Day

4/17/2013

My concern, as was his, in Section (c), despite what the State Board of Education may have told you, under Section (c) there are 10 points. And I really think, in order to have clarification, you need to add that same Section that all public elementary, junior high and senior high school classes or all public classes that teach sex education and discuss sexual intercourse shall satisfy the following criteria. Otherwise, I think it is not clear because it is a different Section and I would ask if you are willing to amend that with the word 'public' in Section (c), page 2, line 21 in the Senate?"

Lilly: "Thank you, Representative. Once again, ISBE has approved this language and if it is... the public is a question, we can think about it at the Senate side."

Pihos: "But ISBE is not private schools. So, ISBE may have approved the language, but I really think it's a very confusing statement and leaves some doubt about who this impacts unless we add that word in there. It's one word. If that is your intent, then that one word doesn't change your intent at all."

Lilly: "ISBE has approved this language and if that's a question, we can deal with it on the Senate side."

Pihos: "Well, I'm asking for your commitment to put the word 'public' in there."

Lilly: "We will speak with ISBE at a later date and, as I mentioned, we can deal with it on the Senate side. But thank you."

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

42nd Legislative Day

4/17/2013

Pihos: "All right. Thank you. But it will leave some doubt about it affecting private schools the way it's written right now."

Speaker Turner: "Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. A point of personal privilege. Ladies and Gentlemen, right above the Speaker's well we have some of the classmates and the leaders from Urban Prep, if you can stand. Those... we have about 6 or 7 students. We have the chief academic officer, Kelly Dickens. We have Lionel Allen, who is the chief academic officer as well. One is a development officer. We have Richard Glass Jr., Principal of Bronzeville Campus. This group here is indicative of 167 black men who were accepted to colleges and universities across this country at 100 percent. So, we'd like to welcome them to the House of Representatives and show our gratitude. Thank you, guys."

Speaker Turner: "Welcome to your House, gentlemen. Representative DeLuca."

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

Speaker Turner: "The Sponsor yields."

DeLuca: "Representative Lilly, I have a question about the opt out provision. And it states that a parent or guardian must submit written objection. Does that written submission have to be approved by anyone in particular? Does it have to go in front of the board of education or how does that process work?"

Lilly: "Each school has their own process and it does not have to go before the board. Each school determines their own

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

42nd Legislative Day

4/17/2013

process for opt out... for parent... parental... and this Bill doesn't affect that."

DeLuca: "Okay. And if the student opts out, does it affect their credits that they would accrue?"

Lilly: "No."

DeLuca: "Do they have other options of what they could take?"

Lilly: "It does not affect their credit. They have other options."

DeLuca: "I'm sorry. I couldn't hear you."

Lilly: "It does not impact their credits. And there's other options for students..."

DeLuca: "Other options in this..."

Lilly: "...school by school."

DeLuca: "What's that?"

Lilly: "School by school."

DeLuca: "Okay. Along the same lines of sex ed or health or would they fill it in with other course work? How would they get that credit?"

Lilly: "Yeah. Other course work."

DeLuca: "Okay. Unrelated to..."

Lilly: "It can be, yes."

DeLuca: "...the sex ed. Would that be up to the school district to determine?"

Lilly: "Correct."

DeLuca: "Okay. Thank you very much."

Speaker Riley: "Representative Riley in the Chair. Representative Gordon, for what reason do you rise?"

Gordon-Booth: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

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

42nd Legislative Day

4/17/2013

Gordon-Booth: "I just rise to commend the Sponsor on this Bill. About a month ago, I attended a legislative breakfast in Peoria County and the Peoria County health administrator indicated... we were talking about some of the issues that we're dealing with in our county, and one of the primary issues that he wanted to focus on with the Legislators was the fact that we have so many sexually transmitted diseases within our 18 and under population. And as a Legislative Body, local city council members, county board members, State Legislators, we just posed a question. What can we do to help make some inroads in this respective area? And the chief health care administrator in Peoria County indicated you need to pass House Bill 2675. And I just want to commend, again, the Sponsor for working so hard on this Bill for the past year. This Bill is important to communities like mine and in the community of Kankakee which has the highest sexually transmitted disease rate in the state, in the state. So, thank you so much for carrying this Bill, Representative Lilly. And I urge an 'aye' vote."

Speaker Riley: "Representative Reboletti, for what reason do you rise?"

Reboletti: "Mr. Speaker, first, I would ask for a verification if this vote were to get the Constitutional Majority. And then I'd like to speak to the Bill."

Speaker Riley: "Verification will be granted. Mr. Clerk, make it so."

Reboletti: "Thank you, Mr. Speaker and Members of the Body. We spend a lot of time micromanaging our school districts. I beg to differ with the Sponsor that this is about local

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

42nd Legislative Day

4/17/2013

control. My son's in fifth grade. He's begun sex education classes in Elmhurst through the Robert Crown Center. I don't think there's any issues there. But now what this is seeking... going to seek to do is always provide more. Always expand everything. I'm not sure how much problem this is exactly going to solve. If people can opt out, then they're not going to get this special information. And so, then they're going to lose out and you have the same issues, I guess. We're always cor... we're correct. We have all these task forces and you then we have all these expansions now of sex education. I didn't realize sex education in the schools wasn't working. It works about as best as it possibly can. We give folks the information and we continue to provide that information, but now we're going to expand things. I don't think this Bill is necessary. And I would urge a 'no' vote."

Speaker Riley: "Representative Roth, for what reason do you rise?"

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

Speaker Riley: "She indicates she will."

Roth: "Representative Lilly, I just have a couple questions. If sex education is already taught in a school, what happens?"

Lilly: "This legislation just updates the existing Code. So, what they are already offering school by school will stand."

Roth: "So, if I understand you right, then we're going to tell them what they're going to teach for sex education."

Lilly: "No."

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

42nd Legislative Day

4/17/2013

Roth: "Then what's the difference between how it is today and how... what this Bill does?"

Lilly: "This Bill updates the current Code that is already on the books. It makes them... it ensures that it's medically correct, age appropriate."

Roth: "So, could you just give some examples of what's medically correct and age appropriate? In difference to what it is today."

Lilly: "To address age appropriate, medically correct. Some of the information that can be shared with our young people when it comes to sixth grade, if you will, we can talk about identifying medical terms that will locate and function of the male and female reproductive system. That will be taught to sixth graders and that's medically correct and age appropriate."

Roth: "So, it's my understanding that there's also how to use prophylactics, how to... the different kinds of birth control. And I'm understanding that that's taught and... at sixth grade... I have a sixth grader. I'm not so sure I want him understanding that kind of stuff at this age. I think that's my responsibility to do that."

Lilly: "That is why we have added age appropriate. That information is not appropriate for a sixth grader. That information, as far as contraceptive... I believe that's what you're alluding to, will be available for ages 9 through 12... or grades 9 through 12, yes."

Roth: "Grades 9-12. So, I guess, I kind of following the previous speakers line of logic. I think we are taking away local control. We're telling them what kind of curriculum

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

42nd Legislative Day

4/17/2013

they have to teach. If they currently teach sex education, then we're saying now you have to teach these parameters. And if it's already working in our schools, then why are we taking that away?"

Lilly: "There are studies that showing that it is not working. CDC analyze... finds comprehensive sex education is more effective than abstinence only. That is the statistics and information from CDC."

Roth: "So, are we... in this new curriculum that you're proposing, are we going to talk about sexual integrity, self-esteem, character building. I mean, is that part of this? 'Cause I think that maybe is more important than teaching them the aspects of sexual activity. I mean, maybe that's part of this... the conversation that should be happening."

Lilly: "Yes. That makes... that makes it comprehensive. That is why we are updating the current statute."

Roth: "So, we are going to be discussing sexual integrity?"

Lilly: "In sixth grade, as an example, again, they're identifying ways of making... two ways of making decisions. They will be dialoguing how they're feeling. They will be dialoguing how they understand their... understand the information that they're receiving and how they're feeling about it. That's an example."

Roth: "Okay. To the Bill, Mr. Speaker. I think that this oversteps local control. I think it takes away from my small school to decide how they want to teach sex education. I think it takes away from some of the parental control. I really don't want my sixth grader learning about

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

42nd Legislative Day

4/17/2013

some of this. It's my responsibility as a parent. So, I would strongly urge a 'no' vote."

Speaker Riley: "The Chair recognizes Representative Kay."

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

Speaker Riley: "She indicates she will."

Kay: "Representative, I am looking at the opponents to your Bill. Why is the Catholic Conference of Illinois opposing your legislation?"

Lilly: "I'm sorry, Representative."

Kay: "Forgive me. Why is the Catholic Conference of Illinois opposing your Bill?"

Lilly: "I can't answer that question. You may need to share that 'cause they have not come to me."

Kay: "How about the concern..."

Speaker Riley: "Let me, Rep... Pardon me, Representative Kay. Members, can we keep the noise down. We're still in the midst of this debate. Please keep the noise down so we can hear. Thank you. Representative Kay."

Kay: "Thank you, Mr. Speaker. Going back to the opponents. The Concerned Christian Americans. Why would they be concerned with your Bill?"

Lilly: "Once again, they haven't approached me. I can't answer that question."

Kay: "Did they... did they attempt to... Did you attempt to reach out to them because I think they did try and reach out to you in several cases?"

Lilly: "Unfortunately, they... I did not get that information."

Kay: "Okay."

Lilly: "I do not have records of them reaching out."

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

42nd Legislative Day

4/17/2013

Kay: "And so, your response might be the same for the Illinois Citizens for Life, the Coalition of Non-Public Schools, A&M Partnership and the Illinois Family Institute. None of them reached out to you?"

Lilly: "We had some in committee. We had one entity that presented. And we listened to that testimony."

Kay: "And what was... what entity was that and what was their concern, please?"

Lilly: "At the end of the day, I believe it was a publication that they are looking to utilize in teaching sex education that they wanted to be in the schools. So, they have their own way of teaching sex education. So, it's their own publication."

Kay: "Okay. Pardon me, Representative. You mentioned that this is a health issue, a health concern and that this education is being really put forth... put before us today because of the health concerns involved. And I'm wondering how you look at the problems that we face in this nation with respect to drugs. Is that a... is that a big problem?"

Lilly: "That has nothing to do with this Bill."

Kay: "Well, it might. I guess I'm curious because it would seem to me like we're selecting one subject, maybe important and we're leaving all the rest of the subjects that are critically important out. Now, it seems to me like if this is important, it would also be important to say, guess what, we ought to, in our schools, be teaching about how to avoid drug addiction. Talking about people who would come to you with various drugs or paraphernalia, needles or dirty needles and suggesting to you that this was a good

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

42nd Legislative Day

4/17/2013

way of life. And oh, by the way, you may be hurt a lot or you may be hurt a little, but this is a really good deal. I'm wondering why we're not talking about that. That's a health issue. It might be a life and death issue."

Lilly: "Representative Kay, once... I really appreciate your passion. And once you file that particular legislation, I will support that legislation."

Kay: "Well, I'm sure you might..."

Lilly: "Thank you."

Kay: "But my... I'm curious why we are not... we've never talked about legislation of the nature that I suggested, but we've talked multiple times about this. And what makes one more important than the other?"

Lilly: "We are updating this legislation, Ladies and Gentlemen. Update existing legislation and School Codes that are already on the books."

Kay: "Okay."

Lilly: "It's standardizing the information with adding age appropriate, medically correct. That's what this Bill is doing."

Kay: "Let me ask a little bit about curriculum, if I might. I was told that some of the curriculum might be responsive to how to become a responsible teen. Are you aware of that?"

Lilly: "I apologize. Can you repeat?"

Kay: "Sure. I understand that some of the curriculum that has been suggested to you might embrace how to become a responsible teen. Is that correct?"

Lilly: "I'm not understanding your question. I'm sorry, Representative."

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

42nd Legislative Day

4/17/2013

Kay: "Well, I think one of the other... I think the other Representative, and it might have been Roth, was touching on some of the things that might be in the curriculum. And I have a list of things here that have been suggested that would be in the curriculum. Let me just suggest one. Teen talk, teen talk, being how to use various apparatuses, so you stay safe from a sexual encounter and the negative effects of that. Would that be something that would be in the curriculum?"

Lilly: "As I have stated, each curriculum is determined by the local school official. They will identify the curriculum that they will be offering to the students to be taught which, inevitably, the parent has the opportunity to review and assess and if they deem it is not appropriate for their child, they have the opportunity to opt out."

Kay: "I understand that. I'm just trying to get to what somebody might be opting into. So, if we're talking about reducing the risk of inappropriate sexual behavior of teens, might we be talking about some things like condoms?"

Lilly: "The curriculums that are being taught in the school will be age appropriate, medically correct."

Kay: "Well, how about one more suggestion or thought. Would it also, at some point in time, develop into a curriculum that might teach you how to pick the right partner... for a sexual encounter?"

Lilly: "That's not this Bill."

Kay: "Well, okay. It may not be. But certainly you can't deny because I think you've seen the same points, and I could go on, that I have. I guess my point, Representative, is

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

42nd Legislative Day

4/17/2013

that's why you have opponents who are mainly religious organizations like the Catholic Church. That's why they take opposition to your Bill. That's why they won't support it. And I could go on down the list. But I think you need to realize that what you think is good is deemed to be very bad. And I would say if you're going to start taking on issues, let's start with some others, if you will, to focus on like drug addiction because, quite frankly, I think you'd find more acceptance. But thank you, Representative. Thank you, Mr. Speaker."

Speaker Riley: "The Chair recognizes Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Nekritz: "There's been a lot of discussion here about whether this is necessary. I, frankly, find it troubling that we're talking... that we're discussing and debating whether medically accurate and age-appropriate information is appropriate... and it's 'cause that kind of medically accurate, age-appropriate information is always... always relevant and always welcome. I'd like to tell just a brief story that one of our former colleagues and Representative McCarthy told about this Bill. I think he was a little bit on the fence and then he... I think he was talking with a young woman who had become pregnant and she was... she was astounded because she hadn't slept with anybody. And so, how could she become pregnant? And then when the discussion went a little further and it got a little bit more detailed about whether she had engaged in specific behavior and she said, well, yes, I did that. And when Kevin McCarthy heard

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

42nd Legislative Day

4/17/2013

that he said, well, my goodness. The information is not getting out there in an age-appropriate, medically accurate way and that's exactly what this Bill will do. I think that we... you know, there's too many stories like that out there where we know that young people make mistakes and are not getting the right kind of information they need. That's why this Bill is really so critically important and appropriate for this day and age. I'd urge an 'aye' vote."

Speaker Riley: "The Chair recognizes Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Dunkin: "Ladies and Gentlemen, this is a... this is an opportunity for us here in this state to really come into the 21st century when it comes to communicating with our young generation on subjects that many of us as parents find difficult to explain or to articulate. This legislation simply allows... it doesn't mandate, it's not a requirement, it allows school districts to communicate with evidence-based and medically accurate information regarding sexual education. It's important for us to understand that young people are empowered when they're educated. Thank you, Mr. Speaker. It's important for us to understand that young people are empowered when they're educated, even on difficult subjects. This is also a prevention method as well. When you are educated on a particular subject matter, however difficult the subject matter may be, you are that much more able to make intelligent decisions. This is a good Bill. It's a Bill that takes us into the 21st century. It's value-added, and

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

42nd Legislative Day

4/17/2013

I would encourage an 'aye' vote in support of this legislation. Please put me on as a Sponsor. Thank you."

Speaker Riley: "Representative Lilly to close."

Lilly: "Thank you, Ladies and Gentlemen, for your questions and your support. Again, House Bill 2675 is not a mandate. It applies to public schools that are currently teaching sex education for grades 6 through 12. House Bill 2675 respects parents and allows for local control. It stresses abstinence and it provides our youth with complete, age-appropriate, medically correct information that serves them throughout their lives. I, at this time, urge your 'aye' vote. And thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly."

Speaker Riley: "Then the question is, 'Shall House Bill 2675 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. There has been a verification request by Representative Reboletti, Members. Vote your own switches. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Sosnowski. Mr. Clerk, take the record. On this question, on a vote of 66 voting 'yea', 52 voting 'nay', 0 voting 'present', House Bill 2675, having... Do you wish to proceed with your verification, Representative? Mr. Clerk, please read all Members who voted in the affirmative."

Clerk Hollman: "A poll of those voting in the affirmative.
Representative Acevedo; Representative Arroyo;
Representative Berrios; Representative Daniel Burke;
Representative Kelly Burke; Representative Cassidy;
Representative Chapa LaVia; Representative Conroy;

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

42nd Legislative Day

4/17/2013

Representative Crespo, Representative Cross; Representative Currie; Representative D'Amico; Representative Monique Davis; Representative William Davis; Representative DeLuca; Representative Drury; Representative Dunkin; Representative Evans; Representative Farnham..."

Speaker Riley: "Representative Reboletti withdraws his verification. Therefore, on a vote of 66 voting 'yea', 52 voting 'nay', 0 voting 'present', and House Bill 2675, having received the Constitutional Majority, is hereby declared passed. House Bill 1814, House Bill 1814. Representative Tryon. Mr. Clerk."

Clerk Hollman: "House Bill 1814, A Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Riley: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1814 amends the Illinois Transportation Code as it applies to speed violations in construction zones. It says that a speed violation in a construction zone for a second offense does not apply to the license suspensions, if there are no workers present. I know of no objection to the Bill and would answer any questions. If there are no questions, I would urge an 'aye' vote."

Speaker Riley: "And the Chair recognizes Representative Jack Franks."

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

Speaker Riley: "He indicates he will."

Franks: "I'm sorry. Representative, what does this Bill do?"

Tryon: "Okay. In the State of Illinois, in 2005, we changed our Vehicle Code to say if you were... received a speeding

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

42nd Legislative Day

4/17/2013

violation in a construction zone you get a \$375 fine. On a second offense you get a \$750 fine and a suspension of your license, only state in the country that would suspend your license. Every state that we looked at, workers had to be present. So, while the original Bill had a provision to reduce the fine, there was some objection to that, but nobody objected to the suspension of the driver's license being removed if no workers were present."

Franks: "Okay. So, you're try..."

Tryon: "So, it simply says that if you get a speeding ticket in a construction zone on the second offense and there were no workers present, you didn't lose your license."

Franks: "But you still pay the \$750 fine."

Tryon: "You would still pay the fine is correct."

Franks: "And if you're in McHenry County, what would your court cost be?"

Tryon: "\$300."

Franks: "So, it'd be 1050..."

Tryon: "That's correct."

Franks: "...for speeding through a construction zone."

Tryon: "That is correct."

Franks: "Thank you."

Speaker Riley: "The Chair recognizes Representative Bost."

Bost: "Will the Sponsor yield?"

Speaker Riley: "He indicates he will."

Bost: "Representative, you said that with this one, basically, it's so that in a second offense it doesn't cause you to lose your license. That's correct?"

Tryon: "That's correct."

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

42nd Legislative Day

4/17/2013

Bost: "But if the original Bill was to make it to where not only would you not lose your license, you also couldn't be charged the higher fine, but there was an opposition to that. Correct?"

Tryon: "That's correct."

Bost: "Okay. It would..."

Tryon: "You would lose your license, however, if you had a second offense and workers were present."

Bost: "Correct. As well should be. But... and the higher fine should be if workers are present. I believe that maybe next year or at some time in the future we should come back and say that the fine should be reduced in those zones if workers are not present. And I think that would be even a better Bill. I know that's what you tried to do at first, but I knew you had opposition. And I support your Bill."

Speaker Riley: "Representative Tryon to close."

Tryon: "Again, I think the original intent... I happened to be on the Transportation Committee when this Bill was passed originally, was to provide a stiff penalty for speeding in construction zones. It was always the understanding, I thought based on our previous law, that it would apply only to when workers were present. Clearly, if no workers are present, being the only state that would force you to lose your license, I think, is a penalty that reaches too far. And certainly, by being able to remove the opposition to the lower fine and having no opposition to this, I would urge an 'aye' vote."

Speaker Riley: "Then the question is, 'Shall House Bill 1814 pass?' All those in favor vote 'aye'; all those opposed

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

42nd Legislative Day

4/17/2013

vote 'nay', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ives, Pihos. Ives. Mr. Clerk, take the record. On a vote of 98 voting 'yea', 19 voting 'nay', 1 voting 'present'. On this question, this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1, Representative Lang. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 1, a Bill for an Act concerning alternative treatment for serious diseases causing chronic pain and debilitating conditions. Third Reading of this House Bill."

Speaker Riley: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. We've been talking about this for some time, not just this year, but for the last four years. Before I proceed, I wish to thank the advocates, some of whom are in the gallery. I wish to thank a whole bunch of people including Senator Haine who sat around a table for a very long time to try to make this the best Bill in the country. I believe we have done that. The title of this Bill is the Compassionate Use of Medical Cannabis. I would like you, in this chamber, to focus on the word 'compassionate' rather than on the word 'cannabis'. That's not working. This Bill is the most controlled and highly regulated Bill ever drafted, ever written in the United States of America. Twenty other states and the District of Columbia allow for the use of medical marijuana to provide a higher quality of life for very sick individuals, some of whom are dying, some of whom are not, but have medical conditions that require the use

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

42nd Legislative Day

4/17/2013

of this product for their quality of life. We took the mistakes that other states made and fixed those mistakes. So, someone on this floor might say, well, they made a mess of it in California, Representative. And you know what, they did. They had a very loose piece of legislation and pretty much anybody in California, who has a doctor willing to sign a piece of paper for whatever reason, can get their hands on medical marijuana. And of course, it's been abused in California. We have fixed that mistake. We have done so by requiring many things. First, a patient must have a bona fide relationship with a physician licensed in the State of Illinois. The physician must certify that the patient has one of 33 specifically named medical conditions in the statute. So, if you don't have a bona fide medical condition or if you don't have one of those listed in the statute, you ain't getting the product. And to prove this you then need to take the physician's recommendation and all of your medical records, all of your medical records proving this disease or medical condition to the Department of Public Health, who's going to pour over those records and make sure you have that bona fide relationship and make sure you have that disease. That patient, along with their caregiver, is going to have a background check. And most of them will be fingerprinted, and none of them that don't pass muster will get the product. And so, if they're a felon or if they have a drug offense that they've been convicted of, they're not getting the product. This background check goes for not just the patients and the caregivers, but the growers and the dispensaries, whether

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

42nd Legislative Day

4/17/2013

it be the owners or whether it be every employee working in those facilities. Every purchase made is limited and every purchase made goes into a database that's accessible, not only by every dispensary, but everyone in law enforcement in the State of Illinois, so that they know who's buying, they know what they're buying and they know where it's going. This Bill has reflected the concerns of law enforcement; although, truth be told, not all law enforcement is for the Bill. But I will say many in law enforcement appreciate the work that we've done and have gone neutral on the Bill. The Bill deals with DUI issues in a very strong way. Today, if you're taking OxyContin for your colon cancer and you drive and a policeman stops you because he thinks or she thinks that you've been driving recklessly and maybe you're under the influence of something, they can't make you take a field sobriety test. This Bill requires every medical marijuana patient who is stopped to provide implied consent to a field sobriety test. And just as in an alcohol situation, if you don't walk the line or you don't take the field sobriety test, you lose your license to drive. That is not the test for any other drugs in the State of Illinois, any other issues, any other pharmaceutical, just marijuana if this Bill were to pass. The Bill provides strong rules to allow employers to make whatever rules and regulations they wish to make on the job site. If they say no marijuana here, there's no marijuana there. The same for landlords. Landlords can say to a tenant, you can live here but you can't use that stuff in my building. The Bill also provides that local

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

42nd Legislative Day

4/17/2013

communities can create whatever zoning they need to make sure that dispensaries are moved to wherever they want them within the community. They can't zone them out 'cause that would be discriminatory against very sick people, but they can decide where in their communities they want them to be. This Bill provides strong rule-making authority to the Department of Public Health, the Department of Agriculture, the Department of Financial and Professional Regulation. These rules are written... these provisions in the Bill creating strong rulemaking was written with the Governor's Office, with the Governor's Office who support this rulemaking. As I said before, the State Police are neutral on this Bill, but they would tell you that they appreciate all the efforts that we have gone to, to try to deal with each and every issue they have had, particularly the DUI issue. Let me point out that this Bill is no longer House Bill 30. It's no longer a Bill we had some years ago regarding grow your own. This is not grow your own. This provides for 22 growers and the reason we picked 22 is one for each State Police district, so that we don't overburden the State Police with inspections. And it provides a maximum of 60 dispensaries to be scattered around the State of Illinois by some rules that the department would put together to make sure that everyone in Illinois who needs this product has access to it. Ladies and Gentlemen, this is not about getting high. It's not about dope. It's not about what our mothers told us when we go to... when we went to college. This is about providing a product at no expense to the taxpayers to provide better health care to people

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

42nd Legislative Day

4/17/2013

who desperately need this product. There are people in the gallery today. Many of you know Jim Champion, who's sitting way at the top in his wheelchair, a veteran with MS, who is crumpled much of the time unless he uses a little marijuana. And it's not always smoked. Sometimes it's vaporized. Sometimes it's in a cookie or brownie. But when he is able to access that product... and I hesitate to tell you how he accesses the product, it's not a pretty sight. When he accesses that product his hands open up. His legs uncrumple, and he is able to enjoy a better quality of life. There are grannies in this state, Ladies and Gentlemen, with colon cancer, who are terminal, who simply want to be able to enjoy their grandchildren or go to the movies or maybe even do their laundry. There are 30- and 40-year-olds who are desperately ill who want to continue to work. We had a press conference last week with a woman from Rockford. The woman from Rockford has stage four terminal pancreatic cancer. She is going to die. But she came here, deathly ill, to speak at the press conference. And what she said was that she had wasted away from about 125 pounds to about 80 pounds and couldn't eat and couldn't take care of herself. And when she started eating marijuana cookies and marijuana brownies, just like we were told when we were in college, she actually got the munchies. And she began to eat and she gained 25 pounds. And she's able to enjoy her daughter at the park which is all she wants to do for the rest of her life, enjoy a quality of life with her daughter. Pretend that it's your spouse, your parent, your child, your cousin, your neighbor. And their doctor says to

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

42nd Legislative Day

4/17/2013

them, you ought to be able to have this product, because the OxyContin, the Vicodin, the codeine, the morphine you're taking isn't working or it's putting you flat on your back for days at a time and you can't do anything. And the doctor says, take this, eat that cookie, take a puff of this... joint, if you want to call it that and you can feel better. And it doesn't work for everyone, but it works for a lot of people. Ladies and Gentlemen, 20 other states allow for this and they allow for it in a way that isn't as controlled as this Bill, isn't as detailed as this Bill, isn't as regulated as this Bill. Now, I know every single one of you has compassion in your heart. This is the day to show it. This is the day to get beyond politics. It's the day to get past elections. It's the day to talk about your constituents. I told someone earlier today when they told me that their police chief was opposed to it... I told them two things. First, the police are rarely for legalizing something that's illegal especially involving medications. And second, there's a whole lot more sick people in your district than there are police chiefs. So, Ladies and Gentlemen, this is about the people in the gallery and their caregivers. This is about the people that live in our districts. This is about providing health care. The Federal Government spent two years and many billions of dollars providing Obamacare, which some of you like and some of you don't, but the bottom line is it's costing the taxpayers a big chunk of money. This is health care that won't cost us a dime. Let people feel better. Let them have a better

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

42nd Legislative Day

4/17/2013

quality of life. That's what this Bill is about. I beg your 'aye' votes."

Speaker Riley: "The Chair recognizes Representative Bost."

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I don't doubt that they're... everyone on this floor knows how they're going to vote on this way or the other, but I have been around for a long time and listened to the debate and let me tell you that on this floor and on the Senate Floor when we actually had Members who actually served as pharmacists, they gave testimony that there are drugs that are available that can do exactly what marijuana does. Now, there are those that you might disagree with that, but they were the experts that were on this floor. Now, if we're going down this path, the concern that I have is is that the former speaker says the Bill automatically says that you can't ban it from your community even if your community agrees because, see, that would be discriminatory, but you can place them somewhere. So, that supposedly makes it better. You know, I have compassion regardless... even if I vote 'no' I still have compassion for those who are suffering and to try to make that plea that if we vote 'no' that we don't have compassion is totally wrong. There are needs, but there are already drugs out there available according to the experts. Every state that has implemented this has had problems. And it doesn't just stay with the community that needs this as far as their own medical need. It is... it becomes a problem. It becomes a problem on the control of a substance which has been illegal for years. Now, you can either agree with it that

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

42nd Legislative Day

4/17/2013

it should be legal or say, no, it shouldn't be legal, but don't try to piecemeal it like this. If you want to come forward with a Bill and say, let's legalize it, then let's legalize it. But to do this is just going to, I believe, cause confusion in our communities. The Sponsor said that, you know, we watched California and they had problems and we corrected those type problems. Well, then the other states passed it and then they had problems and they had to correct problems. So... but every state has had problems. And Ladies and Gentlemen, there's no doubt I will be voting 'no' on this piece of legislation and that doesn't shock anybody in this room. But I am telling you that there are many problems, if this does pass, that we, the State of Illinois, will have to deal with. Mark my word. I'm not going to throw a fit. I'm not going to scream and yell, but I will guarantee you that we will be back adjusting this legislation if this is the case with other sit... because of the problems that will occur or... or we will be back on this floor to go ahead and move for the legalization of marijuana. I encourage a 'no' vote."

Speaker Riley: "The Chair recognizes Representative Osmond."

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

Speaker Riley: "He indicates he will."

Osmond: "Representative, when you were giving the description of this I think you omitted one part. This is a pilot program. And how long does this pilot program last for?"

Lang: "Thank you for asking that question. I had actually written that down because I did forget to mention that."

Osmond: "And you forgot it in committee too."

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

42nd Legislative Day

4/17/2013

Lang: "Yes."

Osmond: "But this is an important thing."

Lang: "This is a four-year pilot program. And it doesn't even become effective 'til January of 2014 and we did that so there'd be lots of lead time to prepare. And we did that... and in the Bill it allows the agencies 120 days to do rules. So, it will be a very long time, at least a year, before anybody's licensed to grow or anyone's licensed to purchase, and probably a year and a half before anybody gets it in their hand. And this will give us time to make sure if there are changes we can make those changes, if there's something we left out or something we need to adjust, and we can do it along the way as well. But four years from January 1, 2014, this Bill, this notion, this program will sunset unless it's renewed. And if it becomes a big mess, I won't be standing here on the floor trying to renew it, but I think it's not going to be a big mess. I think we're going to be proud that we did it and the next time around we'll have a lot more than the bare Majority we're going to get today to support this."

Osmond: "Representative, you know that I've been here for a little while and I can remember that... I think it was my first year that you brought this Bill forth and there's been many, many times that I've asked you different things to be fixed and adjusted. One was grow your own; I couldn't support that. And you did do those things. You tightened this every time you came back and tightened it more and tightened it more. Not to be disrespectful to the previous speaker, but I believe that this is something that can be

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

42nd Legislative Day

4/17/2013

worked in and done properly. And if it isn't, I'll be looking for you in four years because I am going to support this. And the reason I'm going to support this is because I've had two... one personal where I had a friend come and live with me. He and his wife came for two solid years he suffered with terminal cancer. I would not let him have marijuana in the house. I don't know if he got marijuana. I just know that the OxyContin made him extremely sick, very sick. And my dear friend, Ralph, died two years ago. He never... he never asked, only once, if he could have marijuana in the house and I said no. Sometimes I resent that because I knew that it might've helped him. Last summer I was called by a constituent who asked me to come to his home. I went to his home and I saw first-hand what phantom pain is. Phantom pain, for those who don't know, is when you've lost your limbs. In his case, the two legs were amputated. He was in a wheelchair. His wife was there and a caregiver was there. This man was in constant pain. And he told me the only time that he has relief from that pain is if he sends his wife out to purchase marijuana illegally and for him to have it in a brownie or some other way. But that's the only time that he feels that he can function. He can get up and actually know where he is because the drugs that he was on just made his head not function right. He was always in a daze because of the OxyContin he was on. I understand very well that there are people here in this chamber that can't vote for this, but I want to stand up and tell you that this is the right thing to do because I feel that we do need compassion for these people that are

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

42nd Legislative Day

4/17/2013

suffering so hard. I saw it first hand and I am really, really asking you to consider a four-year pilot program. We do tons of pilot programs. Please, please consider giving a little compassion to those who are suffering so much. Thank you."

Speaker Riley: "The Chair recognizes Representative Tryon."

Tryon: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Tryon: "Every time this Bill has come before this Body I have rose in opposition to it. Today I am prepared to support it and I want to tell you why that is. I think each of us have had constituents come to our office and give us constituent testimonials that are very hard to deny the benefits that they're receiving from the use of cannabis. The same individual who lost their legs in Representative Osmond's office has a minister who's a friend of his in my district. I visited with him. There was no drug that worked for his phantom leg pain. The only thing that worked for his pain was the use of cannabis. That was very convincing. But more so than that, other constituents that came forth and told me the effects that they were able to get were good. And if they could get it, why should they have to obtain it illegally? Why should they have to enter into a culture to obtain it that is illegal? And I agree with that. But more importantly, four years ago I did an end of Session newsletter that I put into 36 thousand newspapers. I got 500 responses back. Seventy-five percent of those who responded were in favor of the use of cannabis for medical purposes. I did it again a second year. Got the same

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

42nd Legislative Day

4/17/2013

result. This year, just this year out of 3 thousand on my e-mail list, I did a survey, an electronic survey. I received 20 percent back. Got a 72 percent response in favor of it. So, I look at this issue now as an issue that if I have constituent testimonials that are very convincing. I have a voting public in support of it. I have, now, the obligation to make sure we have a law that is strict and provides only access to those who would be qualified, and I think this law does this. This law means that you have to get your diagnosis from a physician that you've had an ongoing relationship for the past year. You have to only go to a few dispensaries to be able to obtain it. Limited number of uses... illnesses and diagnoses that it can be used for. I asked my own physician if they would be... if they would use this as a means of treatment and they said yes. And that was the final thing that made me and convinced me to vote for this. My own physician said she does not prescribe narcotics, she does not prescribe OxyContin, Vicodin or any narcotic, but she did have patients that would benefit from this and it would be something she would recommend. I look at this as an issue that is still under our state rights. We sometimes forget that it wasn't the Federal Government that created the states, it was the states that created the Federal Government. We have a... on the Department of Justice website it says if a person in a state who has a state provided provision for medical use of cannabis, it says they won't enforce that current law on those individuals. It is an option, I think, somebody who can benefit from it should be

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

42nd Legislative Day

4/17/2013

able to receive that benefit and they shouldn't have to enter into a culture of corruption to obtain it. They should be able to get it and use it within the boundaries of our law. I commend the Sponsor on continuing to work for it, putting forth the strictest medical cannabis law in the country and one that I think goes far enough to make sure that it gets in the hands of those only who are going to receive benefit from it. And I'm going to vote 'yes'. Thank you."

Speaker Riley: "The Chair recognizes Representative Zalewski."

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

Speaker Riley: "He indicates he will."

Zalewski: "Representative, you gave a lengthy open on your Bill and while it was substantive, part of the piece that I think we need to be flushed out a little bit, given the importance of it, is the effect that the Bill will have on our driving under the influence of a substance law. So, indulge me for some questions about that piece of the Bill. Isn't it a fact that under your Bill and if you have possession of the card of the ability to do this, for all intent and purposes, if you get behind the wheel of a car and there's an incident where you're pulled over, you're guilty of driving under the influence of a controlled substance, correct?"

Lang: "Well, you certainly could be. And so, anyone that gets one of these cards and is able to purchase medical cannabis is going to be registered with the Secretary of State. And of course, if you're in an accident one of the first things the police officer's going to do is check your driving

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

42nd Legislative Day

4/17/2013

record and check if you own the car, et cetera. He or she will see that you're a medical cannabis patient. If the officer thinks you're impaired, there's an implied consent that you must do a field sobriety test. This isn't the case with any other narcotic that people are taking today, OxyContin, Vicodin, morphine, codeine. You could be under the influence of those and you could be driving under the influence legally or illegally, but the officer cannot make you take a field sobriety test. We have taken this a step further, even though cannabis is not as dangerous. It's not addictive like those other narcotics. You can't OD from it and yet, we've taken the step to make sure that the Members of this Body, the members of the general public and law enforcement is all... all understands that we're very serious about passing a controlled piece of legislation. And so, these folks will have to submit to a field sobriety test or lose their license."

Zalewski: "So, Representative, are you aware of a case in DuPage County, People v. McPeak?"

Lang: "Why don't you tell me more about it?"

Zalewski: "Okay. So, in People v. McPeak, from what I'm told, you had an incident where a driver had smoked cannabis that had gotten behind the wheel of a car. The officer made observations that the driver smelled like cannabis. The officer observed the cannabis in the car and observed a smoking device. Representative, take a guess at what happened in People v. McPeak."

Lang: "Well, since you raised the issue, I'm going to assume the case was dismissed."

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

42nd Legislative Day

4/17/2013

Zalewski: "Well, the person was ultimately found not guilty by the court. Your Bill, in fact, fixes that incidence because... Isn't that correct, Representative?"

Lang: "It, in fact, does because, first of all, you can't drive with cannabis visible in the vehicle. It has to be in a tamper-proof, tamper... apparent container. You cannot smoke in your car even if you're just a passenger. You can't use marijuana even if you're just a passenger and indeed, if the officer thinks that you're driving under the influence, you will have to take the field sobriety test."

Zalewski: "And in fact, by allowing an officer to administer field sobriety tests we're making a change in the statute that actually will result in more individuals potentially being arrested for driving under the influence of alcohol... or under the influence of a controlled substance when, in the past, they haven't been culpable. Isn't that accurate?"

Lang: "That is accurate. It actually cleans up a problem with the current statute. In the process of dealing with the medical cannabis Bill, we had to dig deeper into this statute. And so, we ended up repairing something that needed to be fixed."

Zalewski: "So... thank you, Representative. To the Bill. I... I, in the past, similar to other speakers, have voted 'no' on this particular piece of legislation. But in my judgment, if we can address a glaring problem in the Vehicle Code when it comes to driving under the influence of intoxicating substances and we can do it within the context of providing more safety for our roads and protecting people from hazards by allowing field sobriety tests which

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

42nd Legislative Day

4/17/2013

are a deterrent from people for people driving under the influence of intoxicating compounds, then we should do it. There may not be things that we all can agree on, but if we can agree on public safety and the Gentleman has a pilot program, I think people are crying out for help, and I think that we're doing things to address the public policy in Illinois in a positive, good way that protects the public safety. I urge an 'aye' vote."

Speaker Riley: "The Chair recognizes David Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, all Bills that we pass in this House start with the phrase, 'Be it enacted by the People of the State of Illinois represented in the General Assembly'. Now, we pass hundreds of Bills in this House year after year. And very few of them though, really get the attention of the people of the State of Illinois. Very few of them really make a, what I would call, a societal change. Certainly, this year, I think same-sex marriage would fall into that category, perhaps gambling. And I think this Bill is one of those Bills that really makes a societal change. Now, we heard the Sponsor describe the provisions of the Bill and it is a very detailed Bill. And because of his encouragement, I went out and I did indeed read the whole thing. And we know that states like California and Colorado have medical marijuana Bills on their statutes or medical marijuana statutes on their books that, for all practical purposes, are a joke. Of course, Oregon citizens passed a referendum authorizing recreational use of marijuana. So, I think it's fair to ask, how does House Bill 1 stack up against the

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

42nd Legislative Day

4/17/2013

legislation in some of the other states? Let's look at some of the requirements of House Bill 1. What about growing marijuana? Unlike in other states, we're not talking about growing marijuana in the backyard or down in the basement. It has to be grown in one of 22 cultivation centers spread around the state. And how are those cultivation centers regulated? Complete information on the principles and board members involved in those cultivation centers including a full background check. Every employee has to have a state-issued ID visible at all times which contains a specific alphanumeric code. All the bylaws and procedures of that cultivation center related to plant monitoring, plant tracking, all record keeping and the security plan for that cultivation center has to be filed with the department. And they are subject to random inspections 24/7. What about the dispensing organizations? Are we talking about some potheads with fly-by-night storefronts? Not at all. We're talking about organizations that, again, all principles and board members: full background checks, ID cards and, again, subject to inspection 24/7. What about the patients? In other states patients can claim almost any real or imagined physical ailment. Under House Bill 1, a patient has to be what's known as a qualifying patient. Well, what's a qualifying patient? Guess what. Full background checks, fingerprinting, issued a secure registry ID card. They must suffer from one of the specific, specific list of physical conditions listed in this legislation. And they lose their registry card if they give the marijuana or let someone else use the marijuana. Okay. What about the physicians? In

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

42nd Legislative Day

4/17/2013

other states, quack docs looking to make a quick buck can write a script to virtually anyone. Under House Bill 1, there must be an established patient/physician relationship as defined by the Civil Administrative Code. An examination has to take place and that examination has to be in person not done via some sort of remote or telemedicine needs. There has to be exact record keeping by the physician. The physician cannot have any direct interest in, be on the board of or be an employee of a cultivation center or a dispensing organization. What about transporting the marijuana? As the Sponsor said, it has to be in a secured, sealed, tamper-evident container. It has to be inaccessible if it's in a moving vehicle. And the restrictions in House Bill 1 go on and on. For example, the marijuana cannot be used in an established public place or in a place in which the public can be expected to show up. We talked about the DUI. The legislation allows a field sobriety test administered in the event of any evidence of impairment and a refusal to take the test results in an automatic one year... an automatic revocation of a license and, of course, loss of the registry card. There's a marijuana tax of 7 percent. We're not looking, necessarily, just about the revenue, but that 7 percent still allows the local municipalities to assess any taxes that they might want to impose. So, you say, okay. This is going to be done and we're going to collect a lot of political contributions from this. Guess what? No political contributions are allowed to be made by any cultivating center organization or a dispensing center organization or a political action

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

42nd Legislative Day

4/17/2013

committee of a cultivation center or a dispensing organization. The Sponsor said, this is a model for the nation. You know, we drafted a Bill dealing with hydraulic fracturing or fracking which we, I think, rightly called a model for the nation. I think the Sponsor is right here. This legislation is a model for the nation. The product is tightly controlled from seed to sale. The objective of this Bill is medicinal and not in any way recreation. I was at a breakfast this morning sponsored by the Leukemia and Lymphoma Society, and at that breakfast there was an oncology nurse from Memorial Hospital here in Springfield. And we talked about this Bill. I said it looked like it was going to come up today. And she looked at me and she said I hope you will vote for this Bill because I have patients that the only way that they can get relief from their pain and suffering and the many pills that they take and the nausea and all the other difficulties that they suffer from, from being a cancer patient is if they're allowed the use of this product. Like others, I compliment the Sponsor on what he has done. This is a four-year pilot program. We can retract it in four years if it's not working. He's done an absolutely great job. I firmly believe the legislation deserves your support."

Speaker Riley: "The Chair recognizes Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Cassidy: "I stand in strong support of this legislation. I think the Sponsor has done an amazing job of crafting a truly quality piece of legislation that will stand as a

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

42nd Legislative Day

4/17/2013

model for our country, but most importantly will bring real and needed relief to people who desperately, desperately need it. I have more people in my life than I can count who have been waiting in agony for this opportunity. And so, I am grateful to the Sponsor and everyone who's worked on it that we are here at this place today. I have a brother-in-law that would not be with us if not for his... for making use of cannabis. He has terminal cancer. The pain drugs were sucking the life out of him. And he now enjoys a great quality of life with my sister and they are able to enjoy what will be his last days and he's able to have a positive experience. And my sister and my brother-in-law, who I love dearly, are able to make the best of an absolutely horrific situation as a result of this product. And I urge you all to please, as the Representative said, hold the compassion part in your heart and vote 'yes'."

Speaker Riley: "The Chair recognizes Representative Fine.

Fine: "To the Bill."

Speaker Riley: "To the Bill."

Fine: "I want to read you a list: Vicodin, OxyContin, methadone, Norco, Percocet, morphine patches. These are all drugs that have been prescribed to my husband who's an amputee. Some he's tried, others he won't because they are extremely addicting and the side effects are terrible. He will wait until the absolute last minute in order to take something to find some relief. And we know when he does finally take something, he's out for the rest of the day due to the side effects of these drugs. It is so heartbreaking to see someone you love, to go through such

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

42nd Legislative Day

4/17/2013

debilitating pain when there can be a solution to that pain. This would be a nonaddictive, nonnarcotic... nonnarcotic way to really find relief for these patients. And not only would it benefit the patients, but as we've heard from so many people who've seen people suffering, it would really benefit the families who have to watch their loved ones suffer. So, I really encourage your support for this Bill. Thank you."

Speaker Riley: "The Chair recognizes Representative Sacia."

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

Speaker Riley: "He indicates he will."

Sacia: "Representative Lang, in the 11 years I've been here this Bill has been before us many times and I concur that you have tightened it significantly. One of the questions that remains in my mind and you alluded to and several others did, of putting the cannabis in a brownie and eating it as a... as a type of relief. Is that a fair... did I understand you correctly, Sir?"

Lang: "The fact is that many people don't smoke cannabis. Many people use it in food, Sir."

Sacia: "To my point exactly. Why don't we go to the FDA and create a pill that has the cannabis in it that is regulated by other... like other medications?"

Lang: "Representative, first of all, the FDA doesn't appear to be interested in doing that, and secondly, there have been efforts to create pills. For instance, Marinol has been put in a pill, but Marinol is just one of hundreds of chemicals that are in cannabis and the only way you can get relief from can... from your pain and from your other results of

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

42nd Legislative Day

4/17/2013

your injuries or your medical condition is to have all of those chemicals together, not just one, not just two, all of them."

Sacia: "At the outset, Sir, you... you made the comment that the FDA doesn't seem to be interested, but if they are in fact the... the organization that is responsible for all of our medications, why would they not be interested?"

Lang: "Can't answer that, but let me tell you this, Sir. The FDA approved all those narcotics that Representative Fine referred to, and each and every one of them is addictive, and each of every one of them will lay you flat on your back, and each and every one of them has led to, in this country, having more deaths by drug overdose than by traffic accident in the last three years."

Sacia: "Representative, again, I know of your... your strong desire to pass this legislation and in fairness I applaud it. I remain indifferent... I... or I'm... indifference to your point of view and I think you know I again will be voting 'no', and you, yourself, alluded to the fact that many law enforcement agencies are against it, you noted that some are neutral. I would point out that the Illinois State Police are neutral. However, Sir, they do work for the Governor and the troopers I think are pretty much against the Bill, but they're told to be neutral and I respect that, I understand that. The sheriffs are under no such obligation. They are opposed and they are opposed for you have... and again, I do believe you've tightened up the field sobriety test. But the sheriffs say it is nowhere near tight enough and I think that it in itself is a very, very

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

42nd Legislative Day

4/17/2013

significant issue. I guess where... where I continue to struggle with your legislation and I have all of these years, and again, I like what Representative Bost said at the outset, that if I vote 'no' on this I'm still a compassionate person. I just can't get there on making marijuana legal, and again, you have brought the Bill a long way. Maybe it is the perfect Bill. I agree with someone who said I think we'll see it again and I... I don't think that we have really achieved what we're... what we're attempting to in order to create legislation. I continue to struggle with the idea that the Food and Drug Administration is not interested in looking at it. I continue to struggle with cannabis and I understand, Sir, that the... the growers are going to be regulated, but the experience that I have had shared through my adult life is the... is it THC, is that the correct product that is in cannabis? Is that..."

Lang: "Yes, Sir."

Sacia: "That it can vary from one grow to another grow significantly. Is that a fair statement?"

Lang: "It is, Sir, but we have that today. You see today we're turning granny into a criminal."

Sacia: "I get that."

Lang: "To... today we have turned all those people in the gallery, caregivers and people in wheelchairs, veterans... some of them, we've made them criminals. They have to go to some back alley in some town that you wouldn't want to go to in the middle of the night and get what they need to make their loved one feel better. And so, yes, there are

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

42nd Legislative Day

4/17/2013

varying degrees but people are getting it now. In fact, we know in this room, let's not bury our heads in the sand, any high school kid in America can get their hands on marijuana, but under this Bill every ounce of marijuana that's sold will be tracked. We will know who buys it. We will know where they buy it. Law enforcement will know where they buy it. And in fact, because the growers will be regulated, they will have quality control that we don't have now."

Sacia: "I understand that you believe that, Sir. And I... I'm trying to get there, I really am."

Lang: "I know, Sir."

Sacia: "But Leader Lang, you know, let's make the assumption this Bill were to become law. We know there's a lot of potheads out there, folks that don't really have a medical issue. What... Would that be a fair statement that we could agree upon?"

Lang: "It is certainly true that there are people that use cannabis that should not be using it and some use it..."

Sacia: "You said that so much nicer than I did."

Lang: "...and some use it to excess."

Sacia: "Yes, Sir, we agree on that. Here's my concern. My concern is that these folks will evolve to the doctor with splitting headaches and severe back pain and all kinds of maladies."

Lang: "Sir, that's not allowed in the Bill. See this is a case... this is a case where and I don't mean... I'm trying not to insult you... but this is a case..."

Sacia: "But you're going to, so I'm... I'm ready."

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

42nd Legislative Day

4/17/2013

Lang: "Well maybe. This is a case where you need to read the Bill. The Bill lists 33 medical conditions. It doesn't list a bad back; it doesn't list a headache; it doesn't list made-up medical issues. It lists 33 very specific medical issues and if you do not have one of those and you do not have a bona fide relationship with your doctor and you do not provide all of your medical records to prove it, you are not getting the product."

Sacia: "Leader Lang, I absolutely believe that I could go to my doctor and go through my history of medical conditions and I could get medical marijuana under your Bill. I believe I could, Sir."

Lang: "Do you have any of those medical conditions today?"

Sacia: "I believe I do."

Lang: "Then maybe you need the product, Sir."

Sacia: "I'm doing well without it. Here's the thing, Leader, and again, you know I have the greatest respect for you and I... I've watched you bring this Bill a long way, I really have. But when a federal organization that is responsible for all the medications one takes in this country, responsible for all of it doesn't even want to look at it and law enforcement is either opposed or neutral, that speaks volumes."

Lang: "Representative, the same federal organization you're talking about has approved medication that is killing people every day in this country. They're OD'ing, they're addicted, they're dying, they're driving, they're smashing their cars up, they're running your constituents over. The same organization and the same law enforcement people that

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

42nd Legislative Day

4/17/2013

are opposed to this Bill somehow have nothing to say when the same kids that you're worried about getting ahold of granny's marijuana are reaching into her medicine chest every day and taking their OxyContin and their Vicodin and going to pill parties. The same kids. The same law enforcement. Now, I'm a little facetious. Of course, law enforcement cares, but they aren't down here asking for a Bill to do something about it."

Sacia: "Leader Lang, you are challenging a federal agency and basically saying, in so many words, that they're inept at what they do so if they don't look at this..."

Lang: "Didn't say that at all, Sir. Because if you did the research..."

Sacia: "I think you would read that between the lines."

Lang: "...if they did the research they would find out different, but none of the pharmace..."

Sacia: "Why won't they?"

Lang: "Because the pharmaceutical companies aren't interested in having that happen, Sir. Think that one over for 30 seconds."

Sacia: "I don't need 30 seconds. What you're telling me is there's a conspiracy of some sort."

Lang: "I'm telling you that nobody's willing to fund the research. But the pharmaceutical companies are more than willing to fund the research to sell all these products that are killing granny."

Sacia: "Ladies and Gentlemen, to the Bill. I applaud Leader Lang for having done a great deal of work on the medical marijuana Bill. I do understand his motives. I respect him

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

42nd Legislative Day

4/17/2013

as a State Representative and a Leader; however, this Bill is absolutely a wrong piece of legislation. Listening to many of the learned Representative that have commented on this floor today, each one that I hold in the greatest esteem, I understand where they're coming from, I understand why their minds have been changed. I can't get there, and I really believe that we are making a mistake if we pass this legislation. Thank you."

Speaker Riley: "The Chair recognizes Representative Williams."

Williams: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Williams: "I strongly support this legislation and I've been a cosponsor since the day I was sworn into office, but I'm not alone. This Bill has also been endorsed by the Chicago Tribune, the Chicago Sun-Times and the State Journal-Register. It's considered to be neutral by the State's Attorneys Association. So, that's a law enforcement entity that doesn't often go neutral on these sorts of issues. This Bill is not about the kids smoking pot behind the garage, but it's not about prescription medication. It's somewhere kind of in-between. It's a plant-based option that can provide very unique benefits to people in great need. My grandma died at the age of 94. She lived a wonderful full life, but spent the last several weeks of her life, as so many people do, in a drug-induced haze. She was gone many days before she actually passed. She was a law-abiding citizen her entire life and it would never have occurred to her to in anyway attempt to procure an illegal product, even if it meant completely being nondependent on

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

42nd Legislative Day

4/17/2013

the fentanyl patch that she relied on to ease her pain in those last days. Sure, narcotics are very effective at pain relief, but at what cost? We talked a little bit about the side effects earlier. Obviously, these are very, very addictive drugs. In terms of the side effects though, they are numerous and varied. They include nausea, vomiting, dry mouth, itching, shutting down your digestive system to the point that you have to take other drugs to get things moving, depression, confusion, hallucination, bradycardia, tachycardia, severe debilitating headache, orthostatic hypotension, which I said just because I don't know what it is, uratic spasms, muscle rigidity. The list goes on and on. Long-term therapeutic use can basically slowly shut down your immune system. Why should we deny the opportunity to people to avoid these painful side effects? Why should we provide patients who are suffering with limited options for treatment? Shouldn't we give seriously chronically ill patients every opportunity to improve their quality of life? That's what this Bill is really about. It's improving the quality of life for patients that are truly in need. It's about providing safe and legal alternatives to traditional medical treatments for people at the end of a life, like my grandma and people living with severe chronic debilitating illness. The unfortunate reality is that for most families we will face someone going through this situation at some point in our lives. Wouldn't you want to provide every opportunity for your family member to get some relief? I would; that's why I'm voting 'yes'."

Speaker Riley: "The Chair recognizes Representative Bellock."

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

42nd Legislative Day

4/17/2013

Bellock: "Thank you very much, Mr. Speaker. Will the Sponsor yield just for a few questions?"

Speaker Riley: "He indicates he will."

Bellock: "Thank you. Representative Lang, we've had quite a bit of discussion on the scheduling of this drug. So, it's still is an illegal substance by the FDA, correct?"

Lang: "That is correct."

Bellock: "And can a doctor prescribe this?"

Lang: "No."

Bellock: "No, because it still is an illegal drug, right?"

Lang: "That's correct, and the same way the pharmacies can't dispense it."

Bellock: "Right. So, I guess in the last four or six years that we've debated this Bill and I... I do applaud you for how much you have worked on this Bill. And I'm sensitive to all the people and the advocates who have come down and feel, you know, that this substance really does help them. But in doing laws, as we all know, lots of times one law that can help somebody can have a ramification and a negative respect on others and you know, in most cases that's why I'm coming from with drugs and kids. But in the medical groups in the six years, I think it's been that we've debated this Bill, I have not seen and I looked again today on the analysis, if another major medical group, nobody has approached me, or anybody else that I know of asking them to change this. Have they come to you? Like the... I know there's concerns. The American Cancer Society, the MS Society, the Glaucoma Society had concerns the last time. I

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

42nd Legislative Day

4/17/2013

have not had them come to me and say we really... the lobbyist for the Bill to pass the Bill."

Lang: "They also haven't come to me to tell me they're opposed to the Bill. What... who did come to me was 250 doctors that had a press conference yesterday in Chicago. Two hundred and fifty doctors, licensed doctors in the State of Illinois, who want to be able to help their patients have a better quality of life."

Bellock: "Okay. I'm going to move on to a couple more things of the... When we debated the Bill before and I think it still stands, the President's drug czar going into the effect of the states that have had this legalization, have seen an increase in the usage of drugs by children in the schools."

Lang: "That is actually not the case. The last study I saw and we can debate our studies, the last studies I saw showed that in three quarters of the states where medical marijuana... medical cannabis was allowed, the incidents of children, teenagers having marijuana stayed about flat and in several states it actually went down."

Bellock: "I have in Colorado it seems to be a state, especially since they've legalized the recreational use of it, that since 2009, public school sup... suspensions for drug violations acclaimed to the use through users have increased 45 percent. Expulsions for drug violations increased 35 percent. Statistics in the United States of children in our public schools across the United States, one out of every five children in the 12th grade is using marijuana in a week. That's 25 percent. Is everybody listening to that? Twenty-five percent of our children in

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

42nd Legislative Day

4/17/2013

the 12th grade are using marijuana. One out of every 11 in the 8th grade are using marijuana. Those statistics are astonishing and that's a concern of the ramification of this that I'm concerned about and I know a lot of other people are too."

Lang: "If I may respond?"

Bellock: "Sure."

Lang: "Every high school student in America can get their hands on marijuana, but what marijuana is it and where did it come from? Under this Bill, we will know where every gram of marijuana came from. Who bought it, where it came from, how they got it, what their medical condition was that allowed them to get it and children won't need... children can get marijuana now. Having it in grandma's medicine chest isn't going to make them more likely to get it. What they're more likely to get out of grandma's medicine chest is OxyContin and Vicodin and Norco and all these other very addictive, dangerous narcotics. And I would submit this to you, Representative, no one in the history of the world has ever been addicted to marijuana and no one in the history of the world has ever died from an overdose of marijuana and all of the things that you want these patients to take instead of medical cannabis are killing them and killing their children."

Bellock: "But marijuana is the most widely used illicit drug in the United States; that's confirmed."

Lang: "I can't argue that point."

Bellock: "Okay. So, anyways, then I wanted to just ask a couple questions about the enforcement. We had a lot of discussion

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

42nd Legislative Day

4/17/2013

and today we've had no discussion about who is going to enforce all of this, the Public Health police? Who?"

Lang: "I'm sorry. I did not hear your question."

Bellock: "Who will enforce this law? You have said Public Health over and over again. Is that who's going to enforce this?"

Lang: "Representative, there's all sorts of enforcement mechanisms..."

Bellock: "Tell me."

Lang: "...in this Bill as Representative Harris mentioned. First, the Department of Public Health has to ensure that the patient and the caregiver are legal and qualified patients and caregivers, so that's where it starts. Next, everyone along the way has to be licensed, background checks, no one will be able to run a facility whether it be a grow facility or whether it be a dispensary without background checks, fingerprints. You can't get a license if you're a felon or have been convicted of a drug charge. The State Police will have the... and every law enforcement will have the ability to get into the database to see who's purchasing and see... and make sure that they're not being sold more than they're allowed to buy under the law. And it goes on and on and on. The Department of Agriculture is going to have rules to regulate the growers. The Department of Financial and Professional Regulation is involved. Law enforcement is involved. Just like every other law, Representative, you break the law you can go to the jail."

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

42nd Legislative Day

4/17/2013

Bellock: "Well, break the law you can go the jail. This is a Federal Law; it's an illegal substance. It's a Federal Law right now."

Lang: "Representative, the Federal Government has not arrested any grannies with colon cancer for using a product to help them to feel better. The only people the Federal Government has shut down are growers or dispensaries that are violating State Law or have huge marijuana fields with all sorts of excess and residue that they're not properly disposing of. The Federal Government is not arresting any patients for taking care of their health."

Bellock: "I have a quote here from the U.S. Attorney Central District of Illinois saying that growing, distributing, and possessing marijuana in any capacity other than as part of a federally authorized research program is a violation of Federal Laws regardless of State Laws addressing such activities. The Department of Justice will appropriately enforce Federal Laws with all of its provisions and criminal and civil remedies in all states."

Lang: "The key word there, Representative, is appropriate. So, I just told you that no sick patient has ever been arrested by the Federal Government for purchasing and using medical marijuana in states where it's legal, zero people."

Bellock: "Okay. Then the last I would say is, when we talked about the young people and the abuse of marijuana in the system, in a town hall meeting that... I've had two town hall meetings in the last year and a half on heroin. All of the young people that came to testify before those town hall meetings, on their own, begged me not to vote for the

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

42nd Legislative Day

4/17/2013

medical marijuana Bill. I know that you do not believe it's a gateway drug, but every single one of them begged me not to vote for this Bill. And we had 28 deaths in DuPage County last year of heroin. And those young people who have gone straight testified at that meeting and said, we know that there are people that want this drug, but there are a lot of us that feel it's a gateway drug and we've seen our best friends die in front of us. And those are what I talked about when I started the ramifications of sometimes passing a law that's good for a certain population, but can have other ramifications for others. Thank you."

Speaker Riley: "There're four more people seeking recognition. We would hope that... this is a very important question. Keep your remarks as succinct as you possibly can. The Chair recognizes Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, like, many of the people who spoke before have some concerns about the legalization of marijuana. But this isn't legalization of marijuana. It's legalization of medical marijuana or marijuana only for medical purposes. I've consistently voted 'no'. As a former prosecutor, I told my Senator, Senator Haine who is a proponent of this in the Senate, that previous Bills I was not going to support. I've seen firsthand what drugs can do to families. What drugs can do to people who end up in the criminal justice system, but this is not legalizing marijuana broadly. It's legalizing it for very specific uses for people and family members and loved ones who are suffering every day right before our eyes. I think, if many of the

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

42nd Legislative Day

4/17/2013

people who voted 'no' on this Bill in the past would not have voted 'no', we wouldn't have the Bill as it currently exists with all of the restrictions, all the precautions, all the criteria to make sure we can do everything we can to stop abuse. People vote 'yes' or 'no' on this will do it for a variety of reasons. I would say many people on this floor will vote 'no' because they think it might lead to greater drug use. Some may vote 'no' because politically they don't believe they can vote 'yes', but I don't think that there's a person on this floor who would agree that we should, if we can, do something to stop the pain, the suffering, the everyday drudgery of the people and loved ones who have these terrible and dreadful injury... dreadful illnesses. So today, I wish that we didn't have to stand here and defend ourselves, vis-à-vis, other states. Those states do not have laws with these types of precautions. Those states have made mistakes. Those States' Laws are too wide spread and too open, and because of those states and what the abuses have occurred in those states, we have to stand and figure out whether those abuses will occur here. I think, as Representative Harris so apply put out or... pointed out, as Representative Tryon pointed out, there are so many, so many criteria to make sure that the illnesses are listed that has to be prescribed by a doctor. The medication is... the marijuana is going to be tracked and even the users have to get background checks. Even the users have to get background checks. So today, I'm standing and I'm going to vote in support of the Bill, because I believe there are the precautions in this Bill to stop

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

42nd Legislative Day

4/17/2013

those types of abuses that we're seeing in other states. So I'm going to vote to help relieve the pain, help relieve the suffering, so that we can give a moment of peace to these individuals, if this is the only thing that works for suffering this great illness and great pain."

Speaker Riley: "The Chair recognizes Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Gordon-Booth: "In the past, I have not supported this piece of legislation for many of the reasons that have already been discussed, so I will be brief. Many of us come to this chamber with a set of experiences that shape how we see the world and one of the most difficult things in this world is to watch someone that you love die in pain. The only thing more difficult than that is to watch them live their lives in pain. My office manager, her name happens to be Cami Kellerstrass. Cami Kellerstrass lost her daughter in August of 2011 at the age of 28 years old. Her daughter suffered from debilitating pain all of her adult life and watching Cami deal with the death of her daughter after we took this vote and I didn't support it, made it very difficult for me. I pledged that the next time we took this vote that I would vote for this Bill because of Kayla. I only wish she were here. Thank you."

Speaker Riley: "The Chair recognizes Representative Will Davis."

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

Speaker Riley: "He indicates he will."

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

42nd Legislative Day

4/17/2013

Davis, W.: "Representative, I know there have been a lot of speakers and I apologize if any of the questions that I have, have already been kind of asked and answered, and I apologize for any redundancy. But so... so, when someone is given a prescription, what dictates how much medical cannabis they will be prescribed?"

Lang: "First, Representative, let me point out that they can't get a prescription. So, you go to your doctor and he wants to give you, let's say, Vicodin. You got a prescription he rips off the pad, you go to Walgreens or some pharmacy and you have it filled. What the doctor has to do under this Bill is provide a recommendation in writing. The Bill allows a patient to get a certain amount of marijuana, cannabis, from a registered dispensary every 14 days. And... and that's what the Bill allows."

Davis, W.: "So... so, the amount that will be recommended is it in ounces is it in a number of cigarettes or how... how was that form..."

Lang: "Yeah. It's in ounces and it isn't necessarily in cigarettes. And so, many medical marijuana users don't smoke it ever. Many of them cook with it, many of them vaporize it and inhale it. Those that cook with it need a lot more than those who smoke with it."

Davis, W.: "Well, but the recommendation doesn't take into consideration how an individual will ingest it."

Lang: "No, it doesn't."

Davis, W.: "It's just suggesting that this is how much they can have..."

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

42nd Legislative Day

4/17/2013

Lang: "So, we took a... what we felt was a number that mirrored what some other states are doing, talked to some people, frankly, who use the product, some experiences from other states and came to a number."

Davis, W.: "Okay. I got what you mean, but the Bill doesn't really go in to specificity does it?"

Lang: "The Bill says two and a half ounces every 14 days."

Davis, W.: "Every 14 days?"

Lang: "Yes."

Davis, W.: "Two and a half ounces."

Lang: "But the doctor could recommend less, or the doctor could say you can have the two and a half ounces. That'd be up to the doctor."

Davis, W.: "That's... two and a half ounces is the maximum, so... "

Lang: "That's correct, Sir."

Davis, W.: "Okay. So, when we distinguish what we're calling medical cannabis and medical marijuana, it's just marijuana like we find grown out on fields or whatever and sometimes in an illegal way, but it's just used for a medical purpose."

Lang: "Right."

Davis, W.: "So, it's not any special type of brand or blend or you know and the reason I kind of ask it that way is that if anybody's ever visited California and have seen people with their prescriptions, they have very interesting names. Green Rhino or you know, all kinds of crazy names as if to say it's different strengths different potencies or whatever the case may be, so we're not talking about anything like that. We're talking about marijuana as we

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

42nd Legislative Day

4/17/2013

know it and is just being used for a medical purpose, correct?"

Lang: "That is correct. Although, I am quite certain that some of the growers will end up being specialty growers where they will have different strains that they grow. Some might be more potent, some might be less potent, but we know this, they will be regulated and the marijuana will be pure and clean and... and is not the kind of marijuana you might buy in a back alley some place and you don't know where it came from."

Davis, W.: "Okay. But when you talk about potency, that could be more potent or less potent, how will a doctor know... I mean, help me to understand that... that time line. So, a doctor suggests that they recommend that they can have some. Now, I can take that recommendation to a grower. So, am I seeking out the grower that has the most potent product?"

Lang: "Actually, you..."

Davis, W.: "Versus... I mean..."

Lang: "...you buy the product from the dispensary. The dispensaries buy it from the growers and by the way, the growers pay a 7 percent tax to the state on everything they sell."

Davis, W.: "Okay. Maybe I should have said dispensary..."

Lang: "Right."

Davis, W.: "...and not the growers."

Lang: "So when you go to the dispensary you will have the choice of which product you want to buy and yes, some may

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

42nd Legislative Day

4/17/2013

be more potent, but remember this is not about getting high this is about quality of life."

Davis, W.: "Well, and... I appreciate you saying it's not about getting high. Obviously for those that are recommended to buy it for their purposes and this kind of leads into my next statement, if you will. There is a possibility that this still could be abused, because even if someone who purchases it for a medical purpose and knows we don't want to take anything away from that purchase, but it is still possible that it still can be abused in some way. You know, if you have someone who is home and has a caregiver, you know, that caregiver... I mean, we've seen theft and other things happen with caregivers unfortunately, so this could be a something that could be abused in some kind of way, correct?"

Lang: "I suppose the caregiver could use the patient's marijuana and do whatever they want with it, but two things. First, then the patient won't have any because they're limited by how much they can buy, and secondly, I don't think we can craft laws with the assumption that people will abuse the law. And if we did that there isn't any law we pass here that we could count on."

Davis, W.: "Fair enough, Representative. So, my last issue which may be a little different in some respects involves possession issues. So if you'll bear with me let me offer a scenario. So, you have a prescription and I'm your friend. I give you a ride somewhere and when I drop you off unfortunately you leave your pouch in my car. So I drive off and for some unfortunate reason I get stopped by the

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

42nd Legislative Day

4/17/2013

police. The police decide that I'm the guy whose car they want to search for whatever reason. They find your prescription with your name, and you mentioned a sealed tub that it will be carried in, and they ask me what this is and I go, it's Mr. Lang's prescription for... not prescription but recommendation or his product of medical marijuana and they go, really? You sure this is not yours? I said I can assure you it's not mine. Tell you what why don't I arrest you for possession and then you can prove this at some point down the road. So I go to jail, I get bailed out, I go to court, hire an attorney and then you come to court and prove that it is indeed yours, not mine and then the case gets dropped. So, now I've dealt with the legal system. I've spent money to get out of jail and hire an attorney and now the possibility that some parts or aspects of my life could be... could be impaired because now I've got a... maybe a procession charge on my record that I now have to and maybe if the court drops it maybe it goes away I don't know I'm not a lawyer or a prosecutor in that respect. But it creates some scenarios that now I have to deal with."

Lang: "This is no..."

Davis, W.: "Am I wrong in any of that?"

Lang: "This is no different than any other scenario that we can put together, so, if your friend has a legal gun and they leave their gun in your car which doesn't even have their name on it, then the same scenario could play out. But considering that the law requires intent, I really don't think that's going to be an issue. Could some overzealous

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

42nd Legislative Day

4/17/2013

police officer go too far? I suppose so. I suppose it could happen. In the same way if you had a friend that had any other... product, gun or other pharmaceuticals or whatever that they might accidentally have fall out of their person and leave in your car."

Davis, W.: "Okay. So, in your way this is no different than anything else. So there's no particular provision that would specifically address this. I'll just have to deal with it according."

Lang: "You know, that's true, and if a person left a... an open bottle of alcohol in your car, we would have the same scenario play out and that happens every day. Still requires intent. It still... it still requires that they have enough information to bring you in and I just... while I recognize that the scenario you just put together for us is conceivable, I don't think it's likely."

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

Lang: "Thank you, Sir."

Speaker Riley: "The Chair recognizes Representative Mell."

Mell: "Thank you... thank you, Mr. Speaker, and Members of the House. To the Bill."

Speaker Riley: "To the Bill."

Mell: "And just... just real quickly. I... I wasn't going to speak on the Bill, but with all this talk and everything I just want to say, I've been taking a pain pill now for every day since August 5, as a result of some surgeries I had and some chronic pain since then and let, you know, two weeks ago I had a surgery and I think it's going to correct that and so I can get off these... this medication. But for a

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

42nd Legislative Day

4/17/2013

second there or more than a second, you know, there's a real panic that comes in because it's like... it's like I can't live with this pain, but I can't keep taking these pills. And I got to tell you, it's real and it's scary and if we can pass this Bill and we could offer some relief to people who are in chronic pain, then we should do it. And I applaud the Sponsor and I love I absolutely love how this Body is quiet when people are speaking on an important Bill like this and I'm just really happy to see hopefully the passage of this Bill. Thank you."

Speaker Riley: "Representative Franks, for what reason would you like to be recognized? Out of the record. Representative Lang to close."

Lang: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen. I appreciate the debate; those who for, those who are against. One thing I know, this is a Bill we worked very hard on and even those of you who were prepared to oppose it today, have indicated this is the best Bill you've seen. We've worked very hard. I see Senator Haine in the chamber and I want to thank him for his efforts. And I thank all of you for putting up with a lot of conversation about this over a long period of time, but this effort has been about the patients. This effort is not about Lou Lang passing a Bill; it's about the patients, providing them a quality of life. Ladies and Gentlemen, in the last poll that was taken nationally, 83 percent of Americans from all over the country, that's the whole country, believe that people ought to be able to use medical marijuana under the direction of their doctor, 83 percent. And we ran some

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

42nd Legislative Day

4/17/2013

random polls in districts around the state and in no district was it under 60 percent. Even somebody that was from the most conservative districts, in no district was it under 60 percent. Our goal here is simple, to provide a quality of life to people with a product that can't hurt them. Today, the products they're taking are hurting them, they're killing them, they're becoming addicted to them. As I said before, more deaths in this country from drug overdose than from traffic accident in the last years. And so, this is a Bill that is true to its title. It's about compassionate and I don't say anyone that votes 'no' is not compassionate. Everyone on this floor have compassion, everyone on this floor cares about their constituents and people that are ill. The question is, will we get beyond the political? Will we get beyond old theories about what cannabis is? And will we focus in on what the Bill is about, helping sick people have a quality of life to take care of their kid, to go to work, to live some kind of life, whether they're just in pain or whether they're terminal? And so, Ladies and Gentlemen, I urge in the strongest possible terms your 'aye' vote. And one more thing before we vote, many of you on this floor told me that you wanted to be the 60th vote, don't do that. Don't wait, if you wait it'll be 50 votes. But if everybody on this floor who promised me they would go green do so the instant the bell rings, this Bill will pass. I beg and urge your 'aye' votes."

Speaker Riley: "Then the question is, 'Shall House Bill 1 pass?' All those in favor vote 'aye'; all those opposed

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

42nd Legislative Day

4/17/2013

vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, with 61 votes voting 'aye', 57 voting 'nay', 0 voting 'present'. And this Bill, receiving a Constitutional Majority, is hereby declared passed. Representative McAuliffe, for what reason do you rise?"

McAuliffe: "Point of personal privilege."

Speaker Riley: "State your point."

McAuliffe: "Up in the gallery from Triton College Student Association officers, we have Doris Davenport, the President-elect; Agatha Scarpelli, the secretary-elect; Lorenzo Webber, the advisor. Up in the gallery visiting with the student advocacy day for support of adult education. Can we have a big round of applause for them to the House chambers."

Speaker Riley: "Welcome to the Capitol, enjoy your day. The Chair recognizes Representative Dunkin. Representative Dunkin, you wish to be recognized? Representative Pritchard, for what reason do you rise?"

Pritchard: "Point of personal privilege."

Speaker Riley: "Your point."

Pritchard: "Ladies and Gentlemen of the House, Representative Lang referred to some of the people in the Speaker's Gallery. I would just like to say that Sandy and Jim Champion are constituents. And we thank them for coming today and sharing their story."

Speaker Riley: "Thank you very much for coming to your Capitol. Enjoy the rest of your day. Next for your consideration, on

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

42nd Legislative Day

4/17/2013

page 6 of the Calendar, we have House Bill 831, Representative Cassidy. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 831, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cassidy, has been approved for consideration."

Speaker Riley: "Representative Cassidy on Floor Amendment #1."

Cassidy: "If we could adopt the Amendment and then debate it on Third, I'd appreciate it."

Speaker Riley: "Representative Cassidy, would you present the Amendment?"

Cassidy: "Absolutely. The Amendment to House Bill 31 represents an acknowledgement of the deadline that we are operating under to enact comprehensive concealed carry here in Illinois and recognizes that we all represent different areas, different cultures and different needs in our community and provides for an appropriate response in each of our areas to do that within a framework that I believe will be... will be seen as constitutional."

Speaker Riley: "Representative Reboletti, for what reason do you rise?"

Reboletti: "I have an inquiry of the Chair first, Mr. Speaker."

Speaker Riley: "State your inquiry."

Reboletti: "Is this Amendment going to be voted on right away? If the Amendment is adopted by voice vote, are we going to vote on it right away? Should it be called for a vote right away?"

Speaker Riley: "On Third Reading, Mr..."

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

42nd Legislative Day

4/17/2013

Reboletti: "Yes."

Speaker Riley: "Representative Reboletti?"

Reboletti: "Because we've seen some Floor Amendments come up. They've been adopted and we've moved right to Third Reading."

Speaker Riley: "This Bill will not be called on Third."

Reboletti: "I'm going to ask for a Roll Call on the Amendment, but I also want to ask questions of the Sponsor."

Speaker Riley: "State your questions to the Sponsor."

Reboletti: "Will the Sponsor yield?"

Speaker Riley: "She indicates she will."

Reboletti: "Representative, I know that you don't control the... the Body here, but why would... why wouldn't this go to a substantive committee first, Judiciary or Restorative Justice or any other committee and then make its way here to floor so there'll be some debate in a committee level, before we come up to the House Floor?"

Cassidy: "I don't know."

Reboletti: "And is it your assessment that this is a 'may' issue. So, what were the... what would the conditions be in a 'may' issue scenario? Is this tailored after what would be perceived as a New York State legislation?"

Cassidy: "Yes, it's very similar to New York."

Reboletti: "And in..."

Cassidy: "There are statutory eligibility requirements. The establishment of a need and... a responsible person and no criminal background."

Reboletti: "So..."

Cassidy: "No other disqualifiers."

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

42nd Legislative Day

4/17/2013

Reboletti: "So, if I wanted to apply for a concealed carry permit under this legislation, how would I go about doing it? What would... what would make me qualify to be able to conceal and carry a firearm?"

Cassidy: "Depending on where you live you would either submit it to your local sheriff or if you're in the City of Chicago to CPD, who would first establish the question of need and then your background check would go to ISP."

Reboletti: "Are there... in this Amendment, is there a list of items I think we'll call it a checklist of sorts, that this is what the qualifications would be for a certain condition. Maybe, I'm a victim of a domestic battery and... and I need protection in that respect or I've been stalked or... What if... what are the conditions that would allow me to be certified for this 'may' carry permit? What would... what would my sheriff look at?"

Cassidy: "You would need to demonstrate a particularized need for the license, such as exposure to unusual personal... personal danger distinct from that of other members of the community. There's not an exhaustive list that describes what those things would be, just as we... as I said in my opening, our communities are different. Since you're establishing danger distinct from other members of your community, it would be unique to your community."

Reboletti: "Wh... why is it that you're choosing the sheriff of each county to be the person that makes that determination? Why wouldn't it be that the local police chief, the state's attorney, the Attorney General? Why wouldn't it be somebody... why is it each sheriff, because one of my

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

42nd Legislative Day

4/17/2013

concerns is that you're going to have 102 different sheriffs and then the seat and then you have superintendent of the Chicago police, so you have 103 people being, I guess, very subjective as to what may qualify in Cook County... or may not qualify in Cook would qualify in Coles County. Are you concerned about this being very subjective and not uniformly applied across the state?"

Cassidy: "Local police are statutorily authorized to weigh in. The sheriff is the most consistent body across the state and given the sheer volume in the City of Chicago, adding CPD in made the most sense."

Reboletti: "Have you had an opportunity to talk to your sheriff? I haven't ha... had a chance to talk to my sheriff about this, but I can't imagine that Sheriff Dart or Sheriff Zaruba would have the resources to then process all this paperwork. Is there going to be... Is there going to be funding... Is there going to be funding going to the sheriffs to process the paperwork and make the final determination?"

Cassidy: "A portion of the fee would be attributed to the sheriff to administrate it."

Reboletti: "Do you have an idea of how many more employees that the Cook County sheriff would need... would need to conduct this program?"

Cassidy: "Just like with prior versions, there are six months to implement in order to establish that... those needs."

Reboletti: "And I appreciate that. I know that our sheriff wants to hire more deputies and put more on the street. I can't imagine that the superintendent of Chicago police, I know the mayor of Chicago want to put more police on the

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

42nd Legislative Day

4/17/2013

street. I... I have a general concern, and I don't know if you share this, Representative, wouldn't this actually take police officers off the street to be doing paperwork and doing processing, instead of being out dealing with the gangs and the drug dealers."

Cassidy: "No, it would be a... I believe it would be a separate department established with the funding from those fees."

Reboletti: "What if... is the sheriff subject to any type of lawsuits then based on the fact that if I didn't... if I'm denied a permit, what is my appeals process? Do I appeal to a Circuit Court? Do I... where do go to appeal, if it's... If it's a denial?"

Cassidy: "Just as under the FOID card the appeals process goes through the State Police."

Reboletti: "And how do I file... what would I file with the State Police? Is there a motion I would file? I mean, wher... do I go to District 5, depending on where I live, District 15?"

Cassidy: "There'd be an administrative hearing subject to judicial review."

Reboletti: "Where would those administrative hearings be held? In Chicago, Springfield?"

Cassidy: "I think that would depend on your location established by the department and again, we have six months in order to work that out."

Reboletti: "And I... appreciate that, but in some of the rural areas I don't know where the hearings would be. So I don't know it's going to be Carbondale, Chicago. In Springfield, people had to travel 100 miles to get to... to a hearing. Is that... is that consis...?"

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

42nd Legislative Day

4/17/2013

Cassidy: "Once again, we would have six months to establish the best practice that's going to serve people in the most appropriate way. And it's the same practice that we have under the FOID Act now."

Reboletti: "Once an application is filed with the sheriff, how long do they have to render their decision?"

Cassidy: "The... the sheriff has 30 days and the State Police has 90 after the... after this year... after the local decision."

Reboletti: "So basically, the sheriff is signing off on it, but the final approval comes from the Illinois State Police?"

Cassidy: "The sheriff is signing off on the distinct need, yes."

Reboletti: "What makes the sheriff qualified to make the determination versus anybody else? I... I know that you keep going back to it... and I don't think that New York does it, but what makes the sheriff that individual that we would put all the trust into? Not that I don't trust the sheriffs. What makes them that entity that makes the final determination?"

Cassidy: "In each community, the sheriff is going to have the best understanding of the questions of personal safety in their community."

Reboletti: "Is this... is this an end around to keep Cook County into a 'may' issue and then everybody else will be more of a 'shall', so downstate would probably be more liberal with their concealed carry permits versus Chicago and Cook County could basically deny every permit. Is that really what this is?"

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

42nd Legislative Day

4/17/2013

Cassidy: "As I said, what this will allow is for us to acknowledge that our state contains many different cultures, many different communities with different needs, different characters and does not require a one-size-fits-all approach."

Reboletti: "And we're... we're still waiting to become the 50th state to have conceal and carry and other states have done it. Wouldn't you believe... don't you agree, Representative, that this is not consistent with the Seventh Circuit's decision on the Appellate Court that this should be a 'shall' issue, not a 'may' issue?"

Cassidy: "The Seventh Circuit did not specifically say that we needed to have a 'shall' issue. Four other Appellate Courts have upheld 'may' issue and the Supreme Court recently denied certain the challenge to the New York law and I think that sends... sends a good message that we have... that we have a good opportunity here to find a solution that will work for all of us."

Reboletti: "I guess, Representative, that's where you and I would disagree because I believe that the Seven Circuit said is a 'shall' issue and not a 'may' issue. I'm going to listen to some more... what other speakers have to say about this, but I believe this is really just a end around what the Seventh Circuit has stated we should do by June 8 or June 9. I think we're going to find ourselves right back in the same trick bag. We'll be right back to constitutional carry. I would anticipate additional lawsuits will occur and we'll be no further ahead. So, I'm going to at least at this time urge a 'no' vote."

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

42nd Legislative Day

4/17/2013

Speaker Riley: "The Chair representative... the Chair recognizes Representative David Harris."

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

Speaker Riley: "State your question."

Harris, D.: "Representative, forgive me, I was in the men's room for a brief period of time and then, when I came out on the floor, there was a lot of noise related to the passage of the Bill that just went out, House Bill 1. So help me understand. Is this legislation... is this in effect... Well, it deals with concealed carry, correct?"

Cassidy: "Yes, it does."

Harris, D.: "And is this in effect a... a legislation which authorizes 'may' issue versus 'shall' issue?"

Cassidy: "Yes. It is fair to describe this as a 'may' issue Bill."

Harris, D.: "And this legislation then is no longer being considered in special orders of business. Is that correct? We're through special orders of business? You might not... might not know the answer, but you can ask the person maybe standing to your... sitting to your right there."

Cassidy: "That would not be my... my call."

Harris, D.: "I see. So, we're not doing special orders of business. This one just pops up on its own, but when we were doing special orders of business, didn't we have a 'may' issue Amendment to the Bill that we were considering under the special orders of business?"

Cassidy: "It was never debated."

Harris, D.: "Oh, it was there, but it was never debated."

Cassidy: "Yeah."

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

42nd Legislative Day

4/17/2013

Harris, D.: "I see. I see. Okay. And the individual... do you know what the... the Gentlemen who sponsored the concealed carry legislation for Illinois, I believe the number was 990... House Bill 997. Do you know how he feels about the... the 'may' issue or 'shall' issue?"

Cassidy: "I imagine he'll let us know soon."

Harris, D.: "He'll let us know soon. Okay. That's... that's very helpful. So, we're talking here this Amendment is a 'may' issue Amendment law versus 'shall' issue. So, I have that straight, right?"

Cassidy: "Yes."

Harris, D.: "Thank you very much."

Speaker Riley: "The Chair recognizes Representative Phelps."

Phelps: "Thank you, Mr. Speaker, and to the Amendment. Representative Harris, here we go and I hope everybody listens to this, because these could be historic and congratulations to Representative Lang, I think I would like to have that same treatment once I run my 997, hopefully. But there's a lot of bad things going on with this Bill and I know this is just the Amendment, but I... we want to try to kill this right now. Here... here it is. This is not only a 'may' issue. This is a double 'may' issue. This is a double 'may' issue. It's a 'may' issue on the local level and holy moly it's a 'may' issue on the state level. You're talking about sheriffs being able to get these permits and issue these permits. Well, the Illinois Sheriff's Association is totally against this and let the record reflect, most of law enforcement is against this Bill; therefore, our version of the concealed carry Bill.

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

42nd Legislative Day

4/17/2013

Now here's another thing, if you remember, a previous Governor talked about he wanted \$500 for a FOID card. Do you remember that, Representative Bost? Page 10 paragraph (h), fees are set by rule. These are unlimited fees and you can't tell me the Leaders that be in this state and up in Chicago and Cook County, they're going to try to jack this price up as much as they can. This could potentially be a thousand dollar permit, 'cause it's set by rule. They don't want this. We don't want this. Let's wait, let's kill this. Let's get back on 997 where it makes sense in what the court says. I urge a 'no' vote."

Speaker Riley: "The Chair recognizes Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Sullivan: "Ladies and Gentlemen, today's the day. Today you get to start to finally enact legislation that will cover the citizens of the Unit... of our state. A lot has been said, but I do want to have a couple things to look at. Within this legislation's embedded a couple things. First off, give me two seconds... beyond who can issue the license, it also says you have to have a particular need for the license. And I ask you when your life is in danger when do you have a particular need? So we're going to start defining winners and losers within this licensure, on whether you're safe or not safe. That is fundamentally flawed within our Constitution, and so this will be thrown out for that very reason. I believe it was said that the Sheriff's Association is in support of this Bill. The

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

42nd Legislative Day

4/17/2013

Sheriff's Association is not in support of this Bill. They do not want to be issuing these things on a sporadic basis and that's what this exactly will do. Do you want your family members to be investigated? Because, under this legislation... well, you have to go through certain checks. It gives the State Police authorization to look at your family members. Do you want to put them through the harassment for you to be able to have a concealed carry permit? I don't think that's what we want to do or should be doing. Ladies and Gentlemen, the previous speaker talked about the fees. The next Bill you will see will be the good Bill and we have fees that are reasonable. We have come a long way on the fees to take care of the State Police for mental health records that all of us want. We don't know what the fees are going to be here. Are they going to be \$500, \$1000? We don't know. And lastly, there is wording within this legislation that the State Police say we don't have to implement it 'til all of our concerns have been satisfied. Well, what would those concerns be? Do we want to have such broad language that says all of our concerns have been satisfied. Ladies and Gentlemen, I believe this is an unconstitutional Bill. We do not want to go to June 9 and not have any type of protections for concealed carry. That's what this Bill will do. Today's the day. You have another Bill coming. I advise everybody to vote 'no'. Thank you."

Speaker Riley: "The Chair recognizes Representative Bost."

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

Speaker Riley: "She indicates she will."

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

42nd Legislative Day

4/17/2013

Bost: "Do you feel like this... this is a substantant piece of legislation? It really does have some, I mean, quite a bit of language in it, correct?"

Cassidy: "Yes."

Bost: "Then why in the world is it a Floor Amendment? Why in the world did it not go back to committee? Let me tell you that and the Leader's going to tell you, I voted for this out of Rules because I didn't realize that, my goodness, you know, that was my mistake and sometimes Rules Committee moves very quickly. My gosh, people, don't you think that the people of the State of Illinois is tir... are tired of seeing something like this? We have rules and... yet you bring something that should be just a Floor Amendment. Floor Amendments should be some technical small change that we shouldn't have to worry about like this, but yet you bring a whole Bill that has questions whether it is even constitutional. That has questions whether it meets the courts approval of what we're trying to do with concealed carry. Folks, the process is really messed up, quit. This is not the Bill that everybody's debated... the Bill that everyone has talked on; the Bill that everybody wants to see out here. It is a ploy and once again, your side of aisle keeps trying to make ploys instead of dealing with the real issue. Keep playing games. Keep playing games. There is a time... time limit online. You know that one of the associations actually has a click down of when we have constitutional carry in the State of Illinois and you want to endanger... the citiz... your citizens and keep playing games like this. Vote 'no'."

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

42nd Legislative Day

4/17/2013

Speaker Riley: "The Chair recognizes Representative Costello."

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

Speaker Riley: "She indicates she will."

Costello: "Ladies and Gentlemen, I don't know if anybody read Capitol Fax this morning, but something that was extremely important in there. If you look at the State of New York that has a 'may' issue, one-tenth of one percent of their population gets a permit. Is that true or do you know, Representative?"

Cassidy: "I have not looked into how many people get it in New York. I stopped reading at Rabid Gun Grabber."

Costello: "Okay. Well, when I... when I look at it and I look at what is a Constitutional Amendment, constitutionally you have the right to bear arms. What if we had a situation when we're talking about the Fifteenth Amendment, another Constitutional Amendment, if one-tenth of one percent of people were allowed to vote? We're talking about the Second Amendment, the right to bear arms, and we're talking about in many situations in the State of New York you get people who are athletes, you get people who are politicians, who are afforded this opportunity and the regular people of the state are not afforded this opportunity. We don't need bureaucrats issuing these permits to their friends and people as such in my personal opinion, Representative."

Cassidy: "This... this model has been upheld by four Appellate Courts and this specifically addresses folks who can establish a need for personal self-defense."

Costello: "And I go to the fact that it's one-tenth of one percent, again. That's troubling; that's extremely

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

42nd Legislative Day

4/17/2013

troubling to me. This Bill is too vague. There are many, many things in my opinion intentionally left out of this Bill. Talking about the fee, do we want to make your Second Amendment rights a socioeconomic situation? We want to have a situation to where you could charge a thousand, 5 thousand, 10 thousand for this permit?"

Cassidy: "Representative, the language in the Bill very clearly states, the fees are limited to the administrative and enforcement costs which are going to vary by the geography of the county in question. And so, they cannot be set in any other way, but they are limited to established costs for administrat... administering and enforcing the law."

Costello: "Do we have an estimate of roughly what those costs may be?"

Cassidy: "I'm going to go back to that six-month period; we have to work that out."

Costello: "So, the answer is no?"

Cassidy: "No. And it will vary by county."

Costello: "I believe this is a very, very vague Bill. The one thing that gets lost in these discussions at times. Again, Ladies and Gentlemen, in my opinion we're talking about your constitutional right to bear arms. I urge a 'no' vote."

Speaker Riley: "The Chair recognizes Majority Leader Currie."

Currie: "Thank you, Speaker, Members of the House. I rise in strong support of the Amendment. This discussion about 'shall' and 'may' strikes me as something of a... a grammatical quagmire. Under the NRA approved Bill, you can't issue a concealed carry permit to someone who's under

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

42nd Legislative Day

4/17/2013

the age of 21 who doesn't have a FOID card, someone who has a prior conviction for a felony, a violent crime, a drug crime, a crime involving the unlawful use or delivery of a firearm. There is no 'shall' carry in the Bill approved by the NRA. There is discretion in other states that have concealed carry laws and today the New York law, the California law are all upheld by the court system as constitutional. In the Seventh Circuit opinion that said that our law should be struck down, our law that allows no opportunity for public carrying of guns. The courts said that it was legitimate for us to impose a balancing act to set the rights of people to be safe from guns that are out of control against the rights of people to be able to protect themselves. I think Amendment 1 to House Bill 831 does exactly that. It says no to guns, concealed guns, in places where there are large numbers of people: bars, theaters, arenas. It says though people should be safe in those territories and it says that law enforcement should be able to make a determination whether there is a good reason for someone to have a concealed carry permit. If you want Illinois to be the Wild West, I invite you to vote against Amendment 1 to House Bill 831, but if you care about the safety and the health of your people, the safety and health of your people not to be victims of violence out of control, the only responsible vote is 'yes'."

Speaker Riley: "The Chair recognizes Representative Christian Mitchell."

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

Speaker Riley: "She indicates she will."

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

42nd Legislative Day

4/17/2013

Mitchell, C.: "Representative Cassidy, Is there precedent for a 'may' issue in case law?"

Cassidy: "There is. There have been four Appellate Court rulings upholding 'may' issue."

Mitchell, C.: "Thank you, Representative. To the Amendment. We are acting in this discussion as if somehow there has been one... a one-sided decision by the courts that binds us to do this only in the way that folks who are supportive of 'shall' issue want it to done. But let's be clear. In the Second Circuit in New York, they justified height and regulation of firearms outside the home because public safety interests often outweigh individual interest in self-defense. There have been multiple cases where we have noted that the core value of the Second Amendment right is not necessarily something that allows us to ignore public safety interest. That there needs to be a proper balance between assuring access to handguns for those in need while preventing a proliferation of handguns in public that increase the risk of public safety. This is in case law. And let's be clear, nobody is saying that we're trying to take away guns from those who would like to have them. There are... there's a different need downstate. There's a different need south of I-80. There's a different need in rural areas than there is in the City of Chicago. And respecting regional bounds, respecting local control, as so many people want to do in every other aspect except this one, is extremely important because the City of Chicago and other urban areas have very different needs then downstate. We have a serious gun violence problem, and we need to make

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

42nd Legislative Day

4/17/2013

sure that we have the tools locally to address it as local law enforcement and local communities know how. I urge an 'aye' vote on this Amendment."

Speaker Riley: "The Chair recognizes Representative Drury."

Drury: "Thank you, Mr. Speaker. To the Amendment."

Speaker Riley: "To the Amendment."

Drury: "You know, there's been a lot of talk in this room about the Constitution and what's constitutional, but the last time I looked around, there's not one single constitutional scholar sitting in this chamber. So, why don't we stop with all the nonsense and talking about what's constitutional and what's not constitutional and get to what's actually in the Bill and above with our Supreme Court the actual scholars have said. And it was just in the last week that the New York law was up in front of the Supreme Court of the United States and the Supreme Court of the United States had the chance to take the NRA's appeal of the Second Circuit's opinion upholding 'may' issue. And you know what the Supreme Court did? The Supreme Court decided not to hear the case because they were fine with the Second Circuit's opinion upholding 'may' issue. That is the only opinion we have on the books from constitutional scholars; the Supreme Court declined to hear the case. So, all of this nonsense and this absolute nonsense and two-facedness from the other side of the aisle, and I don't say this lightly, it's nonsense. It's nonsense, Sir, it's nonsense. It is absolute nonsense. You know what, you can scream all you want."

Speaker Riley: "Excuse... the House will be in order."

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

42nd Legislative Day

4/17/2013

Drury: "But the absolute..."

Speaker Riley: "The House will be in order. The House will... The House will be in order. Representative Bost, you're not recognized. You are not recognized. Well, you would... you would... And you will not disrespect the Chair either. Well, can you please... You do not have the floor. You do not have the floor, and Representative Drury does have the floor. I would not allow that if someone was doing it to you and I will not allow you doing it to him. Representative Drury."

Drury: "Thank you. So, here's my point, Members, we don't want someone like that carrying a concealed weapon."

Speaker Riley: "The House will be in order. The House will be in order. The House will be in order. The next thing... the next thing that I will say is I will call the doorkeepers. The House will be in order. Representative... The House will be in order. Representative Drury, I would wish that you would give your testimony, but give it in such a... give it in such a way that you are respectful to everyone in this House."

Drury: "I appreciate that."

Speaker Riley: "Please proceed."

Drury: "The Supreme Court of the United States took this issue up last week. They declined to hear the Seventh Circuit's opinion upholding 'may' issue. That is the law of our land as it is right now. This is a good Bill. It is a Bill that is fair for everybody around this state. It is a Bill that will keep us safe. It is a Bill that deserves our 'aye' vote. Thank you."

Speaker Riley: "The Chair recognizes Representative Sacia."

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

42nd Legislative Day

4/17/2013

Sacia: "Thank you, Mr. Speaker. To the Bill."

Speaker Riley: "To the Bill."

Sacia: "Ladies and Gentlemen..."

Speaker Riley: "Amendment..."

Sacia: "I'm sorry. Ladies and Gentlemen, this Amendment is an initiative of the Illinois Council Against Handgun Violence, I get that. It's opposed by the National Rifle Association. This entire debate over guns, as tragic as the issue was in Boston on Monday, it verified that guns don't kill people, crazy people kill people. It's what happened in Oklahoma City with fertilizer and fuel oil. It's what happened on 9/11 with box cutters and airplanes. Ladies and Gentlemen, it's time we understood that guns don't kill people. And if Chicago has a problem with handgun violence, then Chicago should handle it."

Speaker Riley: "The Chair repr... the Chair recognizes Representative Reboletti."

Reboletti: "Mr. Speaker, I appreciate what you're trying to do, keeping this chamber in order. This is obviously a very emotional issue."

Speaker Riley: "Representative Reboletti, I really respect that, but then there is an issue of decorum, on... on frankly, both sides of the aisle."

Reboletti: "And... and I understand that, Mr. Speaker, and what happens in these emotional debates is when we wait 'til the last second to try to pass these things and then it becomes personal. Unnecessary in this chamber that anybody who just talked who's constitutional scholars and who should decide who should carry firearms has diselevated themselves to

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

42nd Legislative Day

4/17/2013

chief in charge around this place. Those comments have no place in this chamber. If you don't like the legislation, don't vote for it. If you love it, put your name on it and speak for it. I don't understand what qualifies somebody to be a constitutional scholar or not, but I have a law license, Representative. I know how to look and brief a case and try to interpret what the court said so I can make the correct decision for my constituents as well as something that complies with the United States Constitution and the Illinois State Constitution. And to a previous speaker about regional differences, let me opine about constitutionality and something called equal protection of law. There might be regional differences, but no citizen in this state should be treated any differently when it comes to protecting themselves if they're in Cairo or Carbondale or Chicago or Carpentersville. But some on the other side would say that's how it should be. There are regional differences and we need to respect that when it comes to this. In this particular issue, it's about the Constitution and we should all respect that. This is a retread Bill. It is not the Wild West as another previous speaker said. If you go to the north to Wisconsin, it's the wild north and people are going to travel there for summer vacation. They're not going to be, oh, I won't go up there anymore because I'm afraid they have concealed carry. We'll go to the east to Indiana; they have concealed carry. I just visited relatives there over the weekend; I took my 11-year-old. I didn't say, oh, my god they have concealed carry. I can't go over there because only Illinois is safe,

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

42nd Legislative Day

4/17/2013

or to the west in Iowa, Missouri, or to Kentucky in the south. We're right back where we were six weeks ago. It's time to pass something that comports with what the Seventh Circuit said and I am entitled to what my opinion of that is. I don't need a lecture from somebody else to tell me when I think something is constitutional or not. I'm not a constitutional scholar, but I've spent 15 years with a law license in this state, which gives me some opportunity to discuss it with some semblance of professionalism and understanding of what the ruling means. I don't know why we had to go personal and tell somebody because they're passionate about a issue, they shouldn't carry a firearm. And to the people in the City of Chicago, those murder rates continue to go up and the people of the City of Chicago are still not allowed to carry a firearm. And now they can go beg Sheriff Dart for a permit and 60 days later, 90 days later, 120 days later, they won't... they'll be denied and what's going to happen? Where will the outcry be when one of those people that applied for a permit is killed? What will happen then? We'll go to the Illinois State Police and say you guys made a mistake. I have a great deal of respect for the Sponsor and I appreciate what she's trying to do, but this does not comport with the constitutionality. This should be debated on the merits of this Amendment up or down. It should not be made personal by anybody on this floor. There's no room for that garbage here."

Speaker Riley: "Representative Cassidy to close on the Amendment."

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

42nd Legislative Day

4/17/2013

Cassidy: "Thank you, Mr. Speaker. To the previous speaker, I share that respect and I enjoy working with you, finding solutions and you and I have been able to find common ground on... on a great many things that we've began very far apart on. And I'm hopeful that on... on this issue we can work on that too, and I agree that we need to stay out of the personal. To the question of us being the last ones, I remember very clearly my mother saying it and now as a mother I say it. If everyone else jumped off a cliff would you have to do it too? We can do this in a way that works for us. We can do this in a way that has been upheld by the Supreme Court. We can do this in a way that recognizes that in my community whether I have a gun or not is not going to stop the bullet coming through my window. It's not going to stop the bullet that hits the kid sitting on the porch. More guns are not the answer to the city's gun violence problem. To the question of double 'may' that was raised earlier, both local law enforcement and state law enforcement have access to different information. It is important that all the information be utilized to determine the issuance of these licenses. The FOID records are not currently up to date. The delay is... it is in there in order to make sure that all the appropriate information is available when someone makes an application we need to evaluate that application with accurate information in a timely fashion. This is an Amendment that recognizes who we are as a state, what our communities are like, and acknowledges the deadline that we are operating under. It

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

42nd Legislative Day

4/17/2013

is far from the last minute. It is timely; it is fair; it is appropriate. I urge an 'aye' vote."

Speaker Riley: "Representative Cassidy moves do adopt Floor Amendment #1 to House Bill 831. There's been a request for a record vote on this Amendment. So Members, vote your own switches. All those in favor of Amendment #1 vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please vote your switches. Thapedi. Rita. Mr. Clerk, take the record. On this record, with 31 voting 'yea', 76 voting 'nay', 6 voting 'present', Floor Amendment #1 to House Bill 831, is hereby declared lost. Representative Bost, for what reason do you rise?"

Bost: "For a point of personal privilege."

Speaker Riley: "State your point."

Bost: "First off, an apology to you, Mr. Speaker, as a person and to you as the Chair."

Speaker Riley: "Apology accepted, Representative Bost. We're good friends as you know."

Bost: "And... and Mr. Speaker, we've always worked well together, but let me also follow up by saying there is never a time that by the use of our First Amendment rights we should be not denied our Second Amendment rights."

Speaker Riley: "Thank you. House Bill 1773. House Bill 1773, Representative Sacia. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 1773, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Riley: "Representative Sacia."

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

42nd Legislative Day

4/17/2013

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, unlike much of the legislation today this is basically a simple technical Amendment wherein there is a common interest community association that... Could I have some order, Mr. Speaker? If there is a common interest community association, it cannot enter into a contract with a member of that association. That's all this dil... this does and I welcome any questions."

Speaker Riley: "And the Chair recognizes Representative Franks."

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

Speaker Riley: "He indicates he will."

Franks: "I'm looking at the analysis, Mr. Sacia, and it... and my understanding is, you can't enter into a contract with a current board member if a... if that board member or his or her immediate family member has a 25 percent of more interest?"

Sacia: "You know interestingly, Representative Franks, our analysis on my side of the aisle is incorrect. The analysis is, but it's any amount, 25 percent notwithstanding. But on my side of the analysis it says a member of an association with a member of the association. It's supposed to say cannot hold... Let me... let me read it. The common interest community association cannot have a contract with a member of that association. That's all this does. It changes three words in the Bill."

Franks: "And I'm looking at the Bill itself that's line 9 as I pulled it up."

Sacia: "Yes, Sir."

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

42nd Legislative Day

4/17/2013

Franks: "And it says it took out a member of the board."

Sacia: "That's correct, Sir."

Franks: "But it would still allow then family members, correct?"

Sacia: "I... You know, I guess the best way I can answer that, Representative Franks, is Representative Nekritz, the chairperson of the committee, worked with us on this and she's very knowledgeable at this type of law. And she was in complete agreement of our Amendment #3 and when you ask the question if it could involve a family member, I can't deny that. Perhaps it could, but I know that the association cannot have a contract with a member of that association."

Franks: "And Amendment #3 became the Bill, as I recall."

Sacia: "That's correct, Sir."

Franks: "Okay. But what we... this is still a gaping loophole. Why would we say that a member can't have a contract, but the spouse of the member could?"

Sacia: "Representative Franks, I guess the only thing I can do is what you would want me to do is pull it out of the record as much as I hate to because we went through a lot of negotiations with Representative Nekritz. If she's in the chamber maybe she'd be willing to comment on it and I don't see her."

Franks: "I don't know, Jim. And I just... this is the first I'm seeing it."

Sacia: "Right."

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

42nd Legislative Day

4/17/2013

Franks: "But as I'm reading it. I know that you're a good government type and I don't think that you would on purpose leave a loophole."

Sacia: "I certainly wouldn't."

Franks: "So, I'm... if you leave it in I'm going to vote against it and encourage people to. 'Cause I don't think the Bill does probably what you want it to do the way it's drafted."

Sacia: "Right."

Franks: "I would ask you to take it out of the record if you'd like to work on it with Representative Nekritz."

Sacia: "Representative Franks, whenever you've asked me to take anything out of the record I've done it. We've really worked hard on this. We went through three Amendments. The first two Amendments, Representative Nekritz wouldn't even allow us to call because she said they literally did not meet the criteria that she felt was required. I believe now we're to a point where we have a good piece of legislation. I understand where you're coming from, I truly do, but I am going to ask the Bill to move."

Franks: "Okay. Well, then to the Bill and I appreciate it and I know your intentions are good, I just don't like the way the Bills written and maybe... I don't know maybe the Representative can answer this, but the way it's written now, I... I don't think it's... it's in our best public policy to allow these type of contracts to be had by spouses and family members of board members. So, I'd... I'd encourage a 'no' vote."

Speaker Riley: "There being no further debate, Representative Sacia to close."

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

42nd Legislative Day

4/17/2013

Sacia: "I appreciate that, Representative Franks, I truly do and Representative Nekritz is now in the chamber. If she feels she can impart anything to this that's makes it clearer, I would welcome that, if not I would ask for your 'aye' vote."

Speaker Riley: "Seeing no further debate, the question is, 'Shall House Bill 1773 pass?' All those in favor vote by saying 'aye'; all those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Zalewski, Williams, Reis. Marcus Evans. Mr. Clerk, take the record. On this question, with 116 voting 'yea', 1 voting 'nay', 0 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Drury, for what reason do you rise?"

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

Speaker Riley: "Your point."

Drury: "Mr. Speaker, I'd like to apologize to the Chair and to the Members of this House, to the extent that my remarks were taken as being a personal attack. It wasn't the intent. This certainly was a very heated issue and we speak passionately. I think, you know, the Sponsor had a good Bill, but certainly you don't want that to get in the way of the important work that we have to do. I have the utmost respect for this chamber and just want everyone to know that."

Speaker Riley: "Thank you, Representative. Next Bill for your consideration is House Bill 374. House Bill 374, Representative Mautino. Mr. Clerk, read the Bill."

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

42nd Legislative Day

4/17/2013

Clerk Hollman: "House Bill 374, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Riley: "Out of the record. House Bill 1571. 1571, Representative Lang. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 1571, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Riley: "Leader Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill simply allows insurance companies to purchase bonds issued by foreign countries. There's provisions in here from the Department of Insurance so that we make sure that they're qualified bonds under various circumstances. I know of no opposition to this Bill and I would ask your support."

Speaker Riley: "The Chair recognizes Representative Will Davis."

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

Speaker Riley: "He indicates he will."

Davis, W.: "Representative, in your description you said that this will allow insurance companies to purchase bonds from foreign countries, correct?"

Lang: "That's correct, Sir?"

Davis, W.: "Is there any provisions in there that would prevent them from buying bonds from companies like... countries like North Korea, any of those countries that we are having challenges with?"

Lang: "As far as we can tell, the only two countries that would qualify the way the Bill is written is Israel and Canada."

Davis, W.: "Fair enough. Thank you very much."

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

42nd Legislative Day

4/17/2013

Speaker Riley: "There being no further debate, Representative Lang to close."

Lang: "Please vote 'aye'."

Speaker Riley: "The question is, 'Shall House Bill 1571 pass?' All those in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Vote your switches. Hammond, Unes. Mr. Clerk, take the record. On this question, with 118 voting 'yea', 0 voting 'nay', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 827. House Bill 827, Representative Moylan. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 827, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Riley: "Representative Moylan."

Moylan: "Yes, Sir. Thank you, Mr. Leader. This Amendment... this Bill states that it's the witness statement issue that a victim has a right to have a witness statement issued into the record. And I ask for an 'aye' vote. This... this was agreed upon with the state's attorneys, the Illinois Attorney General's Office and Cook County State's Attorney."

Speaker Riley: "The Chair recognizes Representative Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Riley: "He indicates he will."

Reboletti: "Representative Moylan, I asked you some questions about this Bill in Judiciary and I'm trying to figure out why this is necessary."

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

42nd Legislative Day

4/17/2013

Moylan: "Because it was on there... it's under our impression that the victim has a right to have... family members issue their statements before sentencing."

Reboletti: "But the victims already have a right to issue statements. It's already codified. So, what is this changing... what is this doing differently?"

Moylan: "Well, this... this makes sure that the prosecutor notifies the victim that they have the right to have people that were impacted, the family members that were impacted by the crime, issue statements how the crime affected them in the pre... presentencing issue."

Reboletti: "Does this apply to misdemeanors and felonies? Because there's not presentence reports usually in misdemeanors."

Moylan: "No. It's... under my impression it's violent crimes."

Reboletti: "There are violent crimes under misdemeanor cases such as criminal sexual abuse, domestic battery, battery, aggravated assault. Does this apply to that?"

Moylan: "I'm not sure. But when we were in committee, that wasn't bro... brought up, Mr. Representative."

Reboletti: "And you say this... it's the state's attorney's obligation to inform the victim. When is that notice supposed to be given? As soon as the case is filed? At a pretrial? Is it a continuing obligation? Is it... What is... when are they supposed to notify the victim?"

Moylan: "This would be in the sentencing proce... part."

Reboletti: "So, prior to sentencing they're supposed... they're supposed to notify them?"

Moylan: "Yes, Sir."

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

42nd Legislative Day

4/17/2013

Reboletti: "Are they supposed to notify them verbally, through a letter?"

Moylan: "No. The victim... and we took it out of the state's attorney's hands. It was agreed with them that the victim would notify other family members."

Reboletti: "So, if the victim is a 6-year-old child, does the child then have to notify the parents, the grandparents about the case, if they want... if they want to file some type of victim's statement?"

Moylan: "No. The 6-year-old... 6-year-old victim would not be required to. It would then fall upon another family member."

Reboletti: "Does your Bill say that?"

Moylan: "That is my understanding that it would be understood."

Reboletti: "Wh... What's the cut off age then for when... when a child or... we have this conversation here almost every day now about what... who qualifies as a child and what they understand. What age would... would the person have to then notify other people about their potential opportunity to be heard by a victim impact statement?"

Moylan: "There's not an age set in there."

Reboletti: "And that's one of my concerns, Representative, that if it's a 15-year-old victim are we going to require the 15-year-old victim to notify the family members? So, your Bill is silent as to that."

Moylan: "Correct. Here, my Bill is silent because we feel that a victim, especially in the presentencing, their family has a right to say how the crime impacted them. And I think it's important and I kind of, when we talked about this in

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

42nd Legislative Day

4/17/2013

committee, you know, I was open to other Members on the committee's importance and being part of the Bill. So..."

Reboletti: "It also talks about the victim impact statements have to made part of the presentence report. Who is supposed to collect those, the probation officers?"

Moylan: "No, that's not stated, but they don't have to be, they can be."

Reboletti: "Because... as I'm reading our analysis it says that in felony cases the presentence report shall set forth information provided by the victim's spouse, guardian, parent, grandparent, and other immediate family and household members about the effect of the offense that they... was committed and those folks can provide information. Who's obligation is it to inform those individuals that they have the right to put a victim impact statement into the presentence investigation?"

Moylan: "The victim."

Reboletti: "The victim?"

Moylan: "Yes, Sir?"

Reboletti: "Representative, I... I don't know if I can support your legislation the way it stands. I don't know how the notice factor is going to be dealt with. What age is the cut off before the State's Attorney's Office would make notice versus a child making notice and what would the ramifications be? So, if a 17-year-old is a victim and they... they tell their parent... they don't tell their parents and there's a sentence, what... what can the parents come back and do because they didn't have an opportunity to be heard? What is the penalty then?"

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

42nd Legislative Day

4/17/2013

Moylan: "I don't... I'm not sure..."

Reboletti: "What's the recourse?"

Moylan: "Well, I'm not sure that there is... There's no penalty, Sir."

Reboletti: "And so there's no... and in effect then this really has no teeth, so there's no... nobody being held to any standard. And that's why when you take it out of the state's attorney's hands and you put into the victim's hands, I... I think it... you're asking for trouble and I think that actually they'll be less opportunities for victims to be heard than more opportunities. So, I'd rather not stand in... in opposition to your Bill 'cause I've dealt with victims of all types of crimes for many years and want everyone to have an opportunity to be heard, but I don't know if this... this gets us there, Representative."

Moylan: "Thank you for your concerns, Mr. Representative."

Speaker Riley: "There being no further questions, Representative Moylan to close."

Moylan: "Yes. I would request an 'aye' vote. Thank you."

Speaker Riley: "So, the question is, 'Shall House Bill 827 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record your switches, Members. Mr. Clerk, take the record. On this question, on a vote of 102 voting 'yea', 15 voting 'nay', 1 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2843, Representative David Harris. Mr. Clerk, read the Bill."

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

42nd Legislative Day

4/17/2013

Clerk Hollman: "House Bill 2843, a Bill for an Act concerning support. Third Reading of this House Bill."

Speaker Riley: "Representative Harris."

Harris, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is legislation we've worked on for a couple years and we have agreement from both the racetracks and the casinos. It allows for child support... delinquent child support to be withheld from gambling winnings at racetracks and at casinos. I'd be happy to answer any questions you might have."

Speaker Riley: "There being no further debate... there being no debate, the question is, 'Shall House Bill 2843 pass?' All those in favor state by saying 'aye'; all those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, with 118 voting... 118 voting 'aye', 0 voting 'nay', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3111, Representative McAsey. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 3111, a Bill for an Act concerning legal assistance. Third Reading of this House Bill."

Speaker Riley: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. House Bill 3111 is the initiative of the Illinois Supreme Court, Chief Justice Kilbride, as well as the Illinois Access to Justice Commission. Essentially, what the Bill is doing is setting up some pilot programs with regard to access to justice. So, specifically, a pilot program that will

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

42nd Legislative Day

4/17/2013

provide military personnel and veterans with access to a free legal assistance hotline, a program to provide court-based legal assistance within one Circuit Court within each of the appellate districts, to set up, as well, the Access to Justice Fund with a \$10 filing fee on civil actions to support these pilots. And that repeals... it sunsets after five years. A Statutory Court Fee Task Force so to look globally at all of the different filing fees which are... create a barrier with regard to access to justice. Additionally, it creates for self-help legal centers and legal assistance programs in the law libraries in our county courthouses and a court-sponsored pro bono program. I ask for the support of the Body and am willing to answer any questions."

Speaker Riley: "The Chair recognizes Leader Bost."

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

Speaker Riley: "She indicates she will."

Bost: "What do we estimate the total revenues to be from the from the \$10 fee?"

McAsey: "I can't speak to the total revenue because it is dependent upon the number of civil court filings statewide, so..."

Bost: "The current concern I have is, is the overall cost in comparison to what we're generating in the fees to offset, you know, if we're running a hotline and I don't... you know, we don't know either how many veterans will be calling it."

McAsey: "Right. And that's exactly why we have proposed this filing fee. It's actually based on filing fees that were purposed in other states of a similar nature to... to

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

42nd Legislative Day

4/17/2013

basically impact similar initiatives. We do have, as part of this Bill, the task force to look at all of the statutory filing fees. I believe that this fee would be one of those fees that would be reviewed; certainly, that's my intention. And the way that we've drafted the legislation, that fee is set to sunset in five years. So, you know, this is something where there would be an ongoing review of whether we have the revenues to support all the initiatives that we're trying to or, you know, whether we have too much revenue and need to, you know, scale this back."

Bost: "Okay. Thank you."

McAsey: "Thank you."

Speaker Riley: "The Chair recognizes Representative Reboletti."

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

Speaker Riley: "She indicates she will."

Reboletti: "Representative McAsey, our analysis indicates that this \$10 filing fee goes to legal assistance programs. For instance, in Will County, what... where would the money go? Where would you anticipate the money going?"

McAsey: "So, specifically, this fee is intended to support the programs that would be created, the pilot programs within this Bill. So, the hotline for veterans that would be available statewide for veterans and active military personnel, as well as for the pilot that the Supreme Court intends to create one in each of the appellate districts, their intention is to look to... to make sure that we have these pro bono services and in terms of the pilot, as well, that we're working to... to reach a cross section of

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

42nd Legislative Day

4/17/2013

different parts of our state so, urban areas, more suburban areas, rural areas."

Reboletti: "And not that I'm... I'm not opposing the legislation. I'm wondering why wouldn't you direct some of that fee, if not all of it, like to the Will County Bar Association. I know you and I know many members there that already donate time. Why wouldn't we give them some resources to go ahead and continue the work that they do?"

McAsey: "Well, one of the other parts of the program is a court-sponsored pro bono program or part of the legislative proposal, so this would be to create really free civil legal services by an organized panel of pro bono attorneys for indigent persons. And so, I don't think that the... like for example, the Illinois... or the Will County Bar Association would be precluded from perhaps being one of the organizations that could be supported or could be active in the program and then also be supported through the filing fee."

Reboletti: "Okay. They wouldn't be necessarily excluded by your legislation?"

McAsey: "No, they would not necessarily be excluded by the legislation."

Reboletti: "And who would be in charge of setting up this veterans' legal assistance hotline? Who would man that? Where would that be based out of?"

McAsey: "The Supreme Court will be working to... to implement all of the policies within the legislation."

Reboletti: "Do we know at what cost that may be just for setup purposes?"

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

42nd Legislative Day

4/17/2013

McAsey: "We... that's why we have the filing fee, is that we anticipate that having this filing fee we'll be able to address those cost, but you know, that being said, we will, you know, continue to monitor."

Reboletti: "Do you have any idea, Representative, how..."

McAsey: "And there's... there's the Supreme Court doesn't intend to an... to seek any additional funds other than the filing fee to support all of these programs."

Reboletti: "Okay. And then, do you have any idea what this \$10 filing fee will raise statewide for this program? Do you have any generic numbers: 100 thousand, 500 thousand, 2 million?"

McAsey: "It's just difficult to say, because of, you know, not being able to predict the future with regard to how many civil actions may be filed statewide. I mean, we could probably go and look at historic data about the number of filings, but I don't have that figure in front of me right now."

Reboletti: "Representative, also I have a question with respect to filing motions like to vacate traffic convictions. Would that be added? It used to take a 35 or 40 dollar fee. It's not really criminal; it's like a pseudo criminal cases and also qualify them or would that be only like for a civil lawsuits?"

McAsey: "I believe that this is just... Our intention is that this just for civil lawsuits"

Reboletti: "And for what..."

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

42nd Legislative Day

4/17/2013

McAsey: "So, yeah, a motion to vacate I don't think would be filed in the civil court, so it wouldn't apply. It would be filed in the criminal court."

Reboletti: "And who... who would be eligible? You use the term eligible client there. What... how would show need... that you needed assistance? What would the... how would you see what the qualifier would be? Is it like an asset..."

McAsey: "Well, Sir."

Reboletti: "...an affidavit... you know, liability, you know."

McAsey: "Right. So, first..."

Reboletti: "We have assets and liabilities."

McAsey: "First, you know, with regard to the hotline. So, this would be a state line hotline for any veterans or active military personnel. So, you know, that would be the qualification. With regard to other qualifications for indigent persons or persons who would qualify, that would be established by the Supreme Court through rule, but it would be based on an asset means test."

Reboletti: "Thank you, Representative."

McAsey: "Thank you."

Speaker Riley: "The Chair recognizes Representative Ives."

Ives: "Will the Sponsor yield?"

Speaker Riley: "She indicates she will."

Ives: "I listened to this Bill in committee and I did vote in favor of getting it out; however, I still do have some concerns. And I just was wondering if you would consider linking the pilot program with the pilot fee. So, wherever the pilot programs going to... wherever the county is that

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

42nd Legislative Day

4/17/2013

the pilot program is instituted in that the fees are only collected then also in that county."

McAsey: "I think that the concern with doing that and certainly I'm willing to continue the conversation with the Supreme Court, although I would like to pass the Bill out of this chamber today, I think the concern is that really a concern that's been raised by some Members on the floor today with regard specifically to being able to establish and operate the hotline for veterans and military personnel. You know, we do anticipate that that would be quite costly and I don't know that if we were to put that sort of limitation that we would really be able to achieve all of the goals of the Access to Justice Commission."

Ives: "I... I do have a concern here also though that we're just... we're starting another program. We keep voting in more programs, and I will be honest with you, we have a complete veterans' assistance program. We have it at the state level, we have them at the county level and many times they duplicate themselves. We have townships that do specific things and it's for our veterans. And I just think that this hotline could already be incorporated in the current veterans' services programs that we do and that we don't need to come up with an entirely new program. I'd also be interested in seeing if you would just start the pilot program with agencies that currently use or do pro bono work in this area, just so we're not creating an entirely new system organization to handle this and then do the fees on a pilot basis, if this is going to be a pilot program."

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

42nd Legislative Day

4/17/2013

McAsey: "And.. so, just to respond to your points. First, yes, we do have a lot of different organizations that provide services particularly for veterans. We do not have these sorts of services available statewide for veterans or active military personnel. The other piece, with regard to in using existing legal aid centers, that that's something that.. that I think is anticipated is that, you know, existing like Prairie State Legal, for example, or another Representative mentioned the pro bono work that a bar association does."

Ives: "Mmm mmm."

McAsey: "The intention is to build in those existing organizations, but right now they are not and don't really have the capability to offer the sorts of.. of services in civil actions that really are a barrier, an access to justice issue. This came from the recommendations of the Access to Justice Commission working alongside the Supreme Court. Really a group that very thoughtfully has considered the lay of the land, what we have right now, and working to improve access to justice. So, I appreciate your comments and certainly will continue to pass them along."

Ives: "Okay. To the Bill. I just do concern.. am concerned that we're starting another program for which we may have programs out there that already could take this on and that were adding another fee to court fees that are already very high in many cases. So, I'm not inclined to vote for it this time. I would wish that we could work with it more in.. in the existing structures that we have and do that on a

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

42nd Legislative Day

4/17/2013

pilot basis only rather than starting a whole new system.
Thank you."

Speaker Riley: "Representative McAsey to close."

McAsey: "Thank you so much. I appreciate the thoughtful consideration of the Body and ask for your 'aye' vote so that we can improve access to justice statewide for our military families as well as low-income families."

Speaker Riley: "The question is, 'Shall House Bill 3111 pass?' All those in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves. Franks, Sullivan. Mr. Clerk, take the record. On this question, with 72 voting 'yea', 45 voting 'nay', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1344, Representative Schmitz. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 1344, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Riley: "Representative Schmitz."

Schmitz: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 1344 is a Bill that deals with individuals going through the architectural program to become licensed architects in Illinois. Right now, they've got to... to be in the program they have to have their bachelor's degree and completed all the necessary training hours, but then after that, they have to complete seven tests. It's almost like a CPA battery. The company that does the tests is actually going to go down for a little while over the summer, so it's not going to give the

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

42nd Legislative Day

4/17/2013

individuals the chance to take the test in this time frame allowed for by law. So, this Bill simply adds the time for extends it to July... I'm sorry... January 1 of 2016. I'd be happy to answer any questions."

Speaker Riley: "There being no debate, the question is, 'Shall House Bill 1344 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Hatcher, Turner. Mr. Clerk, take the record. On this question, with 118 voting... voting 'yea', 0 voting 'nay', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 595, Representative Nekritz. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 595, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Riley: "Leader Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 595 is a rewrite of the condominium manager licensing legislation that we passed a couple of years ago. The department had some difficulties in that... moving ahead with the rules on that particular legislation, so we've redrafted it. We've created a two-tier system where there's a basic manager license and then if you're a condo manager company and you have someone within that company who's managing all the money for... in the accounts for that licensing, you would need to get a... a supervisory license. It's very similar to what happens in the real estate broker's licenses as well. There are some concerns by the realtors with regard to

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

42nd Legislative Day

4/17/2013

this. I'm... and so... but I believe we are going to be able to work through those as the legislation moves through the process."

Speaker Riley: "The Chair recognizes Representative Reboletti."

Reboletti: "Thank you, Speaker. Will the Leader yield?"

Speaker Riley: "She will."

Reboletti: "Leader Nekritz, I... I heard you say that the realtors were opposed, but I don't... I didn't know if you gave an explanation or I didn't hear of the explanation. What's... what in particular did they have opposition to?"

Nekritz: "It has to do with the supervisory manager licensing and what the additional training requirements are for that and whether someone that already has a supervisory broker's license should have to take an additional 10 hours of licensing in order to be the supervisory condo manager. I think it's the kind of thing that we can work through and... and I've certainly had that discussion with the realtors."

Reboletti: "And would you anticipate... do you know who the Senate Sponsor will be? Are they amenable to an Amendment to take care of that opposition?"

Nekritz: "That's... that's my understanding, yes."

Reboletti: "Okay. Thank you, Representative."

Nekritz: "Thank you."

Speaker Riley: "Leader Nekritz to close."

Nekritz: "I ask for your 'aye' vote."

Speaker Riley: "The question is, 'Shall House Bill 595 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record

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

42nd Legislative Day

4/17/2013

yourselves, Members. Mr. Clerk, take the record. On this question, with 81 voting 'aye', 35 voting 'nay', 1 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1816. House Bill 1816, Representative Reboletti. Mr. Clerk, read the Bill. Representative, is there an Amendment on this Bill?"

Reboletti: "There was a Floor Amendment that we addressed in committee. I don't know if that's been adopted... I think it might have already been adopted or no? If we could move it back to Second then to adopt the Amendment."

Speaker Riley: "Mr. Clerk, remand this Bill back to Second Reading, for purposes of an Amendment."

Clerk Hollman: "House Bill 8..."

Speaker Riley: "Read the Bill on Second Reading."

Clerk Hollman: "House Bill 1816, a Bill for an Act concerning transportation. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Reboletti, has been approved for consideration."

Speaker Riley: "Representative Reboletti on Floor Amendment #1."

Reboletti: "Thank you, Mr. Speaker. I'll explain the Amendment now and then answer any questions. What this does is it changes the way that we address the offense of reckless driving and I know that many Members here are trying to deal with the issue of negligent driving over the years, where we have situations where a number of petty offenses may be charged, but you end up with somebody who's either been killed or greatly injured. So, this seeks to address

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

42nd Legislative Day

4/17/2013

it by looking at petty offenses at putting them together using three or more to determine if... if a trier of fact can infer recklessness. I... I'll take any questions."

Speaker Riley: "There being no questions, Representative Reboletti moves that Floor Amendment #1 do... be adopted. All those in favor state by saying 'aye'; opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to House Bill 1816 is hereby adopted. Mr. Clerk."

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

Speaker Riley: "Third Reading. House Bill 3229. House Bill 3229, Representative Nekritz. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 3229, a Bill for an Act concerning..."

Speaker Riley: "Out of the record. House Bill 2762, Representative Scherer. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 2762, a Bill for an Act regarding education. Third Reading of this House Bill."

Speaker Riley: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker, Ladies and Gentlemen. Today I'm presenting House Bill 2762 regarding compulsory school age. This Bill would require students who turn 7 during the upcoming school year to start school at the beginning of that school year. I ask for an 'aye' vote."

Speaker Riley: "The Chair recognizes Representative Reboletti."

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

Speaker Riley: "She indicates she will."

Reboletti: "Representative, I see that you've adopted a few Amendments and I want to make sure that the Body is clear as to what the status of your legislation is right now."

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

42nd Legislative Day

4/17/2013

Does Floor Amendment #2 remove any of the opposition from the Illinois Family Institute, the Illinois Christian Home Educators or the Statewide School Management Alliance?"

Scherer: "I talked to the Illinois Family Institute yesterday. They said that they felt much better about this than the way it was before it had the Amendment. They had some slight reservation, but more or less they were good with it, because homeschoolers do not have a, per se, calendar to follow."

Reboletti: "What additional cost would this be to each of the districts, as well as from the State... General State Aid formula?"

Scherer: "We did a fiscal note on it and they were unable to come up with an exact dollar amount because we're trying to find kids that there's just no way to go and figure out exactly who all would be involved."

Reboletti: "So, does that... if this Bill were to pass, that would mean that upon turning the age of 6 you would have to start Kindergarten instead of age 7 or first grade?"

Scherer: "No, it really doesn't address a grade at all. It addresses an age. So, this Bill specifically would say that if a child turns 7 during a school term, they would start that school term. So, for example, if you turned 7 in November you would have to start school when you were 6 back in September. It doesn't delineate what grade it would be."

Reboletti: "Because my son was born in November and since he missed the September 1 cutoff date, he started school later so he's a lot older than most of his schoolmates. So,

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

42nd Legislative Day

4/17/2013

you're saying that since he would turn 7 after that date, he would... he would have to go immediately or he would go next year? That's what I'm trying to figure out."

Scherer: "I appreciate your question 'cause a lot of people have that same question and specifically, I'm going to guess that your child probably went in at the regular time, which just for peoples' knowledge: 5 is Kindergarten, 6 is first grade, 7 is second grade, 8 is third grade. This doesn't affect down in Kindergarten at all. I mean, the law just isn't very well written right now and that's why we've tweaked it. This would not have affected your son in the least bit, if he still went to Kindergarten and first grade."

Reboletti: "And so, if you could explain to everyone what has been happening and what is the issue then? Are children not going to school for a certain period of time and then they're coming to first grade basically ill prepared to... to be at the same level as the other students. Is that... is that what's happening?"

Scherer: "Exactly. Having taught for many years, I've seen a lot of situations where children had perhaps a learning problem and the longer it takes to get them in school, the longer it is before we can help whether it be a speech problem, a language problem, a reading problem, a decoding of reading, math, what have you. Also, windows of opportunity with learning, you know, I taught a brain-based learning class. I know that there are windows of education that close at certain times and if they're just not there,

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

42nd Legislative Day

4/17/2013

those windows close never to be opened and we've just lost so many academic opportunities."

Reboletti: "Is this... does this also in response to truancy rates?"

Scherer: "More or less. Yes, because involving truancy we have a great deal of truancy in like kindergarteners and first graders, the younger children for a totally different reason. Most people think of truancy when they think of like 17 year olds, but really we have a lot of truancy problems with younger children and that's more so they want to stay home with mom, or you know, mom's not ready for them to go to school that day or what have you."

Reboletti: "How many students do you perceive this would apply to if this became law and the Governor signs it starting the next year? How many students would this impact, do you believe?"

Scherer: "Well, again, you know, we've tried to put a call on that and it's just impossible to say, because there's just no way of knowing until we actually do it, but ISBE is good with this and they felt that it would be very minimal."

Reboletti: "Where are IFT and IEA on this? Are they supportive?"

Scherer: "IEA is in supportive. IFT, Stand for Children, Ounce of Prevention, Chicago Public Schools, Chicago Teacher's Union and it's unusual because a lot of those groups don't always agree with each other, but on this they do."

Reboletti: "Tha... that is true. Is there... is there also a concern about additional costs for those students that will qualify for the free lunch program or free breakfast? Is

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

42nd Legislative Day

4/17/2013

there... is that a concern also, because these students will be entering early so it'll be an additional need for financial resources? Is... is that also contemplated in this? I's an additional cost."

Scherer: "ISBE did not mention that."

Reboletti: "Thank you, Representative."

Scherer: "You're welcome."

Speaker Riley: "The Chair recognizes Representative Pihos."

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

Speaker Riley: "She indicates she will."

Pihos: "Okay. We had a great deal of discussion about this in committee. Representative Scherer was very passionate about this Bill. She worked very hard to bring everybody on board. There are a few things I would like to clarify. First of all, her Bill gives better clarification to when a child actually starts school than the interpretation in the law right now. She has, however, agreed because it says during the school year and we know that everybody's school year can be different. Chicago's school year is different than suburban school years; downstate school years can be different. So, we need an exact date clarification. So, she has agreed that in the Senate she will have the Sponsor amend it to, if you turn 7 by May 15 during that school year if you would have turned 7, then you will start school at the beginning of this year. This Bill does not apply to homeschoolers. It does not apply... apply to private education. This applies only to public school. It doesn't actually address... originally, when the Sponsor started out, she was addressing truancy because she thought if a 5-year-

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

42nd Legislative Day

4/17/2013

old enrolled in school and the truancy officer knocked on the door you could say to the truancy officer but they didn't have to start until they were 7 so they're not really truant. The truth is, once you enroll your child in school they are enrolled in school and they are truant, so that will clarify that part of the law as well. I think it's a good Bill. I'm going to support it with the Sponsor's verbal commitment on the floor that she will have May 15 amended on to that Bill in the Senate."

Scherer: "Yes, I agreed with the Representative that on May 15 we'll... I mean, not on May 15, but when it goes to the Senate we will put that exact language in to be very clear and specific. And I appreciate your support, Representative, and all of your help as well as many people on both sides of the aisle. You're doing a great service for public education in Illinois today."

Speaker Riley: "The Chair recognizes Leader Bost."

Bost: "Thank you, Mr. Speaker. To the Bill and with all due respect to the Sponsor, just very quickly, there are those of us who believe that a parent's responsibility is just that a parent's responsibility, and at this time of the child's life a parent can make a very wise decision based upon what they know is the maturity level of the child and where they felt... feel the child would be best and what time the child would be best to enter in school. To roll that back is once again forcing the situation, where we, the state, feel that we're better than the parents themselves and that's why, probably, many of us will be voting 'no' on this issue."

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

42nd Legislative Day

4/17/2013

Speaker Riley: "The Chair recognizes Representative Fortner."

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

Speaker Riley: "She indicates she will."

Fortner: "And I want to thank the Representative for working on these Amendments. Under the current State Law, what the... what the current Act says is that there's anyone who's between the ages of 7 and 17 is required to be in school. Is that correct?"

Scherer: "Yes."

Fortner: "And if you read that in the narrowest fashion, a child who has a birthday that lands in the middle of the school year, the law is simply unclear as to what should happen for the months until that child's birthday. Again, that's one way you could read the Act, right? The current... the current law?"

Scherer: "Yes, that's what... part of what we're trying to clear up."

Fortner: "Exactly. And the... most people, if their child was turning 7 during the school year, they would take the steps to have that child registered to be present for the entire school year. The way the Act has been, I think, flies against what is all of our common practice. We wouldn't normally suddenly bring our child in, in the middle of the school year to participate. What we would do is, we would register our child to begin at the beginning of the school year. In the beginning of the school year where they would reach the requisite age, which in this case the compulsory age is 7. This doesn't change with this Amendment that compulsory age at all. What this Bill does is it simply

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

42nd Legislative Day

4/17/2013

codifies what I think parents expect as practice and certainly what the teachers who are trying to manage the classrooms, would hope for, for their students, which is that a student would participate in the entire school year. They would not arrive mid-year simply because their seventh birthday happened to arrive in the middle of the year. And all the Amendment does is, as I see it, clarifies that if the birthday is in the middle of the school year, when they turn 7 they would simply start back in August or September, depending on when the start date for that school is, which is exactly what a parent with a 7-year-old who wanted to have them start that year, in all likelihood would do. So, I don't think this changes the expectation of any of the parents in that regard. It simply clarifies what I think was a vague law that had the possibility of creating confusion and potentially, in some cases, having a child start mid-year when that would be neither the expectation of the parents or the teachers. And I want to thank the Sponsor for the work on the Amendment. I'm going to be voting 'yes'."

Speaker Riley: "The Chair recognizes Representative Ford."

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

Speaker Riley: "She indicates she will."

Ford: "Thank you, Representative, for sponsoring this. Studies show that students starting early in school always perform better later and it also shows that students that start early truancy is reduced because good habits are formed. So, this is a good piece of legislation. But I just have

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

42nd Legislative Day

4/17/2013

one question about... is it mandatory with your Bill that every child 6 years old should report to school by law?"

Scherer: "Actually, Representative, that's what I started out at, but I realized that this Bill would pass and it was so important that I felt that it was better to compromise than to take nothing, so I compromised."

Ford: "So, I'm just... the only question that I have it just says for public schools. What happens if a parent is not participating in a public school and they send their child to a private school, a catholic school, or some other school? Are they bound by this law?"

Scherer: "Catholic school... well, not just Catholic, but parochial, homeschool and that kind of thing, they don't have to follow a public school calendar. So, that's where this... this law doesn't particularly affect them, it's just that when children are 7, you know, they have to be in school in that school term. So, it's a little different for a parochial school because they don't follow a typical public school calendar."

Ford: "But every child, if this should pass, will have to, whether they go to a public school or a private school, be in school at the new age?"

Scherer: "The age is 7, which is what the age was before..."

Ford: "It's just mandatory."

Scherer: "...and perhaps, when I talked to you it was 6..."

Ford: "Right, right."

Schmitz: "...but you know, we've had to an Amendment on it. So, they would have to be in when they're 7. Now in a public school you have to be in at the start of that school year,

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

42nd Legislative Day

4/17/2013

but you know, like homeschoolers they just make up their own calendar so."

Ford: "Well, I congratulate you on this and to the Bill. I urge a favorable vote for the Representative. It's good for Illinois and if it's good for Illinois, I think it will move Illinois forward and this is what we need to do. We all campaign to improve the quality of life for everyone and we all come here to make a difference and this Bill surely makes a difference for all our families and the people of Illinois. So, I urge a 'yes' vote."

Speaker Riley: "Representative Scherer to close."

Scherer: "Thank you, again, Mr. Speaker. In closing, I will just reiterate there's been a great deal of compromise on both sides of the aisle to get this to pass. I appreciate that everyone realizes the importance of public schools in Illinois. And I most certainly would appreciate an 'aye' vote as would all of our citizens. Thank you."

Speaker Riley: "The question is, 'Shall House Bill 2762 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Phelps, Tryon, David Harris. Mr. Clerk, take the record. On this question, with 82 voting 'yea', 36 voting 'nay', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1694, Representative Wheeler. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 1694, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Riley: "Representative Wheeler."

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

42nd Legislative Day

4/17/2013

Wheeler: "Thank you, Mr. Speaker and thank you, Ladies and Gentlemen. House Bill 1694 is a Bill that allows McHenry County to seek quick-take authority for the Johnsburg Road project. The Johnsburg Road is a two-lane, excuse me, a two-lane rural and urban road. The urban road of the project extends through downtown Johnsburg. The purpose of this project is to provide an improved intersection, to ease congestion and improve safety. I urge a..."

Speaker Riley: "There being no further debate, the question is, 'Shall House Bill 1694 pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. Sims, Jakobsson. Mr. Clerk, take the record. On this question, with 77 voting 'yea', 40 voting 'nay', 1 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3260, Representative Scherer. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 3260, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Riley: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker, and Ladies and Gentlemen. Today, I'm presenting House Bill 3260. In November of 2011, the Auditor General released a performance audit of the state fleet, in which they found that state cars that are driven less than 7 thousand miles per year are costing taxpayers more than the cost of reimbursing employees for their mileage. The goal of this Bill is to take a first

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

42nd Legislative Day

4/17/2013

step toward acting on these findings by selling vehicles found in the audit. I ask for an 'aye' vote."

Speaker Riley: "There being no debate, the question is, 'Shall House Bill 3260 pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 118 voting 'yea', 0 voting 'nay', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2455. House Bill 2455, Representative Fortner. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 2455, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Riley: "Out of the record. House Bill 1652. House Bill 1652, Representative Brown. Mr. Clerk, read the Bill."

Clerk Hollman: "House Bill 1652, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Riley: "Representative Brown."

Brown: "Thank you, Mr. Speaker. House Bill 1652 amends the Criminal Code to protect hunters and fishermen from being monitored by unmanned aerial vehicles. I'm happy to take any questions."

Speaker Riley: "The Chair recognizes Representative Jones."

Jones: "I'm sorry, Mr. Speaker. I was just concerned about the previous Bill that was taken out of the record. I thought it was a good piece of legislation. So, that's why I rise."

Speaker Riley: "It's the prerogative of the Member to take the Bill out of the record. The Chair recognizes Representative Reboletti."

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

42nd Legislative Day

4/17/2013

Reboletti: "Will the Sponsor yield?"

Speaker Riley: "He indicates he will."

Reboletti: "Representative, I'm not aware... are there drones flying over the State of Illinois monitoring hunters and fishermen?"

Brown: "Actually, this Bill was brought to my attention via an article from U.S. News, which indicates that a drone was used in Pennsylvania to monitor the activities of a hunter. The hunter identified the drone as using a camera to take his image. He shot down the drone and of course it became national news at that point."

Reboletti: "What issue... Do you know what he shot the drone... drone with? Was it a shotgun or pistol?"

Brown: "I believe it was a shotgun. This drone was actually being activated by a group called Showing Animals Respect & Kindness. Another animal rights group by the name of PETA has indicated that they'd like to use drones for similar activity as well."

Reboletti: "What about law enforcement using it? What is there's poaching and they want to be able to try to investigate that. They couldn't use a drone. Is that what you're saying?"

Brown: "No. This Bill is only applicable to private citizens using drones to monitor the activity of other hunters and fishermen in this case. So, it exempts law enforcement."

Reboletti: "Thank you."

Brown: "Thank you."

Speaker Riley: "The Chair recognizes Representative Franks."

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

42nd Legislative Day

4/17/2013

Franks: "Thank you, Mr. Speaker. The previous Representative answered... I had the same question, so thank you. I don't need to speak."

Speaker Riley: "The Chair recognizes Representative Moffitt."

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

Speaker Riley: "He indicates he will."

Moffitt: "Representative, the drones that you're talking about here, could you tell us estimated costs of the drone that would be used like this to spy on private citizens on their own private property or private property they have permission to be on? What's the cost of those drones?"

Brown: "Typically, these are remote-controlled aircraft. To equip them with cameras or other devices that would monitor the activity of hunters and fishermen, the estimated cost would be about \$10 thousand."

Moffitt: "And in another state were some of these shot down?"

Brown: "That's correct, in Pennsylvania."

Moffitt: "Has any thought ever been given to the... be appropriate to have a hunting season on spies in the skies on private citizens over private property doing legal activities?"

Brown: "I haven't introduced that Bill at this time, no."

Moffitt: "Let me know if you do."

Brown: "Thank you."

Moffitt: "Thank you for doing... for advancing this issue here."

Speaker Riley: "The Chair recognizes Representative Will Davis."

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

Speaker Riley: "He indicates he will."

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

42nd Legislative Day

4/17/2013

Davis, W.: "Representative, according to our analysis it says that you're creating, and correct me if I'm wrong, creating a penalty of a Class A misdemeanor for using a drone in a way that interferes with another person's lawful taking of wildlife or aquatic life. Is that correct?"

Brown: "That's incorrect. Actually, a first offense would be a Class B misdemeanor; a second offense would be a Class A misdemeanor."

Davis, W.: "So, it's my understanding, and I've heard this in debate on other hunting related issues, that I may be a landowner and I have a large parcel of land or acreage and I allow hunters to come on to my land to hunt. So, if I'm... if they're on my land, I cannot use this drone to monitor their activities while they're on my property?"

Brown: "So long as you have permission of the hunters to monitor their activity, it would not be an issue. If they are on your... on your land, I don't believe it would be an issue."

Davis, W.: "Well, no, no, no, no. Hold on, that's..."

Brown: "So this would be applicable to, you know, hunters either on public land or... typically, on public land. If you're on private land, of course, you can monitor activity on your own land."

Davis, W.: "Well... So, does the Bill explicitly state that? I mean, you can make inferences that it's in reference to being on public land, but is the language of the Bill..."

Brown: "That's the legislative intent of this Bill."

Davis, W.: "Well, obviously, I think this will pass, it shouldn't be a problem, but when it goes over to the

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

42nd Legislative Day

4/17/2013

Senate, would you be willing to... to kind of make that very clear..."

Brown: "Absolutely."

Davis, W.: "...in the language?"

Brown: "If that's necessary, I would make that revision."

Davis, W.: "Well, I mean, it may or may not be necessary and I appreciate you stating intent for the record, but to me that seems like a reasonable request that you specifically state that this applies to hunting on pri... on public land and excludes private landowners who allow hunting on their land. I think that would just make it extremely clear, that way you would alleviate any question."

Brown: "I agree. Thank you, Representative."

Davis, W.: "Thank you."

Speaker Riley: "The Chair recognizes Representative Williams."

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

Speaker Riley: "He indicates he will."

Williams: "In this Bill, you're creating a new cause of action new criminal... criminal penalty?"

Brown: "That's correct."

Williams: "Aren't some of the activities that you're addressing in your Bill already covered by, say, eavesdropping statutes or other statutes?"

Brown: "I believe this Bill codifies what... what you might interpret as already being in... in the law at this point."

Williams: "Okay. I think that's the issue here. I do share concern about the use of drones, and in fact, will be hopefully picking up a Bill coming over from the Senate to regulate the use of domestic drones for law enforcement,

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

42nd Legislative Day

4/17/2013

but of course, law enforcement is operating under a whole different set of... set of rules here. This reminds me, Ladies and Gentlemen, of a Bill that was presented last year that I think a lot of us had concerns about. And that was a Bill to ban the videotaping at certain animal processing centers. And I recall... I don't recall the results of that Bill, but that was a Bill that I heard from a lot of people in the district. I think this is very similar just because it uses drones and not cameras. The big issue there was it's already illegal to do and I think the Sponsor just indicated, it's already illegal to do a lot of things this Bill would do. I think there's no need to duplicate the efforts and again, think back to last year's discussion of videotaping in slaughterhouses and other facilities like that and that's something I wasn't prepared to support at that time. So, just asking you to keep that in mind as this moves forward."

Speaker Riley: "The Chair recognizes Representative David Harris."

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

Speaker Riley: "Sponsor yields."

Harris, D.: "Representative, just to double-check. Did you... what's the penalty for the violation here?"

Brown: "For the first offense it would be a Class B misdemeanor, second offense a Class A misdemeanor."

Harris, D.: "Okay. Are you sure about that? I've been reading the legislation. I see that it seems to me that the first offense and maybe I'm reading it wrong, but the first

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

42nd Legislative Day

4/17/2013

offense for violation automatically is a Class A misdemeanor."

Brown: "That's... that's not correct. If you take a look at Section B of your analysis under sentence, first offense is a Class B misdemeanor, second offense would be a Class A misdemeanor."

Harris, D.: "I'm just looking at the legislation. I don't have the analysis open. Okay. I'll double-check it. Thank you very much."

Brown: "Thank you."

Speaker Riley: "Representative Brown to close."

Brown: "I ask for an 'aye' vote. Thank you, Speaker."

Speaker Riley: "The question is, 'Shall House Bill 1652 pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, with 93 voting 'yea', 24 voting 'nay', 1 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Zalewski, for what reason do you rise?"

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

Speaker Riley: "State your point."

Zalewski: "I'd like to welcome... I have some constituents in the gallery Julia and Nicole Merano from the southwest side of Chicago. They... they made their trip down to Springfield. If we could just give them a warm welcome to the Illinois House of Representatives."

Speaker Riley: "Welcome to Springfield, enjoy the rest of your day. Representative Lang in the Chair."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Just in case any of my relatives are listening, they're not saying boo; they're saying Lou. Next Bill is House Bill 3133, Mr. Franks. Please read the Bill."

Clerk Hollman: "House Bill 3133, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker, and congratulations on your big day. This Bill was brought to me by the regional superintendent of schools in McHenry County to help with safety issues. It amends a Bill that we had passed last year unanimously, and what it does is it adds emergency service providers to those groups that the schools would have to give their detailed school safety plans to that they were not included. I'd be happy to answer any questions."

Speaker Lang: "Gentleman moves 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? Have all voted who wish? Please record yourselves. Mr. Mitchell, Reis. Mr. Reis. Please take the record. On this question, there are 112 voting 'yes', 5 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Reboletti."

Reboletti: "Mr. Speaker, I inadvertently voted 'no' on House Bill 1652. I'd like the record to reflect I'd like to be a 'yes' on the drone Bill."

Speaker Lang: "The record will reflect your intention, Sir."

Reboletti: "Thank..."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Next Bill, House Bill 197, Representative Mayfield. Please read the Bill. Out of the record. House Bill 2971, Mr. Smiddy. Out of the record. House Bill 2453, Mr. Riley. Please read the Bill."

Clerk Hollman: "House Bill 2453, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Riley."

Riley: "Thank you, Mr. Speaker, and Members of the House. House Bill 2453 essentially compels... it compels Metra to... to appear before the Mass Transit Committee of the House and the Senate Transportation Committee prior to the intro... introduction of their budget to the RTA. And essentially, they will do so in two situations: where they make a change to the metric known as the fare box recovery ratio or in the case that they have a fare increase. I think this is a good Bill and it adds to the transparency that we want in all public Bodies and it gives them an opportunity to speak before us giving more light to these very important functions that they want to do in terms of increasing fares. I'll entertain any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Leader, when would these hearings have to be held by? I assume that when there's an announcement there's going to be a fare hike by one of these agencies, they have to hold the hearing. What is their time frame to hold the

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

42nd Legislative Day

4/17/2013

hearing and then when would our time frame be for our Mass Transit Committees to meet?"

Riley: "Well, our time frame would be 20 days prior to the hearing that they have to have before the RTA. So, whenever that is. Whenever that comes around. There is a date certain that they introduce their budget to the RTA board and so if there were a fare increase or a change in a value of metric like the fare box recovery ratio, they would have to do it prior to that point."

Reboletti: "Is there a location that the hearing has to be held in... or are you anticipating the Thompson Center, probably, or it could be held anyway?"

Riley: "Well, it really could be held anywhere. Right now, statutorily, when there's a fare increase, they have to have a public hearing in every county that... that increase will affect. I'm sure that the... the date and the time and the place of our hearing would be something that would be accessible to... to everyone."

Reboletti: "And this would not require a hearing in every county affected; this could be one hearing just to discuss the entire fare increase?"

Riley: "One hearing to discuss the fare increase and as everyone knows or should know, it is not as though our hearings would prevent them from having the fare increase, but at least they would tell us what all the effects are, why are they having the increase, and so forth."

Reboletti: "Is the purpose to allow more public participation in the process? I know that those meetings usually aren't very well attended. Are you hoping that if people miss one

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

42nd Legislative Day

4/17/2013

of those meetings they may come to inform us of what their thoughts are on the increases?"

Riley: "That's exactly right, Representative Reboletti. The more people who know about, you know, what it is that these boards do the better and as you know, all of our Bills are important. But you know, our Bills and things we do down here are in the public record, and so this was just afford them more citizen participation and more transparency in terms of their policies."

Reboletti: "Thank you, Representative."

Riley: "You're welcome."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Sponsor yields."

Reis: "Representative, will there be a vote by the House of Representatives... or will this be a binding thing that they have to come before to get approval on?"

Riley: "Representative, just like I explained to Representative Reboletti, we will not vote as to the propriety of their fare increase. This is a subject matter hearing only type of... type of situation. So, they would just be explaining their Bill to us and all of the implications. We can't vote on whether they have a fare increase or not, but we can, since they come down to us and there is that statutory relationship that they have with the General Assembly, we just want to hear what it is that they do. But essentially both of these hearings would be in the same stead as a subject matter hearing."

Reis: "Would this affect taxicab fares as well?"

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

42nd Legislative Day

4/17/2013

Riley: "No, this Bill does not address that."

Reis: "What about sales tax increases for Cook County or the City of Chicago?"

Riley: "This Bill is very narrowly tailored, and only addresses the reason for a fare increase by Metra or a change in the fare box recovery ratio, that's all."

Reis: "And I think I knew the answer to that, but where do we... I sat here in this... my chair the last week and I said, where do we stop with this? Why do they need to come down here and ask for a fare increase? That's what the local RTA and the local constituents can take care of. If you're not going to do it for taxicabs, why do we do it for buses and trains? If we're not going to do it for a sales tax increase, why do we do it for this?"

Riley: "Well..."

Reis: "Let the people that are in charge of these boards do the things that they need to do. If we're not going to have a binding say in it anyway, why do they... do they need to come down here and take up the time of the General Assembly when we've got bigger things to do that we do have control over?"

Riley: "Excuse me, Representative Reis. With all due respect, they do have a responsibility to us, and again, I stated this is subject matter only. Now, they didn't have a problem back in 2009 when they wanted us to increase the tax going to the RTA for their ser... They didn't have a problem with that. And the relationship that we have with these service boards where we will call them before us for numerous reasons is a matter of record. So, it's not a

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

42nd Legislative Day

4/17/2013

question of... of you serving any ones responsibility or the boards responsibility, actually I'm trying to shed light on what those responsibilities were. Metra had a fare increase not too long ago. I know for a fact that a lot of those public meetings were not very well attended. Now I'm not going to go into whether I think that that service board wanted them to be... have apostasy of people at those hearings, but the fact of the matter is, there is a responsibility and certainly I won't... I don't think that a subject matter hearing, where they would explain what the impact... Now, we do represent the people so the impact on something as large as a fare increase, they would just explain what the implications were and what went into it."

Reis: "And you know, the fare increase was mandated from the deal we cut on the crisis that was going to hit a few years ago that if we were going to raise the local sales tax to help fund the problem that they had to, in turn, do fare increases to go along with that. Is that not right?"

Riley: "Well, that's not exactly right, because nowhere in that Bill do you see that there was a stipulation that they had to have periodic fare increases or fare increases at some date certain. Fare increases are the province of what the board and the staff and all those service boards feel that they need, and if they feel that they need it, that's fine, but because we have that responsibility with them I think they should come before us and explain, essentially, not necessarily to us, but we are the representatives of the people, explain to the people about the impact of those fare increases."

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

42nd Legislative Day

4/17/2013

Reis: "Thank you, Representative. To the Bill. We are the representatives of the people, but we also should work on the things that we have control over. And you know what, there needs to be fare increases, that's what got us into the problem three or four years ago was that they hadn't had fare increases. Fuel goes up, the cost of cars and equipment go up, tires, labor, insurance, all that stuff goes up and sometimes we think that, oh, my goodness, we can't have a fare increase. Well, those of us who drive cars have to absorb all those costs as well; it's just a part of transportation and getting to work. So, you know, I think we should not discourage the discussion of fare increases because they have to come down to Springfield and have it aired out down here. That's something they should discuss at home based on their needs. And I would encourage a 'no' vote."

Speaker Lang: "Mr. Tryon."

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

Speaker Lang: "Sponsor yields."

Tryon: "Representative Riley, I understand your concern about the cost of fares, I have that same concern. I think... I think every Member in the House would have that and you know, I've been on the Mass Transit Committee since I've been here. I was on the Regional Transportation Committee and we've had many hearings on fare increases and there isn't anything that prevents either the House Mass Transit Committee or the Senate Mass Transit Committee from holding a hearing on fares, if we choose to do that, we've already done that and we have hearings in the counties which I

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

42nd Legislative Day

4/17/2013

would like to have hearings in the counties that's what I think is the most important, where it's very accessible to my constituents and we require that. So, I... I think the law is just telling us to have a hearing when we can already do that and I don't know that we need a law to tell us to do that."

Riley: "Representative Tryon, there's... there's many issues where we codify an idea into law that one may have a question as... as to whether or not we do it. But I do think that in our last Mass Transit hearing, when we were talking about the implementation of the universal fare card, there was a lot of information that came to the forefront. I got a lot of calls. There was a lot of airplay in the press about the propriety of the CTA getting involved in the debit card business. Now, that would not have occurred had we not had a public hearing, and so I think public hearings are good, and again, I think something as important as a fare increase, anything we can do to add to the public discourse, anything we can do to add to citizen participation is a good thing and that's all this Bill is endeavoring to do."

Tryon: "I... I'm not in agreement... disagreement with having our transit agencies down. I think we should do more of that. I think we should have their annual report where we can talk about all those things. So, limiting it just to a fare increase, I mean, like I say, I think we already have that and that's kind of a one of my concerns. So, thank you. No further questions."

Riley: "Thank you."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Mr. Zalewski."

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

Speaker Lang: "Sponsor yields."

Zalewski: "Leader, I'm going to support your Bill. I've got a technical question, though, similar to the previous speaker. Is there anywhere in the statutes where we compel the General Assembly to have a standing meeting of a committee like... like we're doing here?"

Riley: "I'm not exactly sure, but I will tell you this, the frequency of fare increases will drive whether or not this board comes before us."

Zalewski: "Sadly, that... that may be true. I just worry... like is there always going to be a Mass Transit Committee? I'd like to think there will be in both chambers, but are we setting a precedent where we're asking the General Assembly to convene meetings in there... in something in this statute and there may be an anomaly where we don't have a standing tran... Mass Transit Committee?"

Riley: "Well, Representative Zalewski, again, my view is because of the unique relationship that we have with the RTA and how the RTA was... was created locally and with some state prerogatives, the same thing with the service boards, I just think that that some of your and I... really welcome your support of the Bill... some of the misgivings that you may have I just don't think are... are founded. They're with merit, but I don't think are..."

Zalewski: "And I support your Bill, Leader. I... just I think it's worth bringing up. This may be an anomaly when it comes to creat... for compelling the General Assembly

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

42nd Legislative Day

4/17/2013

standing committees to meet on this issue. It's just something we should, I think, take a little more caution with than normal, but I support your Bill. I'm going to vote 'yes'."

Riley: "Thank you."

Speaker Lang: "Representative Ives."

Ives: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Ives: "Leader Riley, I support your initiative and what you're trying to do and I'm just wondering, the meeting that we had in Chicago over on mass transit issues, was that something we had to do legislatively?"

Riley: "Is it something..."

Ives: "Is it something that we had to do because legislation required us to have that meeting?"

Riley: "Well, in a way it did, Representative Ives, because the universal fare card was a Bill that we passed. And we said that the service boards by 2015 had to come up with the universal fare card. And so, essentially that meeting, though it was a subject matter meeting, it was tangential to the Bill that we passed. And then what we saw was everyone's progress, or lack thereof, on that statute. And we saw that two of the service boards had gotten together and come up with the Ventra Card idea; one service board, Metra, had not really participated in it at all. And so, essentially, that subject matter hearing was tangential to a piece of legislation that we passed down here."

Ives: "Okay. Thank you. To the Bill. I... I agree that we need to be involved when there's a fare increase because, let's

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

42nd Legislative Day

4/17/2013

face it, we're also responsible for some of the budget for this... these boards. So, in that respect, we need to be overseeing everything that they do to some degree. So, I agree that we should be looking over this, I just don't agree that we need legislation to, again, mandate best practices. And I think we should do this, we shouldn't be put... and codifying it. We shouldn't be putting in specific time frames only because I'm a little bit concerned that those will interfere with other things that are going on. But I do agree. We should be involved in this discussion; I just don't think we need to legislate it. Thank you."

Speaker Lang: "Mr. Riley to close."

Riley: "Thank you for the debate. We are extremely busy. One of the things that we try to educate the public is about how busy we are. You know in a two-year period we see thousands of Bills, 12, 13 thousand; we have all kinds of meetings. We are extremely busy because it comes with the territory. We will not be any more busy if we have this kind of oversight. So, I'd like to thank all of you for the discussion. And I would hope you would support me by giving me 'aye' votes."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Please record yourselves. Brauer, Mussman. Mr. Brauer. Please take the record. On this question, there are 79 voting 'yes', 39 voting 'no'. And this Bill, having received the

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

42nd Legislative Day

4/17/2013

Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record will reflect Representative Bill Mitchell will be excused for the rest of the day."

Speaker Lang: "Thank you, Sir. The record will reflect that. Next Bill is House Bill 1459, Mr. Bradley. Please read the Bill."

Clerk Bolin: "House Bill 1459, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Out of the record. House Bill 2585, Representative Manley. Please read the Bill."

Clerk Bolin: "House Bill 2585, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Representative Manley."

Manley: "Thank you, Mr. Speaker and Members of the House. House Bill 2585 is an initiative of the State Police. It is a pro-victims Bill that is long overdue. Currently, as many of you are aware, it is illegal in our state to text while driving, use handheld phone in a construction area or school zone and use electronic video devices while driving. Thank you for voting to pass these laws into existence, which aim to make our roadways safer. While we already have these laws on the books, we do not have appropriate penalties for violators of those laws. Right now, people who cause accidents because they've broken one of these laws, that I just mentioned, will be issued a traffic ticket approximately 100 to 200 dollars even in cases where their disregard of the law causes severe injury or death.

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

42nd Legislative Day

4/17/2013

House Bill 2585 will increase maximum penalties for those who cause great bodily harm, a permanent disability or disfigurement or death, due to the aggravated use of a video device, handheld phone or texting while driving. I think it's important and I want to be clear, this is not a mandatory sentencing Bill. This Bill creates a new maximum penalty. Sen... sentencing discretion will still be made by judges in a courtroom. This Bill will not change how the law... excuse me, how law enforcement will go after violators, nor will it change the burden of proof required when charging someone with being in violation of the laws. This Bill simply raises the maximum charges that could be brought against a violator who causes the death or great injury to another person. It brings the consequence in line with the harm caused and it's also on par with what Illinois has determined appropriate for similar situations in the... such in the cases of DUI. I already have a Senator Sponsor on this and I have a commitment that if this does pass both Houses the Governor will sign it into law. I urge an 'aye' vote."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Ford."

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

Speaker Lang: "Sponsor yields."

Ford: "Representative, I would like to vote for this, but if you could bring your sidekick back, then I could vote for it. If you can't get the young man, then I'm going to have to vote 'no'. So, could you get him?"

Manley: "I'm sorry, he's probably in school today."

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

42nd Legislative Day

4/17/2013

Ford: "Oh, well, in that case, I'll vote for your Bill."

Manley: "Thank you."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, you and I have had numerous conversations about this legislation. So, without your legislation, what would happen if you're using your OnStar or you're on a phone and you hit somebody? What would the penalty be now?"

Manley: "Well, aga... the... this Bill doesn't change any of the existing law, so whatever would happen today would be the same affect. And I've been... I've asked through many conversations on the floor that was one of the things that was asked of me, and under the Illinois Vehicle Code an OnStar or any GPS device is not applicable."

Reboletti: "What about if you were using... you were texting and then you were in this accident? This is where it'll be a petty offense then. Right now..."

Manley: "It is."

Reboletti: "...but you're making it a misdemeanor? You and I've had conversations regarding approximate cause, and my belief that it's a burden shift that would be unconstitutional, but how would one prove this... this case up? How would you show that the texting and then the accident caused a Class A injury or caused a death? How would you prove that in a court of law?"

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

42nd Legislative Day

4/17/2013

Manley: "Well, based on the outcome of the officer's investigation, the result of that investigation is how they would move forward. They would have to prove that."

Reboletti: "And... and that's one of my concerns about it is that you have to then show that the texting was the approximate cause of the injury, in that meaning, I mean, there could be any number of other intervening factors that caused it besides the use of a video device and other things. And so, that's where I... I have some concerns as to, is this something that a prosecutor could use to get a conviction instead of just having a petty offense. So, that's one of my concerns. Are you concerned about that with respect to proof problems? I know you worked with the Illinois State Police on this. Did they have any issues with providing enough evidence to get a conviction?"

Manley: "While I was working the Bill on the floor, a lot of those questions came up and I would take them directly to the State Police. And they said, as in any case, they would have the officer's investigation and the outcome of that would be what would dictate what would happen. So, that... that situation is definitely on the investigative officers."

Reboletti: "Representative, I will support your Bill. I'm sure if there's any constitutional challenges, we'll leave that up to the courts to decide. And I think that this legislation will probably be... would work well with, hopefully, if I could pass mine tomorrow or whenever, I think they would work well together, deal with the petty offense situations of what happens when people end up dead

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

42nd Legislative Day

4/17/2013

when using either devices or being distracted when they're driving. So, thank you."

Manley: "Thank you."

Speaker Lang: "Representative Manley to close."

Manley: "I thank you for your questions and comments. And I urge an 'aye' vote. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Please record yourselves, Members. Representative Flowers. Please take the record. On this question, there are 107 voting 'yes', 9 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1562, Mr. Demmer. Please read the Bill."

Clerk Bolin: "House Bill 1562, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Demmer."

Demmer: "Thank you, Mr. Speaker. House Bill 1562 is related to a Bill I ran earlier this year, related to the embezzlement case that happened in Dixon, my hometown. In fact, this is the one-year anniversary of the arrest of the comptroller and treasurer of the City of Dixon. This Bill's a product in negotiations with the Illinois Municipal League, the County Treasurer's Association, Municipal Treasurer's Association and other interested groups to add some level of accountability and transparency to finance and audit operations within cities and counties. Again, this was prepared through many conversations with the members of

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

42nd Legislative Day

4/17/2013

these organizations. We feel this is best practices that all cities and counties should be adhering to. I ask for an 'aye' vote."

Speaker Lang: "Gentleman moves 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? Have all voted who wish? Please record yourselves. Jakobsson. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, under the Order of Resolutions, appear saint... Senate Joint Resolution 25, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Joint Resolution 25 is an agreed on Resolution with the waivers. Voting yes on this meant... means that you're taking the recommendations of both chambers and both caucuses on both... in both chambers. Voting... voting 'no' would be that you're not, you don't accept the changes we made to the waiver application. So, let me go through what's on the waiver application for you. We... as bicameral, bipartisan are going to be removing the following: Meridian CUSD #101-Pulaski, they would like to shorten the school day and we chose not to get that done. Dimmick 175 LaSalle, evaluation plan for principal; Dimmick 175, evaluation training and prequalifications; Meridian CUSD #101, length of school term; Bluford Jefferson, petitions. And then Webber Township, it had to do with petitions too. I'll take any questions."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Lady moves for the adoption of the Resolution.
The Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. And we go through this every time and for all freshmen that have not seen this before, this law was created in 1995 and a 'yes' vote means that you are allowing these waivers to stand. If you have a district that you want to make sure that that waiver stands, a 'no' vote would be appropriate. So, a 'yes' is a 'no' and a 'no' is a 'yes'. I know it's confusing, but unfortunately that's the way the law was written in 1995."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Moffitt: "Representative, in committee today we talked some and I know that there was some concern from one.. one group lobbies..."

Chapa LaVia: "Right."

Moffitt: "...on behalf of school and you.. you had mentioned that you'd consider..."

Chapa LaVia: "There you are, hold on. Could you hold on one second? A 'yes' is a 'yes', that you agree with what's on the screen, okay? But if you have a school district on here that wanted a waiver, this means I'm.. we're denying them, okay? So, Phelps might have one, I think. I think Mautino has a couple and you have a couple. I think those are the three Representatives; I could be wrong. I don't have it, but I think, because one of them was.. three of them were for one school district, okay? So, if you're from those

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

42nd Legislative Day

4/17/2013

districts, you want to vote against this, okay? So, I'm sorry, go ahead, again."

Moffitt: "We talked about just that the School Management Alliance I know had some concerns yet and you did address that to some extent. You... you might need some follow-up legislation or..."

Chapa LaVia: "Right."

Moffitt: "...discussion."

Chapa LaVia: "Well, I..."

Moffitt: "That was my concern..."

Chapa LaVia: "Right..."

Moffitt: "...that I expressed to you."

Chapa LaVia: "...and I understood that. That was with the Alliance and the ability for them to possibly allow the school board members to do training at the o... at the conferences, annual conference, at the Triple I Conference, okay? But there, all they had to show that they went to the conference and bring back a pamphlet. With Senate Bill 7, we put in new parameters on training that the school board members had to go through. Now remember, these... these school board members are responsible for multimillion dollar businesses, if you will, under these school districts. And we were very explicit in the training in which they... what they needed to be conducted such as school finance, such as labor law. So, there were a gamut of things that needed to be done. Now I'd be willing, and I spoke to one of the other Representatives, our chairman of Education Caucus in the state, that I'd be willing to talk next year... you know, during the summer, next year, maybe,

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

42nd Legislative Day

4/17/2013

but there needs to be a lot of parameters in place because Senate Bill 7 was very explicit, very detailed on how our board members needed to be trained, okay? So, I understand that they're going to be there and they'd like to take the courses there, but we need to make sure that we're working with the School Alliance on parameters so the integrity of the training is to the tee. There may be a sign-in sheet, maybe there's a test that's taken after that course. So, I'm willing to work on it, but not right now."

Moffitt: "Thank you, Representative."

Chapa LaVia: "Thank you."

Speaker Lang: "Representative Chapa LaVia to close."

Chapa LaVia: "Thank you. I once again, what's on the paper you agree with as the Bill, if it's your school district you should probably be voting 'no' on it. Tha... and I request 'aye' votes. Thank you."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no', the voting is open. Have all voted who wish? I'll say that several times. Have all voted who wish? Please record yourselves. Franks, Tracy, Tryon. Please take the record. On this question, there are 92 voting 'yes', 24 voting 'no'. And the Resolution is adopted. Members, please listen to the Chair, Members. All the rest of the Bills we're going to run today and the only thing standing between you and leaving are a whole bunch of Bills on Second Reading. Those of you who got Bills out of committee with Amendments and know what they are, you should be ready at your chairs. We're going

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

42nd Legislative Day

4/17/2013

to start with House Bill 11, Representative Flowers. Please read the Bill."

Clerk Bolin: "House Bill 11, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. Amendment #2 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 49, Mr. Franks. Please read the Bill."

Clerk Bolin: "House Bill 49, a Bill for an Act concerning revenue. 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 923, Speaker Madigan. Please read the Bill."

Clerk Bolin: "House Bill 923, a Bill for an Act concerning employment. The Bill was read for 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: "Yeah. This is an initiative of the carpenters and this makes the road builders and the major construction organizations okay with the Bill."

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

Clerk Bolin: "No further Amendments have been approved for consideration. No Motions are filed."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Third Reading. House Bill 924, Mr. Hoffman.
Please read the Bill."

Clerk Bolin: "House Bill 924, a Bill for an Act concerning
employment. Second Reading of this House Bill. No Committee
Amendments. Floor Amendment #1, offered by Representative
Hoffman, has been approved for consideration."

Speaker Lang: "Mr. Hoffman."

Hoffman: "Yes, Floor Amendment #1 does basically three things.
It addresses some of the concerns of the home builders, it
makes the... the large contracting organizations in favor of
the Bill, and it ensures that IDOT, CDB, as well as, the
Tollway Highway Authority will have to report minority and
women hours worked."

Speaker Lang: "Those in favor... Pardon me. Mr. Reboletti is
recognized on the Gentleman's Motion."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, I'm sorry, I didn't hear the
explanation for Floor Amendment #1. Could you briefly
repeat it?"

Hoffman: "Yes. Floor Amendment #1, I believe, now becomes the
Bill. What it would do..."

Reboletti: "Is it... 2 becomes the Bill or 1 becomes the Bill?"

Hoffman: "I apologize. We want to... 1 should be taken out of the
record and we should be debating 2."

Speaker Lang: "Mr. Clerk, Amendment 1 is withdrawn."

Hoffman: "Sorry about that."

Speaker Lang: "Please proceed, Mr. Clerk."

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

42nd Legislative Day

4/17/2013

Clerk Bolin: "No further Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Did you say you had another Amendment, Mr. Hoffman?"

Hoffman: "It must not be out of Rules, Mr. Speaker."

Speaker Lang: "So, out of the record, Sir?"

Hoffman: "Yeah."

Speaker Lang: "The Bill will be held under the Order of Second Reading. House Bill 3236, Representative Lilly. Please read the Bill."

Clerk Bolin: "House Bill 3236, 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 1199, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 1199, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Sosnowski, has been approved for consideration."

Speaker Lang: "Mr. Sosnowski."

Sosnowski: "The Amendment takes care of opposition and concerns that the departments had."

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

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Third Reading. House Bill 2434, Representative McAsey. Please read the Bill."

Clerk Bolin: "House Bill 2434, a Bill for an Act concerning civil law. 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... House Bill 2764, Representative Scherer. Please read the Bill. Out of the record, Mr. Clerk. Mr. Clerk, please read House Bill 2764."

Clerk Bolin: "House Bill 2764, a Bill for an Act concerning regulation. 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 Scherer."

Speaker Lang: "Please take it out of the record, Mr. Clerk. House Bill 3054, Representative Tabares. Please read the Bill."

Clerk Bolin: "House Bill 3054, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #4, offered by Representative Tabares, has been approved for consideration."

Speaker Lang: "Representative Tabares."

Tabares: "Yes, hi, Mr. Speaker. Thank you. I'd like to move to the adoption for Floor Amendment #4."

Speaker Lang: "Just briefly explain what it says."

Tabares: "The... it only adds the... to the exception for the Department of Corrections to the House Bill 3054. They're

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

42nd Legislative Day

4/17/2013

the accepted there. They're allowed to have the flashing lights."

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

Speaker Lang: "Third Reading. House Bill 2994, Representative Thapedi. Please read the Bill."

Clerk Bolin: "House Bill 2994, a Bill for an Act to revise the law by combining multiple enactments in making technical corrections. 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 493, Representative Walsh. Please read the Bill."

Clerk Bolin: "House Bill 493, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. House Bill 3271, Representative Williams. Please read the Bill."

Clerk Bolin: "House Bill 3271, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1709, Mr. Sacia. Please read the Bill."

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

42nd Legislative Day

4/17/2013

Clerk Bolin: "House Bill 1709, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sacia, has been approved for consideration."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 just extends Orangeville's TIF. It is... all of the approvals are in place."

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

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

Speaker Lang: "Third Reading. House Bill 2470, Mr. Turner. Please read the Bill."

Clerk Bolin: "House Bill 2470, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 2620, Mr. Riley. Please read the Bill."

Clerk Bolin: "House Bill 2620, a Bill for an Act concerning public employee benefits. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2720, Mr. Rita. Please read the Bill."

Clerk Bolin: "House Bill 2720, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee

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

42nd Legislative Day

4/17/2013

Amendments. Floor Amendment #2, offered by Representative Rita, has been approved for consideration."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment... Floor Amendment #2 takes the opposition off of the underlying Bill and creates some exemptions to what the current law is now. 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 Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 702, Speaker Madigan. Please read the Bill."

Clerk Bolin: "House Bill 702, a Bill for an Act concerning safety. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mayfield, has been approved for consideration."

Speaker Lang: "Representative Mayfield on the Amendment."

Mayfield: "Speaker, can you come back to me? My system went down."

Speaker Lang: "We will attempt to do that. House Bill 2330, Mr. Welch. Please read the Bill."

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, offered by Representative Ford, has been approved for consideration."

Speaker Lang: "Mr. Ford."

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

42nd Legislative Day

4/17/2013

Ford: "I don't know what you're doing, Welch. I move for the adoption of Floor Amendment #2 to House Bill 2330."

Speaker Lang: "Tell us what it does, Sir."

Ford: "What it does, it allows a parent to know to get... give notice to the noncustodial parent to give notice to the custodial parent that they're going to be unable to pay child support during the time that they are incarcerated."

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 Bolin: "No further Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1711, Mr. Cabello. Please read the Bill."

Clerk Bolin: "House Bill 1711, 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 Cabello."

Speaker Lang: "Mr. Cabello."

Cabello: "Speaker, Members of the House. This move to adopt House Amendment #2 which becomes the Bill. This is an Amendment that was recommended by the members of the committee."

Speaker Lang: "You mentioned... the first Amendment on the board, Sir, is Amendment 1. Do you wish to withdraw Amendment 1?"

Cabello: "Yes, Sir."

Speaker Lang: "Amendment 1 is withdrawn. Mr. Clerk."

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

42nd Legislative Day

4/17/2013

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

Speaker Lang: "You just explained Amendment 2. 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 20... excuse me, House Bill 3380, Representative Tabares. Please read the Bill."

Clerk Bolin: "House Bill 3380, a Bill for an Act concerning business. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 offered by Representative Tabares."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 1584, Representative Cassidy. Please read the Bill."

Clerk Bolin: "House Bill 1584, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Cassidy."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 2423, Representative Will Davis. Please read the Bill."

Clerk Bolin: "House Bill 2423, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Will Davis."

Speaker Lang: "Mr. Davis."

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

42nd Legislative Day

4/17/2013

Davis, W.: "Thank you very much, Mr. Speaker. I move to adopt Floor Amendment #2 which alleviates the opposition of the Illinois State Med Society. I'd like 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 Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2535, Mr. Sims. Please read the Bill."

Clerk Bolin: "House Bill 2535, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Sims."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move for the adoption of Floor Amendment #1. It removes all opposition to... on the Bill. I'd like to move 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 Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3319, Mr. Halbbrook. Please read the Bill."

Clerk Bolin: "House Bill 3319, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Halbbrook."

Speaker Lang: "Mr. Halbbrook."

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

42nd Legislative Day

4/17/2013

Halbrook: "Yeah, Mr. Speaker, and Ladies and Gentlemen of the House. Floor Amendment #2 just adds to the Bill, adds for reduction in the setback on the farm composting by ordinance of local government, and allows for a plant-derived animal bedding to be brought on to the farm. Just asking for the adoption of the Amendment."

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 Bolin: "No further amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3092, Representative Jakobsson. Please read the Bill."

Clerk Bolin: "House Bill 3092, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Jakobsson."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I... House Amendment... House Floor Amendment #1 makes similar changes that are in the underlying language to CMS Personnel Code to include the category of Extra Help, employee created in the original Bill. Extra Help nurses can only be used by the Department of Corrections for a maximum of 900 hours and must be used in a manner which is emergent in nature. Qualifications, compensation of Extra Help nurse are comparable to that of Corrections Nurse I and II. I ask for adoption of House Floor Amendment #1."

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

42nd Legislative Day

4/17/2013

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

Speaker Lang: "Third Reading. House Bill 496, Representative Chapa LaVia. Please read the Bill."

Clerk Bolin: "House Bill 496, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Chapa LaVia."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members. Number... House Amendment #1 becomes the Bill. What it allows is that... it's a gut and replace and allows the Illinois Board of Education to use licensure application fee that is currently paid by teachers and administrators to fund a new licensure renewal process. Currently, ISBE is only authorized to use these funds to provide the technology and human resource necessary for the timely and efficient process of educator license application, but with these fees they're able to then to process with the... they'll upgrade their technologies and process more certifications quicker. I ask for its adoption. Thank you."

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

Speaker Lang: "Third Reading. House Bill 756, Representative Monique Davis. Please read the Bill."

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

42nd Legislative Day

4/17/2013

Clerk Bolin: "House Bill 756, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Monique Davis."

Speaker Lang: "Mr. Clerk, please hold that on the Order of Second Reading. House Bill 3005, Representative Mayfield. Please read the Bill."

Clerk Bolin: "House Bill 3005, a Bill for an Act concerning employment. Second Reading of this House Bill. Amendment #2 was adopted in committee. Floor Amendment #3 is offered by Representative Mayfield."

Speaker Lang: "Take that Bill out of the record, Mr... Hold it on the Order of Second Reading. House Bill 1929, Mr. Reboletti. Please read the Bill."

Clerk Bolin: "House Bill 1929, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Reboletti."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. This Amendment says that individuals who are 18 and over if they murder a victim under the age of 12 or they murder multiple victims that there will be mandatory life in prison."

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

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Third Reading. House Bill 2275, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "House Bill 2275, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Feigenholtz."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Floor Amendment #1 is the CCP; the work that the committee has done to resolve the Community Care Program problem. It is a reform Bill supported by both sides of the aisle. I'd apr... I'd be glad to answer any questions."

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

Speaker Lang: "Third Reading. House Bill 1243, Representative Kelly Burke. Please read the Bill."

Clerk Bolin: "House Bill 1243, a Bill for an Act concerning civil law. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments 4 and 5 have been adopted to the Bill. Notes have been requested on the Bill as amended and have not been filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. House Bill 492, Representative Chapa LaVia. Please read the Bill."

Clerk Bolin: "House Bill 492, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee

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

42nd Legislative Day

4/17/2013

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

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Sir, my... my computer's not working right now, Speaker. Let me look at it real quick, I apologize. Oh, there it is. Number 3 is a gut and replace... House Amendment #3 is a g... is also re... an Amendment, I'm sorry, to the Bill. The Governor's language and the response to the School Management Alliance concerns on this. And what it does is identifies but provides that the school administrator and the local law enforcement will mutually set a date for the drill. If... if a mutual date cannot be agreed upon, then the school will hold a drill without participation of local law enforcement. Just makes it so that when the drill is done that law enforcement is ik... they're... they're called upon and let them know about it and there doesn't need to be a whole squad there, there just needs to be one person from law enforcement participating. And I ask for its adoption. Thank you."

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

Speaker Lang: "Third Reading. House Bill 1446, Representative Conroy. Please read the Bill."

Clerk Bolin: "House Bill 1446, 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."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Third Reading. House Bill 2966, Mr. Costello.
Please read the Bill."

Clerk Bolin: "House Bill 2966, a Bill for an Act concerning
education. Second Reading of this House Bill. No Committee
Amendments. Floor Amendment #1 offered by Representative
Costello."

Speaker Lang: "Please hold this Bill on the Order of Second
Reading. House Bill 981, Representative Monique Davis.
Please read the Bill."

Clerk Bolin: "House Bill 981, a Bill for an Act concerning
insurance. 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 2036, Mr. Kay. Please
read the Bill."

Clerk Bolin: "House Bill 2036, a Bill for an Act concerning
safety. Second Reading of this House Bill. No Committee
Amendments. Floor Amendment #2 is offered by Representative
Kay."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. I'd like to withdraw Floor
Amendment #1 making Amendment #2 the Bill. Essentially what
this is, it's an agreed to Bill and basically says by
January 1, 2014, IEPA will maintain various permitting
related information on the website including a yearly
report detailing the number of permits received and issued
by the department."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "The 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 Bolin: "No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 576, Representative Golar. Please read the Bill."

Clerk Bolin: "House Bill 576, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #3 is offered by Representative Golar."

Speaker Lang: "Please hold this Bill on the Order of Second Reading. House Bill 3300, Representative Kifowit. Please read the Bill."

Clerk Bolin: "House Bill 3300, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Kifowit."

Speaker Lang: "Representative Kifowit."

Kifowit: "Mr. Speaker, this is Amendment 1 to this Bill. What it does is just clean up some language, makes it technical. And there are no opponents and it's all supported."

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

Speaker Lang: "Third Reading. House Bill 2199, Mr. Durkin. Please read the Bill."

Clerk Bolin: "House Bill 2199, a Bill for an Act concerning State Government. Second Reading of this House Bill. No

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

42nd Legislative Day

4/17/2013

Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 2925, Representative Fine. Please read the Bill."

Clerk Bolin: "House Bill 2925, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Fine."

Speaker Lang: "Representative Fine."

Fine: "HB2925 creates the Illinois Local Government Appointee Ethics Act. It requires that boards and commissions created by State Law and appointed by local government follow the ethics rule established by that county. What the Amendment does is it changes the Bill to apply to only counties of 3 million people or more."

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

Speaker Lang: "Third Reading. House Bill 2661, Representative Gabel. Please read the Bill."

Clerk Bolin: "House Bill 2661, a Bill for an Act concerning health facilities. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2 is offered by Representative Gabel."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. I ask for the adoption of House Floor Amendment 2; it's a technical Amendment. This Bill adds another screen to the newborn screening test and the

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

42nd Legislative Day

4/17/2013

Amendment just puts the word 'critical' before the word 'part' and it puts the word 'birthing' before the word 'hospital'."

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 Bolin: "No further Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 3312, Representative Ives. Please read the Bill."

Clerk Bolin: "House Bill 3312, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Ives."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. House Bill 2330, Mr. Welch. Please read the Bill. That's a repeat; the Chair is in error. House Bill 2530, Representative Welch. Please read the Bill."

Clerk Bolin: "House Bill 2530, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 1338, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 1338, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Sosnowski."

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

42nd Legislative Day

4/17/2013

Speaker Lang: "Mr. Sosnowski."

Sosnowski: "This Amendment takes care of some issues that the Department of Professional Regulation have. I move for its passage."

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

Speaker Lang: "Third Reading. House Bill 1200, Mr. Sosnowski. Please read the Bill."

Clerk Bolin: "House Bill 1200, a Bill for an Act concerning local government. 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 3372, Representative Senger. Please read the Bill."

Clerk Bolin: "House Bill 3372, a Bill for an Act concerning public employee benefits. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 has been adopted. Notes have been requested on the Bill and have not been filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. House Bill 3100, Representative Williams. Please read the Bill."

Clerk Bolin: "House Bill 3100, a Bill for an Act concerning government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill... Turning to Supplemental Calendar #2, House Bills-Second Reading,

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

42nd Legislative Day

4/17/2013

appears House Bill 639, Leader... Speaker Madigan. Please read the Bill."

Clerk Bolin: "House Bill 639, a Bill for an Act concerning liquor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. Mr. Turner in the Chair."

Speaker Turner: "House Bill 2832, Representative Lang. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 2832, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative Lang."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is a Bill for the Recorder of Deeds to stop fraudulent filings. This Amendment embodies some changes agreed to by various parties including the realtors. The realtors are not completely on board, but they wanted me to announce to the Body that they're fine passing this... adopting this Amendment, moving the Bill to the Senate for further conversation. I move adoption of the Amendment."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #1 to House Bill 2832. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, Agreed Resolutions."

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

42nd Legislative Day

4/17/2013

Clerk Bolin: "Agreed Resolutions. House Resolution 248, offered by Representative Martwick. House Resolution 249, offered by Representative Bill Mitchell. House Resolution 250, offered by Representative Beiser. House Resolution 251, offered by Representative Nekritz. House Resolution 252, offered by Representative Roth."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, Adjournment Resolution."

Clerk Bolin: "House Joint Resolution 34, offered by Representative Currie.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, April 19, 2013, the House of Representatives stands adjourned until Tuesday, April 30, 2013, or until the call of the Speaker; and 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 Tuesday, April 30, 2013, or until the call of the President."

Speaker Turner: "Mr. Dunkin, for what reason do you seek recognition?"

Dunkin: "Thank you, Mr. Speaker and Members of the... the Illinois Legislative House and Senate Black Caucus will

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

42nd Legislative Day

4/17/2013

meet immediately following adjournment here, briefly in Room 115; Room 115, House Joint Caucus meeting. Thank you."

Speaker Turner: "And now Representative Currie moves for the adoption of the Adjournment Resolution. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Representative Sacia, for what reason do you seek recognition?"

Sacia: "Personal privilege, Sir."

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

Sacia: "We've had an exciting day of guns, sex and drugs and this evening we have a great opportunity to go to the Bitternut Hut and listen to Representative Hays and Representative Tryon entertain us. And I think it would top the evening off well."

Speaker Turner: "Tunes at the Hut. Mr. Clerk, committee announcements for Wednesday."

Clerk Bolin: "The following committees will meet immediately upon adjournment: Appropriations-General Services in Room D-1, Appropriations-Public Safety in Room C-1, Public... Public Utilities in Room 114, and State Government Administration in Room 413."

Speaker Turner: "And now, allowing perfunctory turn... perfunctory time for the Clerk, the House... Leader Currie moves that the House adjourn to Thursday, April 18 at 12 noon. All those in favor say 'aye'. Seeing no objection, the House will stand adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill 39, offered by

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

42nd Legislative Day

4/17/2013

Representative Franks, a Bill for an Act concerning criminal law. Senate Bill 204, offered by Representative Hoffman, a Bill for an Act concerning State government. Senate Bill 1225, offered by Representative Sims, a Bill for an Act concerning aging. Senate Bill 1227, offered by Representative Franks, a Bill for an Act concerning revenue. Senate Bill 1228, offered by Representative Franks, a Bill for an Act concerning revenue. Senate Bill 1251, offered by Representative Rosenthal, a Bill for an Act concerning local government. Senate Bill 1292, offered by Representative Sims, a Bill for an Act concerning health facilities. Senate Bill 1523, offered by Representative Burke, Daniel, a Bill for an Act concerning public employee benefits. Senate Bill 1585, offered by Representative Gabel, a Bill for an Act concerning local government. Senate Bill 1592, offered by Representative Beiser, a Bill for an Act concerning education. Senate Bill 1756, offered by Representative Martwick, a Bill for an Act concerning criminal law. Senate Bill 1787, offered by Representative Mautino, a Bill for an Act concerning State government. Senate Bill 1854, offered by Representative Demmer, a Bill for an Act concerning criminal law. Senate Bill 1929, offered by Representative Jones, a Bill for an Act concerning transportation. Senate Bill 1950, offered by Representative Franks, a Bill for an Act concerning finance. Senate Bill 1954, offered by Representative Mayfield, a Bill for an Act concerning local government. Senate Bill 2154, offered by Representative Hurley, a Bill for an Act concerning transportation. Senate Bill 2183,

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

42nd Legislative Day

4/17/2013

offered by Representative Nekritz, a Bill for an Act concerning transportation procurement. Senate Bill 2193, offered by Representative Sullivan, a Bill for an Act concerning criminal law. Senate Bill 2318, offered by Representative Sims, a Bill for an Act concerning local government. Senate Bill 2359, offered by Representative Cassidy, a Bill for an Act concerning business. These are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."