

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

116th Legislative Day

4/13/2016

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on April 13, 2016: recommends be adopted, referred to the floor is Floor Amendment #2 to House Bill 6266; approved for consideration, referred to Second Reading is House Bill 581, House Bill 694, House Bill 746, House Bill 1056."

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

Pastor Lewis: "If you would bow with me in prayer. Psalm 121 opens with I lift up my eyes to the hills from where does my help come? And the Psalm is answered by saying my help comes from the Lord who made heaven and earth. And repeats this five times in the next few verses saying as the Lord who keeps his people, holds on to his people, holds on to them. And Father, I'm reminded of this Psalm. We're at the beginning of the last two months of Session and I pray for our Representatives and for their staff members that in the wearying days ahead they would humbly look to You, the Lord who made heaven and earth. They look to You for help and may You bless them as they seek to honor You in the things that they do. In Jesus' name, Amen."

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Speaker Turner: "Should be led in the Pledge of Allegiance today by Representative McAuliffe."

McAuliffe - 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. Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Bradley, Monique Davis, and Jones are excused today."

Speaker Turner: "Representative Brown."

Brown: "Thank you, Mr. Speaker. Please let the record reflect that Representative Chad Hays is excused this afternoon."

Speaker Turner: "With 114 Members present, a quorum is established. Representative Sommer, for what... for what reason do you rise?"

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

Speaker Turner: "Please proceed, Sir."

Sommer: "Ladies and Gentlemen, behind the... in the gallery behind the Democrat side of the aisle, we have the Washington High School state champion wrestling team. They were here last year and were second. This year they're state champs. Please welcome them."

Speaker Turner: "Thank you and welcome to your Capitol. Mr. Clerk, House Resolution 1104, Representative Sente."

Sente: "Good afternoon. Today is Fire Service Lobby Day. When disaster strikes, we depend on our first responders to respond to life threatening emergencies. In turn, our first responders need the training, funding, and tools required to

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provide the services we all rely on. There is a legis... there is not a Legislator I can think of that has done more to partner with the fire service to accomplish this goal as Representative Don Moffitt. So, it is most appropriate and fitting that we meet today to honor and acknowledge Don for his tireless advocacy on behalf of our first responders. Don's passion, dedication, and commitment to public safety is not only admirable, but also has no doubt saved countless lives by improving the fire service delivery across Illinois. Numerous individuals are here today to join me in honoring Representative Moffitt including his lovely wife, Carolyn, and their three children, Don's daughter and her husband, Londa and Michael, his son and daughter-in-law, Justin and Jennifer, and his daughter and son-in-law, Amanda and Lance, as well as many nieces, nephews, and grandchildren, and members of the entire Illinois Legislative Fire Caucus. Don is a shining example of the success we can... that can be achieved when Legislators come together to protect all the citizens of the state. They say behind every successful man is a strong woman and in Don's case, this strong family has supported him. Carolyn, since Don's early days in Knox County Government and throughout almost 25 years in the General Assembly, you have selflessly shared your husband with the people of the State of Illinois and kept him company on many countless travels across the state for various fire safety duties. Londa and Michael, Justin and Jennifer, Amanda and Lance, we appreciate the sacrifices you have made to allow your father a role in public office. I know that is one of the reasons Don will be retiring and... to spend more time with

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his family and you deserve it but we will miss you. It is my privilege to serve with Don as the cochair of the Illinois Legislative Fire Caucus and it is my honor to present you with this Resolution and I'd like to highlight a few of your accomplishments, Don. Representative Moffitt started his public career as an alderman, mayor, and county chairman before being elected to the House of Representatives in 1992. In 2002, Representative Moffitt was appointed cochair of the Illinois House of Representatives Fire Protection Task Force. Don was the founder of the General Assembly bipartisan Fire Caucus, made up of Legislators who work with leaders in the fire service to promote, preserve, foster, and protect the pursuits of the fire service in Illinois. And Don has served as that cochair for 12 years since its formation in 2004. For four years, he served as the chairman of the House Fire Protection Committee. And for two years he served as the cochair of the EMS Task Force, which held nearly two years of hearings across the state to take an in-depth look at funding and service delivery for the Emergency Medical System. Don's leadership and hard work resulted in the passage of dozens of laws aimed at improving the fire service delivery, which he sponsored and cosponsored, creating the Fire Service Revolving Loan Program, the Fire Service Small Equipment Grant Program, increasing penalties for arsonists, requiring any cigarettes sold in Illinois to be self-extinguishing, requiring fire sprinklers in all dormitories in Greek housing, allowing fire departments to receive tax free motor fuel for fire trucks, updating and improving fair and equitable hiring and promotional processes for career fire

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departments, allowing active military to continue to apply for firefighter positions if they reach maximum age, saving the Fire Prevention Fund from a \$20 million fund raid, and reinstating and increasing funding for firefighter training. Because of Rep Moffitt's 25-year legacy of improving public safety in Illinois, injuries and continued... will continue to be prevented and... and lives saved for generations to come. The entire House joins me as Sponsors on your Resolution, Don, to be presented as an expression of our esteem and respect. But Don, is your family down here? They're coming. But we do have more for you, Don. On behalf of the 15 organizations that comprise the Illinois Legislative Fire Caucus, with members from each organization here today, we would like to present Don with a special remembrance. And we understand that over the many years you've gotten a fire helmet, pins, and various items of gratitude, but until today, Don has not had the coveted symbol and tool of the fire service, a fire axe. So, Don, here it is. Your service has been inspiring. Your knowledge of the fire industry will be sorely missed, but we wholeheartedly thank you and wish you nothing but the best."

Speaker Turner: "Thank you, Representative Moffitt, for your years of service. Would you like to say a few words? Yeah, he's busy. Representative Sente moves that the House adopt... Sorry. Representative Cavaletto."

Cavaletto: "Thank you, Mr. Speaker. State Representative Don Moffitt has a long history of public service and advocacy on behalf of the Fire Protection Service and EMS. Rep Moffitt has served as the cochairman of the Illinois General Assembly

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Fire Service Caucus since 2004. Don Moffitt has many years of commitment to the cause of fire profession and the first responders in the Illinois... throughout the public service. We are proud of you and honor Don Moffitt for his lifetime of service to our state and the Fire Protection Services. Thank you, Representative Moffitt, for your services to the Fire Caucus in the State of Illinois. And as a friend and cohort who I've been under since I've been here in the Fire Caucus, you've done a great job and I want to commend you for everything you've done for the services and the people of the State of Illinois. Thank you."

Speaker Turner: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. This is a total surprise. I left a message for my wife a little bit ago at home on the phone, although different people said there was a ceremony or something going on over there, but still, you caught me, you got me. To begin with, thank you. Representative Sente, thank you, and I just want to be sure now this... this is not a memorial service, is it... Just... just double-checking. I'll pinch here just to be sure. Wow. The axe, or as firefighters refer to them, I think as door keys... that's beautiful. Wow. I can't... thank you, and can't tell you enough, to have my family here and... I guess there's some there and there's some here, and of course, my wife and kids are behind me here and grandkids over there, all eight of them. Yeah, yeah. No words adequate to tell you how much I appreciate this, totally caught off guard. But to all our firefighters, I've said many times, some of you have heard me say this. You know, our home is in the Knoxville Volunteer Fire Protection District. Our

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son, he's the one in uniform behind me here, is a Galesburg firefighter and my office is under the Protection of Galesburg Fire Department. But every firefighter in the State of Illinois, I consider one of mine and I'm there for you. I tell you, it's been an honor and a privilege to... to represent you. A couple people... lots of people should be mentioned, but you know, we had the Fire Protection Task Force that held hearings around the state, 22 of them. My good friend, friend of Illinois, friend of firefighters, Representative Mike Smith and I cochaired that. Representative Smith did an outstanding job and was a real driving force. Then we came back with the EMS Task Force. And Representative Lisa Dugan and I cochaired that and we held, I believe, it was 17 hearings around the district... around the state in a lot of your districts. They are a part of this. I share it with them. I accept it on behalf of my good friends that I cochaired that with. If we're ready to vote on a budget, I'll shorten this up, but... Mr. Governor and Mr. Speaker, I will yield to you if it's ready to go. Assuming it's not, I'll say a few more words. I would just say that, you know, there's an... it's be said that never under certain situations, never have so many owed so much to so few. Firefighters, that's my feeling for you. We all owe you a debt of gratitude for what you do every day in the keeping the rest of us safe, and please accept that appreciation. I saw a t-shirt a while back, at one of the meetings... annual meetings at one of the emergency group, on the back of it it said, some people go through life and wonder if they've made a difference. Other people don't have to wonder, they know they have. That describes our

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emergency services, all of it, EMS, firefighters, law enforcement all... all of you. You have made a difference and for that, we're forever appreciate what you have done. The... I'll say this and I don't think I'll get any wrath for this, but I'll say it, you know, short timer, you can say most anything. After serving here in the Legislature and in politics a lot longer than Legislature, 24 years, had occasion to meet all sorts of high ranking, important people. I mean, Presidents of the United States, Vice-Presidents, Cabinet Members, Secretaries, Ambassadors, U.S Senators, member of Congress, my colleagues, whom I highly, highly respect. All of you, you have my utmost respect. All those important people and it's exciting and still a thrill after all these years to get to meet some of those important people. But I want to tell you, the firefighters, that thrill pales compared to the thrill it is to meet you and see you and work on your behalf. And for that, I also say thank you. It exceeds that other thrill, believe me. It's... out here on the firefighter memorial, there's a quote by Peter Hoffman, who again sums up what you do. It says... my eyes are blurry from my feelings so much... since the beginning of time, never have men and women engaged in a more important pursuit than that of protecting, prolonging, and rescuing their fellow human beings. That's what you do every day is protect and rescue and... prolong life... and save lives and for that, we thank you. The... it's tough, it's very, very bittersweet to be leaving. In fact, I wonder if I could reconsider. No. There'll be somebody to continue to champion. These things have only happened because of my colleagues in the House and in the Senate have helped make



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those things happen so we owe them all a debt of gratitude too. The... it's probably time to close, yeah, my wife said yes. Years ago, one night I was harvesting late and my son, Justin, he was in grade school, I think... standing here behind me but he was in grade school at the time, rode in the combine with me and then it was time to shut down that night. And we got out of the combine and the truck was parked over a ways away and we had to... you know, it had gotten dark and we had to walk through this waterway and we stirred up some animal. And he's just a little kid, early grade school. He kind of jumped and grabbed and said, daddy, carry me. And I said, it's just... it's an animal. It's not going to hurt you. It's probably a rabbit or something. He said okay, and hugged me tighter. And then, as we walked a little further, I said you don't need to be scared of it. And he said dad... daddy, is there anything you're scared of? And I said, I try not to be, but I always try to think it through and be as safe as possible and you know, just exercise caution and safety and I try not to be scared. But I said, not how about you? Can you... can you try not to be scared? And he hugged me tighter, and he said, dad, I'm not afraid of anything when I'm with you. Well, it's just reversed now, and all these firefighters, I feel a lot safer when I'm around you folks. And for that... and they rescued me back on Labor Day. I won't go into that detail here, but... little incident, just because I passed out and stuff... so, the roles have reversed. I've taken a long time to say thank you, but I hope that keeps ringing in your ears. Colleagues, thank you for being a part of this. I accept it on behalf of you, also, that we were able to do some things,

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but the job's not done. There's more to do. And there's some funds that should not be swept, should not be raided. Hello. Is anybody listening? Hello. So, you help make that happen. Keep up the charge, and what an honor and a privilege it's been to serve. I'm not... I'm not resigning today or anything by the way, it's just... got vote on a few more things. It is my sincere hope, if nothing else, that my service in the Legislature, because of you as partners that the State of Illinois is at least a little bit safer with more trucks and more training and more funds for our emergency services. I think it is and you can keep that up. What an honor, what a surprise, thank you. God bless all. Thank you very much."

Speaker Turner: "Representative Moffitt, thank you for all that you do. Representative Sente moves that the House adopt House Resolution 1104. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, Committee Reports."

Clerk Hollman: "Committee Reports. Representative Costello, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on April 12, 2016: recommends be adopted is Floor Amendment #1 to House Bill 538, Floor Amendment #2 to House Bill 5933, Floor Amendment #1 to House Bill 6084. Representative Beiser, Chairperson from the Committee on Transportation: Regulation, Roads & Bridges reports the following committee action taken on April 12, 2016: do pass Short Debate is House Joint Resolution Constitutional Amendment #36. Representative DeLuca, Chairperson from the Committee on Cities & Villages reports the following committee action taken on April 12,

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2016: recommends be adopted is Floor Amendment #1 to House Bill 5884. Representative Soto, Chairperson from the Committee on Financial Institutions reports the following committee action taken on April 12, 2016: do pass Short Debate is House Bill 5703. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on April 13, 2016: do pass as amended Short Debate is House Bill 4388; recommends be adopted is Floor Amendment #1 to House Bill 5938. Representative Nekritz, Chairperson from the Committee on Judiciary - Civil reports the following committee action taken on April 13, 2016: do pass Short Debate is House Joint Resolution Constitutional Amendment #33; do pass as amended Short Debate is House Bill 4552, House Bill 4715; recommends be adopted is Floor Amendment #1 to House Bill 1190, Floor Amendment #2 House Bill 4372, Floor Amendment #1 to House Bill 4425, Floor Amendment #3 House Bill 4447, Floor Amendment #4 House Bill 4462. Representative Crespo, Chairperson from the Committee on Elementary & Secondary Education: School Curriculum & Policies reports the following committee action taken on April 13, 2016: do pass as amended Short Debate is House Bill 6044; recommends be adopted is Floor Amendment #1 to House Bill 4240. Representative Zalewski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on April 13, 2016: recommends be adopted is House Joint Resolution 139. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on April 13, 2016: do pass as amended Short Debate is House Bill 5104,

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House Bill 5201, House Bill 6162. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on April 13, 2016: do pass Short Debate is House Joint Resolution Constitutional Amendment #5. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on April 13, 2016: do pass as amended Short Debate is House Bill 5402; recommends be adopted is Floor Amendment #2 to House Bill 5651. Representative Sims, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on April 13, 2016: do pass Short Debate is House Bill 4537, House Bill 6332; do pass as amended Short Debate is House Bill 4872; recommends be adopted is Floor Amendment #1 House Bill 4954, Floor Amendment #1 to House Bill 5910. Representative Ford, Chairperson from the Committee on Restorative Justice reports the following committee action taken on April 13, 2016: recommends be adopted is Floor Amendment #2 to House Bill 167. Representative Greg Harris, Chairperson from the Committee on Appropriations-Human Services reports the following committee action taken on April 13, 2016: do pass Short Debate is House Bill 5580, House Bill 5762, House Bill 5763, House Bill 5931; do pass as amended Short Debate is House Bill 5736, House Bill 5764."

Speaker Turner: "Mr. Clerk, House Resolution 969 by Representative McAuliffe. Can you please read a portion of the Resolution?"

Clerk Bolin: "House Resolution 969, offered by Representatives McAuliffe, Mussman, Moylan, Cassidy, and David Harris.

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare March 12, 2016 as "Red Sari Day" for South Asian Cardiovascular Disease Awareness in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the South Asian Cardiovascular Center at Advocate Heart Institute of Advocate Health Care as an expression of our esteem and respect."

Speaker Turner: "Representative McAuliffe."

McAuliffe: "Thank you, Ladies and Gentlemen of the House. It's a hard act to follow. Congratulations to my good friend, Representative Don Moffitt. A couple of weeks ago, we were trying to do Resolution 969 and we had a surprise visitor that day, President Barack Obama. But today, we have House Resolution 969 and I'm joined here with my colleague, Michelle Mussman, who also attended the Red Sari Day earlier this year in downtown Chicago. Cardiovascular disease is the leading cause of death and disability worldwide. The South Asian community is a group most impacted by cardiovascular disease, as the risk is four times higher. Twenty-five percent of heart attacks among men of south Asian ethnicity suffer from this, while 30 percent of women which... from... that are South Asian have a higher prevalence of heart attacks than those of their counterparts of Caucasian women. House Resolution 969 declares March 12, 2016 as 'Red Sari Day' for South Asian Cardiovascular Day awareness. It also recognizes the hard work being done by the South Asian Cardiovascular Center at Lutheran General Hospital located in my district. The Center

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is the first of its kind in the Midwest designed specifically to serve the South Asian community. Again, I... we attended the Red Sari Evening. Representative Mussman was there. Representative Harris was there. And I'm also joined by Representative Cassidy and Representative Moylan. The purpose of the event was to raise awareness through the South Asian heart disease problems, explore solutions to save their lives and change some of the diets and the food that they eat. Today, I'm happy to recognize our guests in the gallery that have come all the way down from Park Ridge, Illinois, from Lutheran General and from all over the state to treat and prevent CVD. I'm joined in the gallery from the Advocate Lutheran General Hospital by the director of community and health relations, Paula Bessler. Also, Dr. Shoeb Sitafalwalla. He is the medical director of the South Asian Cardiovascular Center. We're also joined by Sri Ramanathan, she is the South Asian Cardiovascular Center dietician. Sri Diseya, the South Asian Cardiovascular intern. And also, Nimish Jani, a Trustee in Schaumburg Township. Let's give a big round of applause for all the hard work they do on behalf of the South Asian community. Welcome to Springfield, and thank you for your help."

Speaker Turner: "Thank you and welcome to your Capitol. Representative David Harris."

Harris, D.: "Thank you, Mr. Chair... Mr. Speaker, and Members of the House. Just very briefly, as a member of the governing council of Advocate Lutheran General Hospital, I do want to recognize... and emphasize what Representative McAuliffe just said. Dr. Sitafalwalla and the group at Advocate Lutheran

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General have pinpointed a real issue, a cardiovascular problem, which impacts the South Asian community. And they have highlighted it. They're addressing it, and it really shows a positive movement in health care which is going to have a beneficial impact to that community in the State of Illinois. So, hats off to what they've done. And I'm pleased to be a cosponsor of the Resolution. Thank you."

Speaker Turner: "Thank you, Representative. Representative McAuliffe moves that the House adopt House Resolution 969. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Andrade is excused for the remainder of the day."

Speaker Turner: "Thank you, Representative. Representative Mayfield, for what reason do you rise?"

Mayfield: "Point of personal privilege."

Speaker Turner: "Please proceed."

Mayfield: "I... everyone, I'd like to draw your attention to the Republican side of the aisle, where we have some of Waukegan's finest representatives of our Fire and EMS Department. Can you guys please stand? Not only are they handsome, but they are true heroes. Please join me in welcoming them to Springfield."

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

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

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Speaker Turner: "Please proceed."

Bellock: "We have a very special guest with us today and she's paging for me. Her name is Erin Compton, but she is also the State of Illinois Miss Amazing. She won that contest. She's also amazing. She also participated in the Special Olympics last summer in Colorado and won first place in rhythmic gymnastics. And she just told me that she's going to the state championships again this year. I'm not sure where those are. And she's in fourth grade at Walker School in Clarendon Hills, Illinois. So, I hope all of you will welcome Erin with us today. Thank you."

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

Meier: "Point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Meier: "Myself and Representative John Cavaletto would like to welcome our Pages for the day. They're here from Breese Central High School, which currently holds the 2A basketball and volleyball trophies in the State of Illinois. They have their instructor, Gina Benhoff, here. And they are Kaylee Schrand, Collin Thomas, Hunter Toeben, Catie Bowdern, and Jesslyn Lackey. So, thank you for being our Pages today."

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

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

Speaker Turner: "Please proceed."



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Nekritz: "So, when your anniversary falls on April 13, I often spend more anniversaries with those of you in this chamber than I do with my husband, but since today is my 25th anniversary, I thought I would just wish my husband a happy anniversary from Springfield."

Speaker Turner: "Congratulations, Representative Bourne, for what reason do you rise?"

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

Speaker Turner: "Please proceed."

Bourne: "Thank you. Please join in welcoming the seventh grade volleyball team state champions from my hometown of Raymond Lincolnwood. I got to see them play this year. They're fantastic and we're looking forward to big things from them next year as well. Welcome to the Capitol."

Speaker Turner: "Welcome and congratulations. Representative Costello, for what reason do you rise?"

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

Speaker Turner: "Please proceed."

Costello: "I would ask the Body to please keep in their thoughts and prayers today, Representative Bradley, who... he and his family are sending their son off to Okinawa, Japan. Their son, Austin, is a member of the U.S. Marine Corps 1st Marine Air Wing Division. And I think it's only appropriate that we all think of them as they send their son to Japan."

Speaker Turner: "Thank you, Representative Hurley, for what reason do you rise?"

Hurley: "Point of personal privilege."

Speaker Turner: "Please proceed."

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Hurley: "I would like to enjoy.. invite everybody from Illinois Special Olympics tonight, they're having a reception at the.. at Pasfield House. The athletes, the family, board members, and the staff want to.. celebrate Special Olympics in Illinois. It's from 5 to 7 p.m. Again, at the Pasfield House and please join us. Thank you."

Speaker Turner: "Thank you, Representative. Representative Keith Wheeler, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Sir."

Wheeler K.: "I'd like to welcome two important fire chiefs from my district up in the gallery here behind me, from North Aurora, Ryan Lambert, and from Sugar Grove, Bill Perkins. Please give them a big Springfield welcome. Thank you guys for all you do."

Speaker Turner: "Thank you and welcome to your Capitol. Mr. Clerk, House Resolution 1134, Representative Jimenez. Can you read a portion of the Resolution please?"

Clerk Bolin: "House Resolution 1134, offered by Representative Jimenez.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the Illinois 2016 Children's Champions and their dedication, hard work, and significant contributions to the State of Illinois; and be it further

RESOLVED, That suitable copies of this resolution be presented to each of the Illinois 2016 Children's Champions in recognition of their efforts."

Speaker Turner: "Representative Jimenez."

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Jimenez: "Thank you, Mr. Speaker. And we have the four women, the outstanding women, in the chamber up here behind me in the gallery. We want to welcome them and congratulate them, especially during this Week of the Young Child. Jaqueline W. Farber from East Central Illinois AEYC, Melanie Fleming from the Heart of Illinois AEYC, Catherine MeLear, Quad Cities AEYC, and Danielle Watkins from the Capitol Area AEYC here in Springfield. Please join me in congratulating them on being children's champions."

Speaker Turner: "Congratulations. Welcome to your Capitol and thank you for all that you do. Representative Jimenez moves that the House adopt House Resolution 1134. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Members, we're going to start Second Readings today. Please be in your seat and prepared to present. Thank you very much. House Bill 811, Representative Drury. Out of the record. House Bill 1096, Representative DeLuca. Out of the record. House Bill 5522, Representative Ives. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5522, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5902, Representative Guzzardi. Out of the record. House Bill 4351, Representative Greg Harris. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4351, a Bill for an Act concerning public aid. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1 was adopted

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previously. A fiscal note has been requested but not filed at this time."

Speaker Turner: "Mr. Clerk, please hold that Bill on the Order of Second Reading. House Bill 5884, Representative Cloonen. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5884, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cloonen, has been approved for consideration."

Speaker Turner: "Representative Cloonen."

Cloonen: "Yes, the Floor Amendment 1 becomes the Bill. And this is a Bill so that counties may invest in not-for-profit institutions. I'd like to move it to Third."

Speaker Turner: "Representative Sandack on the Amendment."

Sandack: "Yes, real quickly, a question of the Sponsor. Kate, is it..."

Speaker Turner: "The Sponsor will yield."

Sandack: "Thank you. Is this the... in committee, I think you said you were trying to work with opposition. Is this the Amendment addressing that?"

Cloonen: "Yes. It was in committee yesterday and it... we addressed all three issues."

Sandack: "So, that... are there any opponents now or..."

Cloonen: "There's no opponents that I know of."

Sandack: "Thank you."

Speaker Turner: "Representative Cloonen moves that the House adopt Floor Amendment #1 to House Bill 5884. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 6009, Representative Hays. Out of the record. House Bill 972, Representative Greg Harris. Out of the record. House Bill 538, Representative Fine. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 538, a Bill for an Act concerning government. Second... this Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Fine, has been approved for consideration."

Speaker Turner: "Representative Fine."

Fine: "Thank you, Mr. Speaker. This Bill... the Amendment to this Bill establishes a state artifact."

Speaker Turner: "The Lady moves that the House adopt Floor Amendment #1 to House Bill 538. Representative Scherer, do you have a question on the Amendment? House moves that the... Representative Fine moves that the House adopt Floor Amendment #1 to House Bill 538. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Representative Scherer."

Scherer: "Thank you, Mr. Speaker. Today, I rise on a point of personal privilege. We have our students here from UIS. If you would all stand. I understand there is a lot of you. Wow, look at that, will you? The whole gallery."

Speaker Turner: "Thank you and welcome to your Capitol."

Scherer: "They are here in support of MAP Grant funding, and they have done a march from the old Capitol. And this is from the University of Illinois at Springfield. They have my utmost,

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utmost support to fund our MAP Grants. We need it desperately. MAP Grants now. MAP Grants now. Thank you. Thank you for being here."

Speaker Turner: "Thank you, Representative, and welcome to your Capitol. Mr. Clerk on House Bill 538, I neglected to move that Bill to Third Reading. Can you please move it to Third? Leader Bellock, for what reason do you rise?"

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

Speaker Turner: "Please proceed."

Bellock: "I'm sorry, there was one other very special guest up in the gallery and I hope she's still here. And she was a Miss Amazing also, Rebecca Davis. She also received a Presidential Award. She goes to Walker School with Erin and she also participated in another program in the Special Olympics last year. So if she's up there, and she may have left already but... oh, there she is over on the left gallery, thank you. That's Rebecca Davis. Thank you very much. A big welcome to you. Thank you."

Speaker Turner: "Thank you, Representative, and welcome to your Capitol. Representative Franks, for what reason do you rise?"

Franks: "Thank you, Mr. Speaker. I was... I was slow on the button on Representative Fine's Bill and I presume we'll have a chance to debate it on the floor when it comes to Third. But I just want to point out that she's trying to... in that Bill, she's designating... and I'm not sure how to say it, is it called Pirogue? That's a wooden canoe, it's the official state artifact of Illinois. I just want to let you know that I checked this morning, I walked over to the State Museum and

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it was closed. So, I'm not sure where we're going to store this artifact, in case we do designate it, but I want to point out that there are real... real consequences of our inaction here in Springfield. When we're doing these Bills that are certainly important to designate our heritage, but when our museums are closed, that... that's very concerning to me. I had a conversation this morning as well, with a friend whose son is a senior in high school, and my friend is graduate of ISU. And he told me this morning that his son is not going to follow his father's footsteps and go to college in Illinois because he's so worried about the school funding, and instead the young man's going to be going to Arizona State. So I just think it's important, when we're voting on these Bills, that we also understand the real consequences of what's happening around us and that our state is literally falling apart. While we're sitting here, our state is falling apart. So I just want to remind people of that and of the very grave consequences and our grave responsibilities that we must... that we must take head on. So when we're debating these Bills today, please understand the consequences as well. Thank you."

Speaker Turner: "Thank you, Representative. House Bill 6084, Representative Kifowit. Mr. Clerk... Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 6084, a Bill for an Act concerning animals. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kifowit, has been approved for consideration."

Speaker Turner: "Representative Kifowit."

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Kifowit: "Thank you, Mr. Speaker. I request that we accept House Floor Amendment #1 in replace of the Bill."

Speaker Turner: "Representative Sandack for a question."

Sandack: "Yeah. Representative, would you explain the Amendment 'cause I... my analysis has that you said it was a hold. So, I assume the Amendment takes the hold off?"

Kifowit: "Correct."

Sandack: "Okay. And what is the Amendment?"

Kifowit: "The Amendment just makes technical changes. It... it removed all opposition from the veterinarian group. It's designed to resolve current confusion over the quarantine of animals that bite people and to clarify reporting of animal bites. It removes opposition from the Illinois State Veterinarian Medical Association. And mostly, it retains current law, which requires animal that bite people can only be confined under the observation of a veterinarian. It adds..."

Speaker Turner: "I think we're good, Representative."

Sandack: "Perfect. Thank you."

Kifowit: "All right. Thank you."

Speaker Turner: "Representative Kifowit moves that the House adopt Floor Amendment #1 to House Bill 6084. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. House Bill 4528, Representative McAsey. Out of the record. House Bill 4595, Representative Riley. Out of the record. Mr. Clerk, House Bill 4595, Representative Riley. Please read the Bill."



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Clerk Hollman: "House Bill 4595, 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 Turner: "Third Reading. House Bill 6245, Representative Rita. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 6245, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5601, Representative Unes. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5601, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 4362, Representative Unes. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4362, 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 Turner: "Third Reading. House Bill 4983, Representative Soto. That's House Bill 4983, Representative Soto. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 4983, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5556, Representative Soto. Mr. Clerk, please read the Bill."

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Clerk Hollman: "House Bill 5556, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. House Bill 5918, Representative Thapedi. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 5918, a Bill for an Act concerning education. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. But a balanced budget and state mandates note has been requested but not filed at this time."

Speaker Turner: "Representative Thapedi."

Thapedi: "Yes, Mr. Speaker. You may recall that yesterday we had a little delay, that I have a written Motion with respect to ruling those note inapplicable. Is the requestor of the notes here available in the chamber now?"

Speaker Turner: "I'm sorry. Can you say that again, Representative?"

Thapedi: "Is the requestor of the notes in the chamber now?"

Speaker Turner: "Representative Reis."

Reis: "We asked for a ruling from the Chair yesterday and we never did get a ruling back on that."

Speaker Turner: "So yesterday, Representative Thapedi removed the Motion. And so we're having the debate now on it... on the applicability of the notes."

Thapedi: "So, my... my question is, Mr. Chair... I'm sorry to interrupt my colleague, but the question is, is the movant or the requestor of the notes here in the chamber available to debate my Motion?"

Speaker Turner: "Representative Reis."

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Reis: "Did the Sponsor of the Bill remove the Motion in Writing?"

Speaker Turner: "It doesn't have to be writing. He's making the Motion right now on the floor."

Reis: "So, what's his Motion now that they're held inapplicable? I don't know what his Motion is."

Speaker Turner: "I believe so, Sir. Representative Thapedi."

Thapedi: "Mr. Speaker, would it be fair to say that the requestor of the notes is not here in the chamber to... to debate the legality of what I consider to be spurious notes and in fact, specious notes. If he's not here and available... I see him walking in and we can talk about it."

Speaker Turner: "The Gentleman has moved that the notes be deemed inapplicable. On that motion, we have Representative Bill Mitchell."

Mitchell, B.: "Yes. What... Representative, what are fiscal notes? Just explain to the people of the State of Illinois. Let's go point by point... They're... they're just transparency. We're just telling to the people of Illinois, your Bill, what it would cost to the taxpayers of the State of Illinois."

Thapedi: "All right. Now repeat what you said again, Representative."

Mitchell, B.: "I said, this is... we're just... I'm just trying to shed a little light to the taxpayers of the State of Illinois exactly what your legislation... how much it costs to the taxpayers of the State of Illinois."

Thapedi: "Okay."

Mitchell, B.: "That's... that's what these fiscal notes are. We have plenty of time during this Session."

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Thapedi: "Yeah. Now, you're referring to your request for a fiscal note, correct?"

Mitchell, B.: "Correct. And explain to the Body, the people of Illinois, what they are."

Thapedi: "Well, you requested the notes, and let me tell you this. If you look on your computer, you will see... Let me finish. If you look on your computer, you will see that a fiscal note has come back already, Sir. The fiscal note had already come back. Let me finish. The fiscal note had already come back at the time that you filed your notes. So why would you file a fiscal note when the note has already been answered?"

Mitchell, B.: "I... I filed several fiscal notes."

Thapedi: "We're talking about the fiscal note, and we'll get on to the other ones next."

Mitchell, B.: "I'm talking about several notes."

Thapedi: "I understand that, but you said that you wanted to discuss the fiscal note first. So, we're going to discuss..."

Mitchell, B.: "I didn't say that."

Thapedi: "Well, you brought up the fiscal note. Let's talk about the fiscal note. I'm telling you, if you would take the time to take a look at your computer, look at the file, look at whatever you need to look at, you will see that your request for fiscal information with respect to House Bill 5918 has already been answered. And the answer to that question that you want to know the answer to so deeply is, there is zero fiscal impact to the State of Illinois, zero. So, Mr. Speaker, this is what we're going to do. Instead of... instead of having this debate, it's clear that these notes were all filed as a delay tactic. None of them are applicable to the Bill. The

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requestor of the notes is talking about he made a request for a fiscal note, which has already come back. So why he would make a request for a fiscal note when the fiscal note has already come back, is beyond me. But in the interest of compromise, in the interest of compromise, let's all these notes come back. They're all completely irrelevant. Some of them have already been coming back. The ones that are coming back all show that they are not applicable, whatsoever, to this legislation. But to ensure that the requestor of these fake notes has the opportunity to see that I'm absolutely correct that they are not applicable, I'll withdrawal my Motion and we'll allow the agencies that respond to these notes to respond. For an example, the requestor requested a pension note. Why would you request a pension note on a Bill that has absolutely nothing to do with pensions? It's got zero to do with the pensions. And if you'll look at the statute for all of the notes that he requested... the Code..."

Mitchell, B.: "The balanced budget note. The balanced budget..."

Thapedi: "Okay. Let's talk about the balanced budget note. All right."

Mitchell, B.: "We never got that back yet."

Thapedi: "All right. Well, let's talk about it."

Mitchell, B.: "State mandates..."

Thapedi: "All right."

Mitchell, B.: "...haven't got that back yet."

Thapedi: "Let's talk about it."

Mitchell, B.: "All I want, Representative..."

Thapedi: "No, let's talk about it."

Mitchell, B.: "...is the people of Illinois to know..."

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Speaker Turner: "Excuse me, Gentlemen. Gentlemen. Representative Thapedi has acknowledged that... Representative Thapedi, we... we're going to remove your Motion and take the Bill out of the record and you guys can continue this discussion and then we'll come back to it."

Thapedi: "Okay. But if I could just finish this one point, Mr. Speaker. The balanced budget note that you're referring to. The provisions of a balanced budget note are expressed in 25... ILCS 80. By definition, this type of note only relates to a 'Supplemental Appropriation Bill'. House Bill 5918 is neither an Appropriation Bill nor a Supplemental Appropriation Bill. Clearly, that's not applicable."

Speaker Turner: "Representative Thapedi, thank you."

Thapedi: "Thank you."

Speaker Turner: "Mr. Clerk, please take this Bill out of the record. House Bill 854, Representative Reaves-Harris. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 854, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Reaves-Harris, has been approved for consideration."

Speaker Turner: "Representative Reaves-Harris on Floor Amendment #2."

Reaves-Harris: "Thank you. House Bill 854 will allow for a FEC or Freestanding Emergency Center, at the old Sacred Heart site. Oh. Just the Amendment is a gut and replacement of... of the... of a Bill, of a shell Bill that will just allow for the opening of an FEC and... on the old Sacred Heart site."

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Speaker Turner: "Lady moves that the House adopt Floor Amendment #2 to House Bill 854. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Representative DeLuca, for what reason do you rise?"

DeLuca: "Point of personal privilege, please."

Speaker Turner: "Please proceed, Sir."

DeLuca: "Ladies and Gentlemen, my Pages have been very busy. They're finally back on the floor. I'd like to welcome both of my Pages. If you could stand, please. The Ashleys: Ashley Roche and Aghleigh Konecny, both from Park Forest. Welcome to Springfield."

Speaker Turner: "Thank you, and welcome to your Capitol. Members, we'll be moving to Bills on Third Reading. Please be in your seat and prepared to present. First up, we have Senate Bill 382, Representative Acevedo. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 382, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker and Members of the House. Basically, this is just a cleanup Bill. It was an initiative of the Village of Hoffman Estates. It expands the Water Reclamation corporate limits to include 145 acres of vacant land for housing development. It was left out of the first Bill, so we're just adding this on as a... just a cleanup Bill."

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Speaker Turner: "Seeing no debate, the question is, 'Shall Senate Bill 382 pass?' All in favor say.. all in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 109 voting 'yes', 0 voting 'no', and 0 voting 'present', Senate Bill 382, having received the Constitutional Majority, is hereby declared passed. Representative Cabello, for what reason do you rise?"

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

Speaker Turner: "Please proceed, Sir."

Cabello: "Ladies and Gentlemen of the House, we have two guys here right next to me that have birthdays today. Both I consider very good friends and please join me in welcoming them a happy birthday."

Speaker Turner: "Which two guys? Happy birthday, Representative Sosnowski and Representative Anthony. Next up we have House Bill 4366, Representative Beiser. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4366, a Bill for an Act concerning the Secretary of State. Third Reading of this House Bill."

Speaker Turner: "Representative Beiser."

Beiser: "I think we have a Floor Amendment that we need to adopt. Is that..."

Speaker Turner: "Representative, Floor Amendment #2 was adopted on a previous day, so."

Beiser: "Okay, I'm sorry."

Speaker Turner: "Okay."



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Beiser: "I apologize. Yes, this Bill as amended basically says that anyone that served in the military, whether they served in active duty or not, can receive the identification mark as a veteran on their identification card or their driver's license. The Amendment we adopted did eliminate the opposition of the Secretary of State and the Department of Veterans' Affairs."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 4366 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 109 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 4366, having received the Constitutional Majority, is hereby declared passed. House Bill 4678, Representative Burke, Kelly Burke. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4678, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. This Bill is a cleanup measure, a trailer Bill from a Bill I passed last year with... unanimously, I believe... for the ABLE accounts, Achieving a Better Life Experience. So, the... this is an init... initiative of the Treasurer's Office that would allow these accounts to... to get the program started as soon as possible. There is some guidance from the IRS, so we just needed a change in terminology that would allow us to start the program under the guid... the IRS guidance rather than the IRS rules. I ask for an 'aye' vote."

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Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 4678 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 4678, having received the Constitutional Majority, is hereby declared passed. House Bill 5649, Representative Bennett. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5649, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Turner: "Representative Bennett."

Bennett: "Thank you, Mr. Speaker. House Bill 5649 will allow motorcycle owners with the opportunity to purchase and display the Illinois Fire Fighters' Memorial license plate. The Illinois Fire Fighters' Memorial license plate is currently only available for passenger vehicles, B trucks and vans weighing about 8 thousand pounds or less. The Illinois Fire Fighters' Memorial license plate helps support the maintenance and annual... or commemoration of, the Illinois Fire Fighters' Memorial. And the Illinois Fire Fighters' Memorial was dedicated in May of 1999 on the grounds of the Capitol complex. A technical Amendment was adopted in the committee at the request of the Secretary of State. The Secretary of State is now neutral. The State Fire Marshal, the International Association of Fire Fighters, and the Associated Fire Fighters of Illinois, and the Illinois Fire Chief's Association are supporters. Again, this is not

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creating a new specialty plate, just allowing an existing plate to be used on motorcycles. I ask for a 'yes' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 5649 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 112 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5649, having received the Constitutional Majority, is hereby declared passed. House Bill 5600, Representative Chapa LaVia. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5600, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Chapa LaVia."

Chapa LaVia: "...Speaker, and thank you, Members. The Bill is a... addition to add in an initiative by the Department of Veterans' Affairs. They wanted to add a clarification and specify that the statute regards the National Guard Reserve members of the military term serving as a VSO or a Veteran Service Officer. I'll take any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 5600 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 112 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5600, having received the Constitutional Majority, is hereby declared passed. House Bill 5930, Representative Breen. Mr. Clerk, please read the Bill.

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Clerk Bolin: "House Bill 5930, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "Representative Breen."

Breen: "Thank you, Mr. Speaker. This is a Bill to clean up just a responsibility. So, the removing... formally moving a responsibility from the Department of Labor to the Illinois Department of Employment Security to give the annual women and minorities in the Illinois labor force report. They've been doing this for at least a decade already, so this cleans up that language. As well, we're going to... this Bill would allow us to move into the 21st century and do something over the Internet that currently would require a written letter to be sent from the department to... on the verification of the status of a certified nurse aide. So, again, it'd save us a little bit of money on the back end on that one and clean up language on the front. So, I would ask for an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 5930 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 111 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5930, having received the Constitutional Majority, is hereby declared passed. House Bill 5882, Representative Conroy. Out of the record. House Bill 6163, Representative Crespo. Out of the record. House Bill 4614, Representative Brown. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4614, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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Speaker Turner: "Representative Brown."

Brown: "Thank you, Mr. Speaker. House Bill 4614 is an initiative of the Department of Financial and Professional Regulation. Inside of it, it changes the Financial Institutions Code to replace the terms, Supervisor of Consumer Finance Business and Supervisor of Sales Finance Agencies with the terms, Supervisor of Consumer Credit and Supervisor of Title Insurance. Outside of those minor changes, you have changes in the filing dates which correlate to historic practices within the department. At this point, there's no opposition."

Speaker Turner: "Representative Franks is recognized."

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

Speaker Turner: "He indicates that he will."

Franks: "Representative, are we going to in the future need to come and actually have Legislative Body authority for an agency to change the name of someone who works there? We're not changing... we're not changing any of the duties, correct? It's just the name."

Brown: "That's correct, but we are also changing the filing period for licenses."

Franks: "I get that. I get that. I'm just saying in the future, I think our... the Legislature's time might be better spent than not worrying about a name change in an agency. I just don't know why we need legislative intervention to allow an agency to do that. Maybe we could expand the Bill in the Senate to allow them to do that on their own. And I understand the date changes and we should certainly do that if necessary. But you know, the name changes is really not that important, wouldn't you agree?"

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Brown: "That's reasonable."

Franks: "Okay. Maybe we could look at that in the Senate..."

Brown: "Sure."

Franks: "...and get it out of here. Thank you."

Brown: "Thank you."

Speaker Turner: "Representative Brown to close."

Brown: "I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 4614 pass?'

All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 4614, having received the Constitutional Majority, is hereby declared passed. House Bill 108, Representative Flowers. Out of the record. House Bill 4250, Representative Ford. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4250, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Turner: "Representative Ford."

Ford: "Thank you, Mr. Speaker, and you know they always tell Leader Lang he looks good up there, you look good too."

Speaker Turner: "Appreciate that."

Ford: "House Bill 4250 celebrates June 25 of every year as Health Care Awareness Day. I move for the passage of House Bill 4250."

Speaker Turner: "The Chair recognizes Representative Sandack."

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

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

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Sandack: "Thank you. Representative, this sounds more like it should be a Resolution than a Bill. Why is it a Bill?"

Ford: "I would like for it to be an ongoing forever and not just for one year."

Sandack: "Well, I... Resolutions are... But isn't this more in the form of a Resolution?"

Ford: "I think a Resolution would only make it for one year at a time. This Bill would make it a commemorative date in perpetuity in Illinois."

Sandack: "So, what is it that the Bill does then? It... it's just a day of commemoration?"

Ford: "Yes."

Sandack: "Okay. So, there's no official state holiday. There's no required day off of school. Paid workers... that are state employees still go and be paid for their work, right?"

Ford: "That's exactly right."

Sandack: "All right. So, it's a commemoration?"

Ford: "Yes."

Sandack: "Okay. And but we couldn't do that in a Resolution form because you say it doesn't go in perpetuity?"

Ford: "That's my understanding that Resolutions only last a year at a time."

Sandack: "All right. So, this is going to be a Bill that will just commemorate but nothing else?"

Ford: "Well, it would try to get people enrolled and making sure that we have people leaning toward more healthier lives. That's the purpose of it, not just to pass it, but to make sure that people are led to treatment and care."

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Sandack: "Are you aware of any other whether it's landmark legislation or not that's in effect that we have a day commemorating the passage of a Bill in the federal level?"

Ford: "I'm not."

Sandack: "Okay. Is this good precedent? Because administrations change, policies change, should we be commemorating what the Federal Government does in... in this Body?"

Ford: "I think we should do everything that we can to make sure that everyone has health insurance and that they're aware."

Sandack: "Well, I'm not going to argue with you there."

Ford: "That's all this does."

Sandack: "Yeah."

Ford: "Whether we have anything to do with the Federal Government or anything that you may be reading, we want the 25th of June to be a date that people... that's it."

Sandack: "All right. To... to the Bill. There was a Gentleman that spoke earlier, the Gentleman from McHenry, that talked about I... I think, empty gestures or acts that we can be doing in different ways. And I don't mean to disparage the... the tone, tenor, or the intent of this Bill, but it doesn't seem like this is something we should be doing and we could be continually acknowledging what the Federal Government does or doesn't with days of commemoration ad infinitum and I just don't know that's a good use of our time or talent, such that it is. Thank you, Mr. Speaker."

Speaker Turner: "Representative Ford to close."

Ford: "Thank you. I disagree with everything he said. And I move for the passage of House Bill 4250."



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Speaker Turner: "The question is, 'Shall House Bill 4250 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Rep... Representative... Mr. Clerk, please take the record. On this Bill, we have 56 voting 'yes', 54 voting 'no'. And the Gentlemen... Representative Ford asks for Postponed Consideration on this Bill. Thank you. House Bill 5756, Representative Cabello. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5756, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Cabello."

Cabello: "Thank you, Mr. Speaker. Ladies and Gentlemen of the General Assembly, this is an initiative of military affairs. Provides that there shall be no unlawful discrimination in the Illinois National Guard. Removes the... Adjunct General as being also referred to as the Chief of Staff. Provides that the division of family affairs exists subject to appropriation. The legislation is a cleanup Bill for the Department of Military Affairs. The Military Code has been reviewed to correct some audit findings and to modernize language from the late 1950s. Respectfully ask for an 'aye' vote and would be willing to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 5756 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5756, having received

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the Constitutional Majority, is hereby declared passed. House Bill 3760, Representative Franks. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 3760, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I want to thank... start off by thanking Ed Sullivan for making this a better Bill. When I brought it to committee, he had some ideas and I appreciated that and he... he wrote the Amendment. This is a disclosure Bill, it's a transparency Bill. And what this Bill will do is create the Local Government Tax Incentive Disclosure Act, which does two things: that... that units of local government must report the value of any tax incentive they have given as a community investment on their annual financial report and that the Department of Commerce and Economic Development must report the total value of tax credits. It is awarded to the Governor and the General Assembly by August 1 of each year. I'd be happy to answer any questions."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 37... Representative Sandack, my apologies, I didn't see your light.'"

Sandack: "No, I was a little late to it. So, thank you, Mr. Speaker. Will the Sponsor yield?"

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

Sandack: "So, Jack, tell us why this Bill is needed, because frankly, you have kind of set those parameters today and I think they're always appropriate."

Franks: "Right."

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Sandack: "So, let's just lay out some legislative intent and some clarity as to what this Bill does and what good it will do and why we should vote for it."

Franks: "Thank you. And I appreciate the ability to defend the Bill, so I... I appreciate that. The Bill creates greater transparency for taxpayers on how their local tax dollars are being spent. And taxpayers ought to know what the costs of the incentives are for the investments. And I think... believe full transparency is always best. It leads to... better budgeting and it leads to more open government."

Sandack: "So tell me, give me an illustration on how this would work."

Franks: "Well, right now, for instance, if the... if a local government gives a tax incentive as a property tax abatement, we'd... I think the taxpayers ought to know what the cost of that is."

Sandack: "So, what would the... so what requirement would that local unit of government have to do to put that... that comports with your Bill?"

Franks: "They would just have to have that published in their... in their budgets and show, hey, we made this investment. So that way, I think it helps budgeting in the future so you could determine whether these investments are having a return. So I think we'll be... it'll give us more information to make these decisions."

Sandack: "So, if there's a town that does a sales tax rebate agreement with the car dealership, for instance..."

Franks: "Right."

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Sandack: "...there would be a requirement by that municipality to set forth the scope of the deal..."

Franks: "Yeah."

Sandack: "...what the savings were, and why it was a good thing?"

Franks: "Yeah."

Sandack: "Okay."

Franks: "Yeah."

Sandack: "So, is it an annual report? Is it annual finding?"

Franks: "Yeah, it would be done annually. And.. and we'd have the same for the state 'cause we've never really done that with DCEO and we've never really shown how much we're spending and I think it'll help us with budgeting. Because oftentimes, as you know, it's not a line item in the budget, and it comes and bites us later because we didn't even know how much we've... we've incented."

Sandack: "But your Bill is just applicable to local units of government, right?"

Franks: "No. It also.. the second part is, it requires DCEO must report the total value of tax credits it has awarded to the General Assembly on the... on August 1 of each year."

Sandack: "On a go forward basis, right?"

Franks: "Yes, Sir. So it's holding us to the same standard as we are to the locals."

Sandack: "Very good. I appreciate it and I support the Bill. Thank you."

Franks: "Thank you."

Speaker Turner: "Representative Willis."

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

Speaker Turner: "The Sponsor will yield."

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Willis: "I noticed in here that it says that this does not apply to school districts. Can you just explain to me why you did that, please?"

Franks: "I think we were doing it under the definition of local government. That didn't fall in. School dis... school districts are excluded under the definition that we have. In the future, if you'd like to... if you'd like to include them, I'm happy to do it, but I was looking at local governments and they didn't fall within..."

Willis: "But they are taxing bodies..."

Franks: "Oh, yeah."

Willis: "...and it's certainly a TIF district does affect what the school can expect to get in on... the school district can expect to get in on their local taxes."

Franks: "Oh, yeah, we could do that in the future, I agree with you. I think that's a really good idea. Thanks."

Speaker Turner: "Representative Ives."

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

Speaker Turner: "The Sponsor will yield."

Ives: "Just wondering if you'd be able to make this maybe a better Bill and I think Representative Willis is touching on something that I think is important for people to understand. And so, yesterday, we had Bremen... School District come in to testify in the Education Task Force... Funding Task Force and essentially arguing that even though they spend over \$14 thousand per student that they needed more money. And then we come into Session and what do we have passing but a TIF extension that that high school, who just complained that they needed more money, was willing to sign off on for a TIF

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extension. And they testified in committee in the morning... in Education Funding that they were deficit spending yet they agreed to a TIF extension. So, I think she raises a very good point."

Franks: "I agree with you."

Ives: "I think school districts ought to be disclosing, when they come in here and ask for... and a city asks for a TIF extension, whether or not that school district is deficit spending, whether or not they've been down here arguing for additional school funding, and what they're doing with it. Because to me that... that was... it was kind of a crime that that all happened all in the same day. It just flew out of here."

Franks: "Jeanne, I... I don't disagree with you. I didn't..."

Ives: "Okay."

Franks: "Yesterday, I didn't vote for any of those TIF extensions 'cause I... I had the same questions that... that you did on this. It's my understanding that most of the TIFs are not asked for by the school districts. They're the ones who are sort of, for want of a better term, the recipient of getting... the least, maybe not the recipient, but they're..."

Ives: "However, they do have to agree to it."

Franks: "I agree."

Ives: "And if they don't have the gall to sit there and say no, we need that additional increment and meanwhile, we're deficit spending... if they don't have the... if they're not... don't have the guts to do the right thing then this should not... this... can't go on."

Franks: "I... I think a lot of... I think a lot of this will be incorporated in the Bill as it is 'cause they'll have to show

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the investment or the revenue that's been forgone and it can be broken down. We can... we can get that. I'm..."

Ives: "We could break that down, right? We could break that down and say look, how much more is the schools going to... forget... what's the school giving up in that TIF report? What are they giving?"

Franks: "That's a good idea. Daniel Biss is picking this up in the Senate and I'll talk to him about it, but I think you made some very good points."

Ives: "I'd appreciate that because as we talk about funding formula changes at the school level, the truth is, is that that new increment that should be really captured in a TIF extension actually does not count as available local resources as EAV and all of that is factored into this funding formula. So people who are not utilizing TIFs are really, to some degree, I guess hurting themselves on the EAV calculation when it comes to school funding. This is a big issue."

Franks: "And you... and you make a bigger point because the definition of TIFs need to be redrawn. I think they've been abused throughout the state. And... and we... and that's right. It's not the subject of this Bill, but I'll be happy to work with you on redefining TIFs 'cause I think that's extraordinarily important going forward."

Ives: "Well, I... I'm going to vote for your Bill and I just appreciate the opportunity to highlight some of the other problems surrounding this issue. Thank you very much."

Franks: "Thank you."

Speaker Turner: "The Chair recognizes Representative Andersson."

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

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Speaker Turner: "He indicates that he will."

Andersson: "Jack, just so that we're clear. The obligation is on the local government that is granting the tax incentive, correct?"

Franks: "Yes, Sir. Yes, Sir."

Andersson: "So when we speak about TIFs, the only entity that could create a TIF, thus grant it, is the local municipality, correct?"

Franks: "Exactly."

Andersson: "So, there's no reason to include a school district in the list of obligees here. Is that correct?"

Franks: "Correct. Cause they can't create that, they're not the one. Unless, maybe going forward if they had given a tax abatement, because there could... I could envision in a specific instance, if maybe a certain business was asking for a tax abatement that the school may have to give. So I understand the previous Representative's argument, but dealing with the TIF, no, they... they're not the ones who would give it."

Andersson: "So... so, right now, dealing only with this, and I don't disagree with the previous Representative's comments about TIFs, but we're not dealing with TIFs right here."

Franks: "Exactly."

Andersson: "Okay. This Bill puts an obligation on local governments that grant incentives... and... and that's all it does, correct?"

Franks: "You just explained it better than me. Can I put you on as a cosponsor?"

Andersson: "Yeah, sure."

Franks: "Thank you."

Andersson: Yep. Thank you."



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Franks: "I'll put you on. Thank you."

Speaker Turner: "Representative David Harris is recognized."

Harris, D.: "Thank you, Speaker, and question of the Sponsor."

Speaker Turner: "The Sponsor will yield."

Harris, D.: "Thank you. Representative, we talked about this Bill in committee and let me... let me ask you again the same question that I asked you in committee so we can put it into the record. Let's say a municipality in my area, which is in Cook County, that municipality is getting... has the opportunity to bring in a... a business into... into their village or municipality, and they work with the county to get a property tax reduction for that piece of property for their business, okay for a period of time which scales out, as you know, over certain years. So, what I read this Bill to say is, okay, the value of that tax reduction now has to be reported by that municipality, correct?"

Franks: "Correct. Correct."

Harris, D.: "Well, I understand that. But what about if that municipali... or what about if that tax reduction, because of that business coming in, generates hundreds of thousands of dollars of..."

Franks: "Let's hope."

Harris, D.: "...sales tax revenue to the municipality. So, it looks as though the municipality is sort of giving away dollars somehow, but that benefit is very real and very tangible and very beneficial."

Franks: "Absolutely. And there's nothing prohibiting... I want... I want them to get that story out. So if they spend X amount of dollars to give the... the abatement to allow the business to

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come in that's creating jobs and revenue, they should be singing that from the rooftops. See, we... we gave them 20 grand and they... and we got 200 back. That's the kind of information that people need so we can make informed decisions and we're doing these abatements. So, I think there's going to be a corollary when they show that they've made this investment, they can also show, and this is what the return was on the investment."

Harris, D.: "Well, how much... aside from property taxes, what sorts of other... what you referred to as community investment revenue, what other sorts of community investment revenue might be considered to be reported by that municipality, or that unit of local government?"

Franks: "I envision mostly property tax abatements as well as the TIF increm... the Tax Increment Financing. Those are the two that I'm... that we focused on."

Harris, D.: "Okay. And just briefly to the Bill. And I understand where he's coming from and we do want that transparency, but at the same time, if we are simply reporting the potential, say, community investment revenue, which is not coming in, without looking at the other side of the equation, I think there's not a clear picture of what's happening there. So, I'd... I'd urged some caution on the Bill. Thank you."

Speaker Turner: "Chair recognizes Representative Kay."

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

Speaker Turner: "The Sponsor will yield."

Kay: "Jack, I'd like you to put me on this Bill, if you don't mind. This is very important piece of legislation and I'll tell you why. We have for a long time, it appears to me based

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on some... some evidence that's come to me, improperly used TIF and the concept and what it's meant to be or what it's purported to be. And I'll give you an example. We have or we do have a business in DeKalb, Illinois, who has resided in that area for years. And they were recently given a 1.5 million dollar TIF to keep them from moving to DeKalb... from DeKalb to Sycamore. Now I... you understand the ramification of what that's going to do to their school district. They're going to get ripped. So, I think it's... we're way, way beyond time to take a look at this. We have let this grow and become an animal of itself. I recommend this Bill to everybody because we have some abuses, I don't even think we understand how they're going on. I don't mind saying what it's doing, but I think if it's doing something wrong, we need to know that likewise. Thank you for bringing this legislation forward."

Franks: "Thank you."

Speaker Turner: "Representative Leitch."

Leitch: "Thank you. To the Bill. I know in some parts of the state there are abuses that are undertaken with TIF Bills, but in many, many, many other parts of the state, TIFs are critical to the economic future of those communities, especially, when used responsibly. So I think it... while it's easy to demagogue this issue, I think the fundamental problem is, if this state's business climate wasn't so lousy, we wouldn't need so many TIFs or other incentives to keep people in Illinois. If we had a business climate that made any sense then we wouldn't have to worry about the hundreds of thousands of jobs that

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are leaving our state and contributing to this mess that we're in right now."

Speaker Turner: "Representative Phillips."

Phillips: "Thank you, Speaker. I guess, Representative Franks, we've had kind of a broad stroke here today against TIFs and also, you know, you didn't mention enterprise zones but... And we've had some on both sides come against those, but I'm building off of what Representative Leitch said, in several locations that I know of, without those incentives, there's no growth, there's nothing at all. There's no jobs. I, myself, have created 75 jobs in some towns that have had no creation because of those. So, also, to your Bill."

Franks: "Mr. Phillips... Mr. Phillips."

Phillips: "Yeah."

Franks: "This is not an anti-TIF Bill."

Phillips: "Yeah."

Franks: "This is a disclosure... transparency Bill."

Phillips: "Well, it sort of created that environment for some reason and..."

Franks: "It wasn't my intent. I was responding to your seatmate's question and I believe there may be there... may be a need to change definitions on TIF, but this Bill has nothing to do with that. All this..."

Phillips: "Yeah. And I understand that, but also at the same time, what you're asking to be reported on is that economic, you know, the cost or the associations of that economic... how would you go about doing that? I mean, how would you..."

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Franks: "I... I think it's very easy. If we're giving an incentive... the reason we give incentives is to create jobs and to create opportunities, correct?"

Phillips: "Sure."

Franks: "And it's worked for you. You've created 75 jobs. So you're a really good bet, right? So... we invested in you, and... your local community invested in you, and as a result, they got a heck of a return. Okay? We ought to be singing those praises. But we ought also let the citizens know what those investments are for full transparency and full disclosure because then we can have an idea if, hey, this is working for Phillips, maybe we should be doing it for the next person too. So I think this is an important tool for those that are creating budgets and for the taxpayers to know how their taxpayer... how their tax dollars are being used and whether they're getting a return on the investment. Because maybe there isn't... maybe it's somebody else they gave a lot of dough to and nothing happened. Well, then maybe you have to rethink do we want to incent that type of business or whatever it might be. But I always think it's better for the taxpayers to know how their money's being spent."

Phillips: "Yeah. And then... and once again, we take that local control away from them and we bring the control to Springfield, which is broken anyway, so it doesn't make any sense to me to add more and against the local control."

Franks: "No. There's no lo... there's no difference in local control. We're not saying that you can or can't do anything. We're just saying that when and should you give an incentive, just let us know what the investment is. Because what we find

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oftentimes in our budgets, it's opaque and you don't have any idea and the state's probably the worst of it. We don't know what we give on these incentives. I think it's important to know what we're incenting and what return we're getting."

Phillips: "I guess... I would really be interested to see how you're going to go about implementing this and how it's actually going to work. So, I guess that's about all I got to say, Jack."

Franks: "Thanks. Vote for it. If you don't like it, we'll change it in a couple years. But let's see how it works."

Speaker Turner: "Chair recognizes Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. We're getting a little sideways on what this Bill does. First off, I want to thank the Representative, Representative Franks, for allowing me to amend his Bill. That Amendment that I asked him to put on the Bill was positive because different municipalities, different units of government, treat their incentives differently. And so, we wanted to say that this is a community investment revenue. What did your community do with this revenue to make your community better? And so I looked at it as actually a positive. We can go into TIFs and different things about that. The Revenue Committee... if you want to spend three hours on TIFs, come to the Revenue Committee; we like to talk about them all the time. But this is a positive Bill. This is saying, all right, we're investing some type of money into here, what did we get for that investment? And that is ultimately the goal here is to see and make sure that these incentives that we're giving out are working. That's all this does. Plain and simple, we're not changing anything that you

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do in a local community. We're not dictating, other than please report on an annual basis what you're doing with these incentives. So then we, the voters, can say, did it work? Did it not work? And that's all we're doing. So, let's not overthink this. This is a good government Bill. And I urge an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Fortner."

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

Speaker Turner: "The Sponsor will yield."

Fortner: "I like the idea. I actually want to get into the details.

I think there may be an unintended consequence and maybe it's intended. So I just want to make sure I'm clear. In the definition of tax incentive, it says any property tax abatement granted by a unit of local government. Now, it is not uncommon for a municipality, let's say they have alternate revenue bonds and they do a citywide abatement as part of the deal for those bonds. At least the way I read it, it looks like things like that would now be counted as revenue. I don't think that's the intent."

Franks: "No, that's not the intent."

Fortner: "And I just wonder if that's something that maybe will need to be clarified on the other side to make sure that it isn't sweeping up standard citywide abatements that are going on."

Franks: "Thank you for cleaning up the legislative intent. That is not the intent and it won't be counted that way, so you just did a service."

Fortner: "Okay. And I don't know if whether or not the language itself may be, if... since... the other things you mentioned might

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be addressed in the Senate, maybe they want to make sure that that part is not so sweeping that way as well."

Franks: "Thank you. I'll check. Thank you."

Speaker Turner: "Representative Franks to close."

Franks: "I really appreciate the help from my friend, Representative Sullivan, and the others on this Bill to make it better. I appreciate the debate. Folks, I encourage an 'aye' vote because I think it's important that we continue our quest for more transparency in Illinois, especially, when it comes to budgets. It's critically important at all levels and I think it'll help us here when we're crafting our budgets as well. So, I encourage an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 3760 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 110 voting 'yes', 3 voting 'no', 0 voting 'present', House Bill 3760, having received the Constitutional Majority, is hereby declared passed. Representative Phelps, for what reason do you rise."

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

Speaker Turner: "Proceed, Sir."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, I want to say hi to all of our friends with the Associated Fire Fighters of Illinois. Thank you, guys, for what you all do. And also, don't forget tonight at 5:30, reception, the Illinois Sportsmen's Caucus. It's at the old Hilton at the Wyndham. We'd love to see you there. Thank you."



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Speaker Turner: "Thank you, Representative. Representative McDermed, for what reason do you rise?"

McDermed: "Point of personal privilege."

Speaker Turner: "Please proceed, Representative."

McDermed: "We have a lot of visitors in Springfield today, and I'd like to introduce a group very special to me, my current and former colleagues from Will County. It's Will County Governmental Day."

Speaker Turner: "Thank you, and welcome to your Capitol. Representative Riley, for what reason do you rise?"

Riley: "Point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Riley: "And I'd like to trump my esteemed colleague by introducing Suzanne Hart, who is a Will County Board member and all of the other members of the Will County Governmental League. Glad you're down here in Springfield. Give them a round of applause, please."

Speaker Turner: "Thank you, and welcome to your Capitol. Representative DeLuca, for what reason do you rise?"

DeLuca: "Point of personal privilege."

Speaker Turner: "Please proceed."

DeLuca: "And just to continue, I'd like to recognize Mayor Jay Farquhar from the Village of Monee, who's here. Jay, please stand. Welcome to Springfield."

Speaker Turner: "Thank you, Representative, and welcome to Springfield. Representative Hammond, for what reason do you seek recognition?"

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

Speaker Turner: "Please proceed, Representative."

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Hammond: "Today is Save Abandoned Babies Day. Representative Bellock has some lapel pins for anyone that is interested. But I think it's noteworthy to know that since the program has been in effect over 120 babies have been saved in the State of Illinois and I think that's awesome. Thank you, Mr. Speaker."

Speaker Turner: "Thank you, Representative. House Bill 6303, Leader Durkin. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 6303, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Leader Durkin."

Durkin: "Thank you, Mr. Speaker. House Bill 6303 came to me from the Cook County States Attorney's Office. It's been around a little bit for the past few years. I took interest in it this past year. This Bill creates the offense of firearms trafficking. This legislation specifically targets straw purchasers who do not have a valid FOID card who cause or cause to be brought into... inside the State of Illinois, a firearm for the purposes of... for sale or with the intent to sell or deliver. I think this is a very narrow targeted Bill. Specifically, it goes after those individuals who are illegally purchasing firearms that don't have the authority under State Law in Illinois that go to states that have lessened requirements to purchase firearms, but they come back here and they sell them, generally to the wrong people. We know what's going on in the City of Chicago. They're on a record pace for shootings and murders, but the Chicago Police Department has stated that the greatest cause of the gun violence we have in Chicago are gangs and also illegally sold

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and transferred firearms. So I would ask for the support of the General Assembly for this legislation."

Speaker Turner: "Seeing no debate, the question is 'Shall House Bill 6303 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 6303, having received the Constitutional Majority, is hereby declared passed. House Bill 5527, Representative Manley. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5527, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "Representative Manley."

Manley: "Thank you, Mr. Speaker. House Bill 5527, I know that when it was on Second and we moved it to Third, there was an Amendment that I said I would talk about. Do I need to do that? Or I'll just..."

Speaker Turner: "Third Reading, just so... for the record."

Manley: "Okay. 5527 is the culmination of a year based... well, basically, 10 months of work that we did on the Tax Return Preparers Task Force. The goal of the committee was to make sure that taxpayers were protected from maybe those preparers that didn't practice the most ethical practices on their behalf. So, the committee made a recommendation. It is an agreed Bill. And I ask for your support."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 5527 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 Members voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5527, having received the Constitutional Majority, is hereby declared passed. House Bill 5598, Leader Currie. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5598, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Turner: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. Today, the Department of Revenue collects taxes primarily on items like cars for municipalities charging a small fee. Under this measure, the same arrangement could be... could be... be involved with counties and the Department of Revenue. Again, this would make sure that the department is able to collect an administrative fee and if by agreement with the county and the department, the fee could be higher than the two percent that is established in the Bill. I know of no opposition and I'd be grateful for your support."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 5598 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 92 voting 'yes', 18 voting 'no', 1 voting 'present', House Bill 5598, having received the Constitutional Majority, is hereby declared passed. House Bill 4562, Representative Hernandez. Mr. Clerk, please read the Bill."

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Clerk Bolin: "House Bill 4562, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Turner: "Representative Hernandez."

Hernandez: "Thank you, Speaker and Members of the Legislature. House Bill 4562 is actually an initiative of the Illinois Department of Human Rights. The Bill matches the civil penalties of the federal level set by the U.S Department of Housing and Urban Development. The DHR currently has a contract with HUD to investigate real estate transaction violations and HUD is the one that recommended that Illinois match the current federal civil penalties. So, this is just simply trying to align it so with the federal level. Thank you."

Speaker Turner: "Seeing no debate, the question is, 'Shall House Bill 4562 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 113 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 4562, having received the Constitutional Majority, is hereby declared passed. House Bill 6302, Representative Hammond. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 6302, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. House Bill 6302 aligns the College Illinois Prepaid Tuition Program with 529 other college savings and prepaid tuition plans around the country and it allows the program participants to use their money at

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any school that the Federal Government defines as an eligible institution. I know of no opposition and appreciate an 'aye' vote."

Speaker Turner: "Seeing no debate, the question is, 'Should House Bill 6302 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 111 voting 'yes', 1 voting 'no', 0 voting 'present', House Bill 6302, having received the Constitutional Majority, is hereby declared passed. House Bill 5915, Representative Mayfield. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 5915, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Turner: "Representative Mayfield."

Mayfield: "Thank you so much. This is an agreed upon Bill. Basically, what it does, it provides inmates when they are... released from DOC to have... a state-issued ID so they're able to go out and get jobs upon release as opposed to waiting 30 days. There isn't opposition. And I ask for an 'aye' vote."

Speaker Turner: "On that, we have Representative Sandack."

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

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

Sandack: "Thank you. Rita, what's the... who is the opposition?"

Mayfield: "There is no opposition."

Sandack: "You don't know of any opposition?"

Mayfield: "There is none."

Sandack: "Okay."

Mayfield: "No one testified."

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Sandack: "Is there an expense associated with this?"

Mayfield: "No. Because this... the Department of Corrections was already issuing IDs, so, this right here just changes how those IDs are going to be done. So they were already paying and issuing IDs to inmates when they were released. So this way, they... instead of the DOC ID..."

Sandack: "Right."

Mayfield: "...this actually replaces that ID with a State ID that that individual can use to go and get a job. Because when you apply for a job, they're not accepting the DOC issued ID that's currently being issued. They're asking for State IDs and in most cases that individual has to wait 30 days. They need to get their birth certificate or get a copy of their social security card and that takes time. And in that time frame, they don't have any money."

Sandack: "So, is that essentially what your Bill does? Because there's nothing prohibiting anyone that's released from DOC from getting a state-issued driver's license or state-issued..."

Mayfield: "This just makes it easier."

Sandack: "It... it truncates the period and makes it easier."

Mayfield: "Yes."

Sandack: "And I'm going to be clear on something. You don't think there's an expense involved in that?"

Mayfield: "I was told that it's a... it's a net gain. So it's... what do they call that?"

Sandack: "No blood and..."

Mayfield: "It's cost neutral. I'm sorry."

Sandack: "Cost neutral."

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Mayfield: "Cost neutral."

Sandack: "All right. So, essentially, what your Bill does it lets... takes away the waiting period that's required for obtaining a state-issued..."

Mayfield: "I'm sorry?"

Sandack: "That's okay. Sign away. Representative Welch is an important guy."

Mayfield: "What was the question? No, no, I'm sorry. What was the question?"

Sandack: "What it... it shortens the time period that someone has to normally wait to get a state-issued identification card."

Mayfield: "Yes."

Sandack: "Is that the only thing it does?"

Mayfield: "Right. And it just allows that individual to go out and get a job upon release."

Sandack: "Oh no, I know what it does..."

Mayfield: "Right."

Sandack: "...ultimately, that's the goal. So they take their DOC identification and take it to the Secretary of State and say, here..."

Mayfield: "No."

Sandack: "...I get the shortened period?"

Mayfield: "They will get a state ID instead of the DOC, that's where the cost neutral's coming in."

Sandack: "Ah hah, I get it."

Mayfield: "So, instead of giving them two, they only get one ID. And they're currently... my understanding is that they're already supposed to give them an ID. So, rather than giving them... them getting two IDs, they only get the one."



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Sandack: "So when... when would this be issued, upon release?"

Mayfield: "Upon release."

Sandack: "All right."

Mayfield: "DOC... instead of getting the DOC ones, they will give them a..."

Sandack: "So, they'll stop using DOC identification cards..."

Mayfield: "Right."

Sandack: "And then go to the state-issued..."

Mayfield: "Right."

Sandack: "Identification card?"

Mayfield: "And DOC and the Secretary of State worked out what that process is going to look like."

Sandack: "So those two departments have talked?"

Mayfield: "Right."

Sandack: "All right. And do you know if they... say again, so you don't know of any opposition?"

Mayfield: "Neither one oppose the Bill. They were there in committee and they were fine with the Bill. They actually helped me with it so."

Sandack: "Okay. Thank you."

Mayfield: "Thank you."

Speaker Turner: "The Chair recognizes Representative Cabello."

Cabello: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I have a Bill that's pretty much the same exact. I'm in support of this Bill. One of the things that law enforcement has an issue with is when people come out of DOC and unfortunately, reoffend sometimes, they don't have any ID to actually prove who they are. There's plenty of old equipment that the Secretary of State can give to the DOC to

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make sure that they have the accurate identification. Representative, can you please add me as a chief cosponsor? And congratulations."

Speaker Turner: "Representative Mayfield to close."

Mayfield: "I just want to mention that this Bill, this initiative, is also part of the Governor's Commission... Judicial Commission, and this was one of their recommendations. So, this should be supported all the way around. This is a very good Bill, and it really does help individuals to obtain employment upon being released from DOC. I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 5915 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 79 voting 'yes', 33 voting 'no', 0 voting 'present', House Bill 5915, having received the Constitutional Majority, is hereby declared passed. House Bill 6163, Representative Crespo. Out of the record. Senate Bill 42, Representative Lilly. Take your time, Rep. Out of the record. Senate... House Bill 4036, Representative Lilly. Mr. Clerk, please read the Bill."

Clerk Bolin: "House Bill 4036, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "Representative Lilly."

Lilly: "Thank you, Mr. Speaker. Good afternoon, Ladies and Gentlemen of the General Assembly. I rise to present House Bill 4036. House Bill 4036 amends the Victim Economic Security and Safety Act by creating a uniform standard for all

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employees who are victims of sexual abuse to a 12-week unpaid time off. If there's no questions, I ask for your 'aye' vote."

Speaker Turner: "The Chair recognizes Representative Sandack."

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

Speaker Turner: "She indicates that she will yield."

Sandack: "Representative, the... I want to be sensitive to this because I think it's... I think you're bringing an important Bill. At the same time, I notice the opposition is lengthy from the business community. And clearly, this Bill has hit a kind of sensitive or a sore spot with business because of expense and I think a slew of... of issues. What have you done to try and, I guess, ameliorate and deal with some of business's concerns, particularly small business, if this is a big expense to mom and pop businesses? What have you done to try and alleviate some of that concern?"

Lilly: "Well, we had a... excuse my voice..."

Sandack: "Me too, I got a cold too."

Lilly: "Okay. Okay. We've had a lengthy discussion in committee. And we really, really believe that this is a piece of legislation that unifies all victims of sexual assault and sexual abuse."

Sandack: "Well... I appreciate that and no one... no one wants anyone to be a victim, but there are victims of all kinds of unfortunate, distasteful, and unfair incidents, and there isn't a law that gives anyone that may have been the victim of an assault 12 weeks or any type of paid off relief. So you're identifying, obviously, an important sensitive segment of society but this is at an expense, correct? And I'm just wondering how it is business is going to absorb this."

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Lilly: "First, Representative, this is already law. We are amending law and we have to start somewhere with these types of issues."

Sandack: "It's already the law?"

Lilly: "We are amending current law. We are amending the current..."

Sandack: "Right. But the..."

Lilly: "So we're... But we... this is where we started. We have to start somewhere to deal with the repercussions of these types of acts within the... our communities."

Sandack: "I appreciate that, again, Representative, but... obviously, you're bringing this Bill to expand the law and provide additional benefits to a segment of society. This isn't the current status of the law, correct?"

Lilly: "This is to equalize. We are establishing equal rights to all employees regardless of the size of business, Representative."

Sandack: "So this is basically taking what's applicable to larger companies and making it applicable for companies that may have two or three or four employees."

Lilly: "Correct."

Sandack: "So if a company that has four employees and has someone that's been victimized, unfortunately, and would be qualifying under your Bill, essentially that business would have to keep that position open. Isn't that right?"

Lilly: "Please repeat your... Isn't what right? I'm sorry."

Sandack: "The leave of absence that's permitted under your... under your statute would require the business, a four-person business, to maintain a spot for someone that qualified under this Bill."

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Lilly: "That is correct. Anyone who has been victimized from sexual abuse needs the appropriate time. This is unpaid time to address their issues. This is a Bill that equalizes the... cross the state all employees be treated the same, who are experiencing sexual abuse. And that's a very unfortunate experience for anyone."

Sandack: "You... you've mentioned the original Bill which I think addresses larger companies. When was that Bill passed? Do you remember, Representative?"

Lilly: "I do not have that information before me."

Sandack: "Okay. And but it's only for larger companies, correct?"

Lilly: "Correct."

Sandack: "And larger companies have the ability to absorb paid and nonpaid leave because they're larger and they have access to capital and they have access to labor and they're more able, because of their economic advantages to take on an expanded benefit base. Isn't that fair to say?"

Lilly: "I really don't think so."

Sandack: "Really? Well, I mean, the original law..."

Lilly: "What... what I really would like to you to help me to address is those individuals who have been victimized with sexual assault, sexual... sexual abuse, how would you handle them?"

Sandack: "Representative, I have absolutely no problem or qualms with the intention of your Bill, and I... I think I opened up my comment saying I think this is a very sensitive issue..."

Lilly: "It is."

Sandack: "...and I thank you for bringing it and it's delicate and we need to be very careful in what we do, but at the same

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time, we need to be cognizant and respectful of small business. Which frankly, this place kind of picks apart little bit more each day that makes running a business in this state harder and harder. This is a requirement on mom and pop businesses that they may not be able to afford. Even if they agree with you, they may wish to do this but are incapable of keeping a spot open and it may cause them significant business harm. And that's why I ask the question between a big company and a small company, because I suspect there are many mom and pop small companies in your district, as there are in mine, that this would be a very expensive endeavor for them."

Lilly: "I don't believe so. I really believe small business, large business, employers are concerned about their employees."

Sandack: "I have no doubt about that."

Lilly: "And this is intermittent type of leave that... really shows concern and compassion for their employees who would appreciate it and who will continue to work in a better state of mind. I do not agree with you on that, Representative. Respectfully, respectfully."

Sandack: "Respectfully... completely accepted that. I don't disagree with you that this is a sensitive issue and good employers will do what they can to keep their people, particularly those that have been victimized, that they want to make sure are careful. At the same time, this is an expense on small business. It is undeniably a fact and that's why NFIB, IRMA, I... IMA, the Department of Labor, the Illinois Petroleum Marketers Association, and literally a slew of business interests are in opposition of your Bill. And it's not because they're not sensitive, it's because they think

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we're being, frankly, a little heavy handed with small business in particular. And so, I respect very much what you're saying and doing... and I would go to the Bill right now. I... the Representative's intentions are absolutely unimpeachable and I think they're clear and I'm sensitive to them. At the same, this is a tough Bill for business. It's yet again another crack at small, mom and pop, dictating to them what they can and can't do, telling them they're going to bare the expense of something they may not be able to bare. I get it. We need to be as sensitive and as humane as possible to those who have been victimized. At the same time, we are to a lesser extent victimizing our small business by again imposing a regulation upon them that requires them to do something they may not be able to afford. We wonder why business is leaving. It's death by a thousand cuts, Ladies and Gentlemen. This is yet another cut. Thank you, Mr. Speaker."

Speaker Lang: "Representative Lang in the Chair. Ladies and Gentlemen... Thank you. Ladies and Gentlemen, this Bill is on Short Debate. We still have four people wishing to speak on it. I would ask you either to be brief or to not be repetitive. The Chair recognizes Mr. Tryon."

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

Speaker Lang: "Sponsor yields."

Tryon: "Representative Lilly, you had this in committee and I just want to... I just want to go over for the House how this might work with a really small business. So let's say I have a business and it's a small testing laboratory. I actually happen to be familiar with that type of a business. And... and

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the State Law says I have to have a certain type of employee that has a degree in chemistry to do my testing. Say I have seven employees and one of my degreed chemists takes advantage of this law and leaves for 12 weeks. I can't operate without filling that position. What would I do? How would I... how would I do that?"

Lilly: "Most employers who are really been in business, they do have relationships with temp organizations and other means of making sure that they have their operations functional. And I'm sure small businesses can work with their local Chamber of Commerce to assist in those resources. This is a bus..."

Tryon: "Well..."

Lilly: "We're dealing with human resources, not machines."

Tryon: "I can... I can tell you that would..."

Lilly: "There's no prediction on what will happen to an individual on any given day. So, you would have... this is the cost of doing business in any business throughout our country. So, if you need assistance in those... in that... in that example, please call your local Chamber of Commerce. They have experienced..."

Tryon: "Right. Well, see..."

Lilly: "...employers that can assist you in that area."

Tryon: "Can I tell you that just doesn't work in that situation?"

Lilly: "Oh, but it does. It does."

Tryon: "And I would have to find a very specialized person that my local Chamber of Commerce would have no idea how to find... okay... trained for different things. So let's say I then found that person on my own. Now I hire that person. Now 12 weeks goes by and I have to hire... take that person back. Now what do I do? Do I lay that person off that I hired, right? Now I



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have to pay unemployment insurance again. Would that be correct? Because that's what the testimony in committee was."

Lilly: "That is not correct. This is intermitted leave. They can leave one week at a time. They can leave to go to court. They can leave to make a medical pro..."

Tryon: "Oh, no, no. I would have to pay unemployment for the person that I hired."

Lilly: "So, this is int... it is not 12-week cons... it is not 12 consecutive weeks."

Tryon: "Okay. So... so..."

Lilly: "So, it is applied to intermittent leave, unpaid leave."

Tryon: "Okay."

Lilly: "So you are not correct."

Tryon: "That when I fill that position for 12 weeks with somebody that I find to hire to work for me in my company for 12 week, this isn't a temp job 'cause I'm not going to find a temp person to do that job. So I got to go find somebody and hire them. And let's say I hire them and then this person comes back. And I said, sorry, I'm going to have to lay you off, because I have to hire this other person back because the law is saying. I would have to pay unemployment, or the comp... or... the unemployment insurance would have to kick in. Because I've had that situation happen if I hired somebody and I did let them go in 60 days. I mean, I can't get around that. So you're adding that to a small business. There's a reason why (unintelligible) and some of our other laws apply differently to small businesses, because they simply may not be able to survive if you had to put this to them... this situation to them. And I want to ask you this question. Have there ever

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been a complaint with the Department of... with the Department of Labor regarding this? That you know of?"

Lilly: "I'm sorry, Representative, I didn't hear the last part?"

Tryon: "Has anybody filed a complaint saying, you know, I work for a small employer and... I... I'm... my child or somebody's a victim of violence and my employer didn't keep my job open and they filled it. Has that ever been a problem?"

Lilly: "Yes. Yes, those... complaints have..."

Tryon: "Yeah, but have we... do you know of specific instance?"

Lilly: "I do not know the specific incident, but I do know there has been a number of claims and a number of inquiries with attorneys in reference to this particular issue, yes."

Tryon: "'Cause in committee they said there hadn't been any. To the Bill. This is... I mean, there this is a reason why small businesses don't participate in a Family Medical Leave Act and some of these other... other requirements because they simply couldn't have the resources or the capabilities of doing that. You're creating a burden like... for a very good issue that may not be able to be complied with in a manner that doesn't threaten the existence of a very small business especially a business that may have two or three employees. And for that reason alone, this needs to be rethought and maybe there needs to be some Amendment put on your Bill that has to allow for some reasonable accommodation. But if that can't be made, you can't do this to a very small business 'cause you could threaten them, put them out of business, put them in a position where they can't compete, and I don't think you're... that's what you're trying to do. And I think... I think you could make some changes if you're willing to sit down and

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work with the... with the business community that maybe this is something we could... you could live with. In the situations that I've just outlined, it'd be very... very difficult, if not impossible, for some situations and some businesses. For that reason, I cannot vote for it and I would hope that you would bring it back and amend it so that it... it provided for reasonable accommodations. And if they couldn't been met for businesses under 20, or whatever that number is, they wouldn't be penalized. Thank you."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please excuse Representative Barb Wheeler for the remainder of the afternoon."

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

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

Speaker Lang: "Sponsor yields."

Wallace: "Hello, Representative Lilly. Thank you for bringing this legislation here. I want to ask, after some of this discussion, is there anything preventing a business from hiring a temp?"

Lilly: "No."

Wallace: "And are we suggesting that because you have a very specialized degree or you work in a very specialized field that should you be one of the one in four women raped or beaten, you should not have leave?"

Lilly: "No."

Wallace: "So, we... so, to the Bill. We're hoping to make sure that individuals who are employed by other individuals have the same rights as everybody else. So, if a company has 51 employees, we're saying that if you are victimized you would

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have time and have leave. But if you work for a company that has 49 employees, then if you are victimized you will not have leave. I think that this speaks to a much larger issue within our society, as I mentioned, the one in four number. So, if we know that women are making up even larger numbers in the workforce than ever before, but women are overwhelmingly victims of these particular crimes that you're trying to gain some protections from or give them some rights to have respite, I think, again, the conversation is much larger than just labor. It is about how are we dealing with working families and how are we dealing with women in the workforce, and one in four, again, women will be the victim at some point of one of these crimes. And I would shudder to think that we really believe that because of the number of employees at an institution or a business that if you happen to be a woman who works there, you don't get to have the time off to take care of yourself to recover from a violent attack. Again, this will cover more than women, but if we really look at the numbers, this is overwhelmingly going to impact women. And I thank you, Sponsor, for bringing this Bill. I encourage everyone here to vote 'yes' for this very important piece of legislation. Thank you."

Speaker Lang: "Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "So, I... you know, obviously, business has a lot of problems with this Bill, but there's also a little bit of a problem here with definitions. So, could you define for me,

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Representative Lilly, household member? Define household member."

Lilly: "Household number?"

Ives: "Household member. You're saying that this doesn't... this Bill doesn't apply just to folks who have been a victim that have family with that... that they're taking care of family, it also includes household members. Who in your wor..."

Lilly: "I believe the definition is here in the... in the legislation."

Ives: "What is the definition of household member?"

Lilly: "House... family or household member for employees with a... if a family or household member who is a victim of domestic or sexual violence, means a spouse, parent, son, daughter, and other related by blood and by present or prior... prior marriages."

Ives: "So, it's not truly a household member then, at least according to the IRS statute. 'Cause simply because being related by blood or marriage, if you're not living in that household, you have to meet certain standards... for... to be considered a household member for IRS dependency."

Lilly: "Family court, family or a household, is family or a household, and we're not talking about the IRS in this particular legislation. We're talking about sexual abuse. We need you to be very sensitive to this issue. It's an alarming issue in our state, in our country."

Ives: "But when you open it up to household member..."

Lilly: "I wish I did not... I wish I did not have to bring this... piece of... legislation. Thank you."

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Ives: "I think... I think what you don't understand here is that this is almost an innumerable number of people that could be affected or that could... that you could say that you need leave time to take care of. It could be your cousin, it could be your second, your fourth cousin, as long as they're related to blood. And the IRS has a very specific standard on what is considered a household member. And I think that you know maybe if you adopted some stricter standards here, or as Representative Tryon suggested a reasonable accommodation that you'd get further with this Bill. But there's... essentially, an unrestricted access to this as well as not really defining domestic and sexual violence. Does that come... is it the counselor who decided? Is there a court adjudication? Is it somebody's own decision about how that word is defined? I just feel like it's way too open-ended to... to make any, you know, sense."

Lilly: "We are not changing the definition of the law. It's already in law. I'm... I apologize, Representative, I'm not understanding what you're really stating... what you're really stating. I don't want... I don't..."

Ives: "Well, I wasn't here... I was not here when the first law passed. Yeah."

Lilly: "I... I do not wish you to misrepresent the legislation, but we are not changing the definition that's already law. And I don't want you to misrepresent this piece of legislation because it is about sexual assault upon individuals who happen to be employed amid... in all of our employers throughout our state."

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Ives: "Well, then this is simply a Bill that's going to force more employers to either close down or move to Indiana, Wisconsin, or you name it because what... along with your Bill, in that same time frame, came about seven other unfriendly-business Bills, pro-labor Bills that simply are going to drive business out of the state. And the refusal here for you to even well-define the terms used in your legislation, are problematic. I mean, when you're talking about employ... an employer who even has one employee being affected by a Bill like this, we've got a problem here. We have a problem. So, I encourage a 'no' vote. And I encourage a 'no' vote to keep business here. Thank you."

Lang: "Representative Ammons."

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

Speaker Lang: "Sponsor yields."

Ammons: "Thank you, Representative Lilly, for this Bill. I just had a couple of questions. Unfortunately, I wasn't in this committee. So, I understand the concept of the Bill. When you presented in committee was there any demographic information at all about the number of weeks that are average... taken average by any person in any size business each year?"

Lilly: "No, we did not have that dialogue."

Ammons: "And is there any way for us to determine... because this is unpaid, this is not paid leave."

Lilly: "Correct."

Ammons: "So I understand the concerns from a small business side. I used to own my own small business and I understand the impact this could have in unpaid. And I'm just wondering if there's any way for us to quantify an average of what the

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normal week cycle would be for anybody, no matter what the size of the business because that would really address what could be being perceived as a burden that actually most people who are not paid and who don't make a lot of money, can't afford to take off 12 weeks anyway. So that... that's really... I'm wondering how big the, you know, this impact would really be."

Lilly: "It's not a big impact."

Ammons: "Thank you so much."

Speaker Lang: "Representative Guzzardi."

Guzzardi: "Thank you, Mr. Speaker. To the Bill, briefly. While I understand the concerns of businesses, I would certainly suggest that it's going to be worse for your business to bring a woman who's been beaten, a man whose child has been raped, to force that person to come back to work the next day in a state of trauma. It's going to be a heck of a lot worse for your business to do that than to give them adequate time to deal with a crisis in their family on unpaid leave, for crying out loud. We're not asking to put these businesses in a bankruptcy. We're asking them to take some unpaid time to grieve over a profound trauma and then come back to work ready to do their job? I think that's good for every business in Illinois. Thank you."

Speaker Lang: "Representative Lilly to close."

Lilly: "Thank you, Mr. Speaker. Ladies and Gentlemen, again, this Bill sets equal, uniform standards for all employees regardless of the company's size to 12-week unpaid time off. SB 4036 (sic-HB 4036) will recognize and establish equal



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rights for all employees when are victimized with sexual assault. Thank you. And I urge an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Please record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 72 voting 'yes', 26 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 6149, Mr. Frese. Please read the Bill."

Clerk Hollman: "House Bill 6149, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Frese."

Frese: "This Bill would allow for the issuance of an Illinois veterans home decal for the... for your automobile. And the funds generated would go and be deposited into the Illinois Veterans' Home Fund. This is an initiative of the Illinois Department of Veterans Affairs. I urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 110 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Pritchard is recognized. For what reason do you rise, Sir?"

Pritchard: "Thank you, Mr. Speaker. I'd like to recognize some firefighters from my district up in the balcony from DeKalb and Sycamore just like a lot of your firefighters who are

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down here today. Certainly, first responders that deserve our respect. Gentlemen, if you could stand up. Thank you."

Speaker Lang: "Welcome to the House of Representatives. Thank you for being here. Mr. Batinick is recognized. For what reason do you rise?"

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

Speaker Lang: "Go right ahead, Sir."

Batinick: "We have some wonderful members, Trustees from the Village of Plainfield up in gallery on the Democratic side. We have Margie Bonuchi, Trustee Racich, and I believe Wojo's up there too. So, welcome to the General Assembly."

Speaker Lang: "Welcome. Thank you for being here. Representative Hernandez."

Hernandez: "Point of personal privilege... privilege."

Speaker Lang: "Proceed."

Hernandez: "Yes, I also wanted to welcome and ask the Assembly to give a warm welcom... warm welcome to my Cicero... Cicero and Berwyn firefighters, but I think they left. So, but let's give them a hand anyway."

Speaker Lang: "What a good idea. Thank you. If they were here, I would thank them for being in the chamber. Representative Hammond."

Hammond: "Thank you, Mr. Speaker. On House Bill 5598, I'd like to be recorded as a 'yes', please."

Speaker Lang: "The record will reflect your intention. Representative Skoog, for what reason do you rise, Sir?"

Skoog: "Point of personal privilege."

Speaker Lang: "Go right ahead."

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Skoog: "I'd like to recognize some firefighters from my district, from Streeter and Ottawa. If they would please rise and we'd like to say thank you for your duty."

Speaker Lang: "Thank you. Thanks for joining us. House Bill 4259, Mr. Moylan. Please read the Bill."

Clerk Hollman: "House Bill 4259, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Representative Moylan."

Moylan: "Thank you, Mr. Speaker. House Bill 4259 prohibits nongovernmental organizations, like lobbying firms, from participating in the public... pension systems. And I respectfully ask for an 'aye' vote."

Speaker Lang: Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. There are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1380, Mr. Phelps. Please read the Bill. Out of the record, Mr. Clerk. House Bill 5783, Representative Jimenez. Please read the Bill."

Clerk Hollman: "House Bill 5783, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Jimenez."

Wojcicki Jimenez: "Thank you, Mr. Speaker. House Bill 5783 is a simple Bill that would move the employment and the economic opportunity for Persons With Disabilities Task Force under the direction of a agency where administrators agree is a better fit. Under this Bill, it would operate with administrative support from the Illinois Department of Human

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Services. It is currently housed in the Department of Employment Security. Both... agencies agree that this is a better fit. And there are no known opponents to the legislation."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. You got off easy, Representative, easy. Mr. Moffitt is recognized."

Moffitt: "Perhaps that freshman should observe a little more. That was awfully easy. Having voted on the prevailing side, there's a Motion I would like to consider making, in case.. No, we better keep moving. Thank you."

Speaker Lang: "House Bill 6060, Mr. Rita. Representative Rita. Out of the record. House Bill 6031, Representative Scherer. Please read the Bill."

Clerk Hollman: "House Bill 6031, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker. Today, I'm presenting House Bill 6031, which is the Police Dog Retirement Act. I want to allow police officers to adopt the K-9 police dogs they served with when those dogs retire. Right now, these police dogs must be sold upon their retirement. Police departments are going to lengths to keep the dogs with the police officers who handled and cared for them for years. So, the right thing

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to do is to allow them to stay together without some bureaucratic procurement processes. And there is no known opposition. I urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Please take the record, Mr. Clerk. On this question, there are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5710, Representative Sosnowski. Please read the Bill."

Clerk Hollman: "House Bill 5710, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Sosnowski."

Sosnowski: "Thank you, Mr. Speaker. I rise on this Bill which would essentially allow a school district to offer a high school diploma through a third party agency in place of a GED course. I know of no opposition for this. This would only be attributable to those students outside the normal curriculum... searching out for a GED option. But this would allow them to actually obtain a full diploma. I'm available for any questions."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. There are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4387, Mr. Wehrli. Please read the Bill."

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Clerk Hollman: "House Bill 4387, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Representative Wehrli."

Wehrli: "Thank you, Mr. Speaker. House Bill 4387 amends the Illinois Aera... Aeronautics Act. It changes the requirements for federally licensed pilots that reside in the State of Illinois from registering with the Illinois Department of Aeronautics from every two years to once."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 110 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5003, Representative Winger. Representative Winger. Please read the Bill."

Clerk Hollman: "House Bill 5003, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Representative Winger."

Winger: "Thank you, Mr. Speaker. House Bill 5003 calls for each judicial circuit in Illinois to have a veterans court established. Approximately half have done so already. Many veterans went overseas and put their lives at risk to protect our nation. We owe them a fair chance to rehabilitate outside of the jail system for certain non-aggravated offenses. Jail is not the answer for these service members, and these veterans would have the opportunity of a court program better suited to those who have fought in combat to address needs specific to them. I am not aware of any opposition to this. And I ask for an 'aye' vote."

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Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Lady yields."

Franks: "Representative, as I'm reading this through our analysis, it indicates that this is a mandate on local governments to create a new veterans court, correct?"

Winger: "Correct."

Franks: "Is there any funding being given to the locals to establish this program?"

Winger: "There's no known funding currently that I'm aware of, and the fiscal impact is not established. That the way I understand it, many of the circuits that do have a court within their circuit have done so out of the desire of the members of that special court and they have been successful. So it... that there is no ob..."

Franks: "But that... it's always been vol... it's always been voluntary, correct?"

Winger: "Correct."

Franks: "So how many circuits right now in the State of Illinois have implemented this voluntary program?"

Winger: "For sure 11, maybe 12."

Franks: "Twelve. And how many circuits are there?"

Winger: "Twenty-four."

Franks: "All right. So, about half of them have?"

Winger: "Yes."

Franks: "So why do you think it's necessary, instead to allow what you think may be working well now as discretionary, why are you mandating this for the other 12?"

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Winger: "I believe that each veteran that would fall under this category does have the right to a veterans court."

Franks: "But what if... can I ask what that..."

Winger: "Just because someone doesn't live in the region of a veterans court, they shouldn't be held without that option, that everyone should have the right."

Franks: "Well, what do they do? What is a veterans court? I mean, someone is a... has a status as a veteran, okay? What is a veterans court?"

Winger: "What this court system will do it... it pays special attention to the veterans, their needs, so they have more background in what these veterans have gone through. So, it in some courts it's a panel of different people that understand the services available to treat the specific need of... of this person."

Franks: "Is it a criminal or civil? I'm not... I'm not following you. So let's assume, simply because someone has the status of a veteran, so you're saying they should be afforded a special court. But is this court a civil process or is it a criminal process?"

Winger: "I believe it would be considered criminal. Let me just double check on that. Criminal."

Franks: "Okay. All right. So they're facing criminal prosecutions. Are there any parameters on what criminal prosecutions that they would get this special court? For instance, let's assume that there is a veteran who's accused of first degree, premeditated homicide."

Winger: "Now, it's my understanding that that would not fall under this Act. So... so, what my Bill is doing is amending the Act



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itself and it's changing it from 'may' to 'shall'. So, I want to double check here on... It doesn't go that deep into that type of criminal behavior."

Franks: "It's more for addiction issues, I presume."

Winger: "Correct. And... and mental health."

Franks: "Okay. All right. I understand... I'll wait 'til you're done talking to counsel."

Winger: "Thank you."

Franks: "Okay. So, right now, has there been any analysis of those 12 circuits that are currently utilizing this special court system? Has there been any analysis on how many individuals have gone through those programs, the recidivism rate, the success rate, et cetera, et cetera?"

Winger: "I don't have that level of detail. Let me check if there's some detail available?"

Franks: "Okay."

Winger: "There's a number of 20 million... approximately 20 million has been saved since the inception of the veterans courts, but... and that's including the recidivism, so keeping the person out of jail."

Franks: "I'd like to know how that's quantified. I just don't know how many individuals are being processed through these courts. 'Cause here's my question."

Winger: "Sure."

Franks: "Because this is an unfunded mandate, and presume there's 12 circuits that have made a determination that they wish to do this and 12 who have determined that they don't wish to do this right now. And perhaps there's a reason why they haven't chosen to do it because perhaps there hasn't been a need. And

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I'm concerned that we're mandating the expenditure of, you know, very scarce taxpayer dollars that we may not get a return on that investment because we're mandating this and we haven't done the empirical analysis to determine whether this ought to be mandated or whether it ought to remain discretionary. So that's why I'm trying to find out for those 12 that are doing it, how many have utilized it and what the results are. And whether... have you had a chance to speak to those 12 circuits that have not utilized it to determine a) whether they want it, and b) whether there's a need?"

Winger: "They have not filed any opposition to date."

Franks: "Have you actually spoken to these other 12 circuits to determine whether they would like this?"

Winger: "No. And... and they have not filed any opposition."

Franks: "Would you mind taking it out of the record 'cause I know we've got nine more days of moving our Bills until we have to get this done, so we could get a little bit more... I don't want to be against your Bill, if it's necessary, but I'd like to get some more information to determine whether it's really the best use of our taxpayer dollars. And if you could make a couple of calls to some of those circuits and let us know?"

Winger: "Okay. I'm going to keep the Bill in the record, and I may work with the Senate side to change the language if needed."

Franks: "I'm sorry, I couldn't hear that last part."

Winger: "If needed."

Franks: "Okay, I just... I just don't think we have enough information to make an informed decision. I know it's a feel good type of thing that you want to have this, but I just

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don't want to burden our locals. I mean, at a time when we're taking away their resources, we're not paying them for lots of things and then we're saying, okay, now we're going to make you create another... a whole nother court. And I don't know if this is going to require another judge that perhaps we're going to have to pay for. I don't know if it's going to have more bailiffs. I just don't know what the real costs are. There's no financial analysis here. We don't know how many people are using it. And I don't think anyone's asked you to bring this, have they? Has any of these 12 said we need you to do this 'cause I can't get my locals to do this, so I need you to mandate this from on high?"

Winger: "They have not asked me to do this, but... and these courts use existing resources. They use existing brick and mortar. They use existing people in place."

Franks: "How do they work now? Can you name one that's working right now? Like... does..."

Winger: "Yes, I can."

Franks: "Lake County have one, for instance? Give me one... you know, tell me about one."

Winger: "Sure. The court coordinator for the court in Kankakee County contacted my office and they're very proud of the way that works and... talked to me about another matter, but they..."

Franks: "Do you know how many people... how..."

Winger: "...they had good feedback."

Franks: "How many veterans have gone through their program?"

Winger: "I don't know how many."

Franks: "So we don't know whether it's been a success or not... that's what I'm trying to find out because sometimes we create

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programs in the State of Illinois that make us feel good, but then they don't work. And then... I was talking this morning... I had breakfast with the President of the University of Illinois and I told him we had passed a Bill here years ago that to say whatever you... you pay your first year in tuition is what you're going to pay in your fourth. It was a feel good Bill; it's been a disaster. Because as a result, they've increased their... their tuition every year because they're trying to make up for the four-year freeze for the people that are there. So, I just want to know whether this is actually working, and I don't have enough information to determine whether this ought to be something that ought to be expanded and mandated. That's all I want to know. If we're saving \$20 million, yes, please. If we're not, and it's... and it's just a... a label, then no."

Winger: "The VFW and the Veterans of Foreign Wars... or the VFW and the VA do support this legislation."

Franks: "I get that. You... but you're answering politically. I'm not worried about who wants it politically. I'd like to know empirically. I want to know dollars and cents. How many people are being... are going through this? How much are we spending? What is the return on the investment? I mean, we are broke. And you're re... and this is a mandate to spend more resources. So, if we're going to have that, I want to make sure we're getting a return on our investment. That's all I'm trying to do. I'm proveteran just as much as you are. I want to make sure we're spending our resources correctly. That's all I'm trying to figure out. And that's why I want some more answers and that's why I'm just asking if you'd take it out of the

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record so we can get these answers that we need. Then maybe everybody will be voting for it. And maybe we should be expanding it, but right now, you're not making an argument empirically for it. It's more of an emotional argument."

Winger: "And since inception, \$20 million has been saved overall."

Franks: "What are you basing that on? How did we save 20 million? How's that broken down?"

Winger: "I don't have the breakdown, but that has been the report that came back. And... and back to what I said earlier, avoiding prison, et cetera."

Franks: "Are these diversion programs? Is this a diversion program when you're saying avoiding prison?"

Winger: "I would say yes."

Franks: "Okay. And that's what I'd like to know more about. So, walk me through a case. A veteran is arrested for possession. What happens? How does... and let's assume it's the veteran's third offense in two years. Tell me what happens. How does this work?"

Winger: "I'm hesitant to walk you through a case when each court may be a little different in nature."

Franks: "I... I'd just like to call my state's attorney and get some information on this. I'd like to call a couple of state's attorneys and find out and that's what... If you could give us a day, I'm happy to do that."

Speaker Lang: "Mr. Franks, while you call your state's attorney, you've had the floor for some time. So, could I ask you to..."

Franks: "Thank... I'll call my state's... But I'd ask that you hold it just for a day so we can get some more information 'cause I understand your intent and I know it's well-intentioned,

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but I also want to make sure we're not wasting taxpayer dollars. That's it. Thank you."

Speaker Lang: "Mr. Tryon, also from McHenry County."

Tryon: "Thank you, Mr. Speaker. To the Bill. 2010, we passed and created the first Veterans Court Act in the nation. It originated from an initiative out of McHenry County from our Veterans Assistance Commission board members. It basically allows the court to have a specialty court just like all other specialty courts; drug court: mental health court, those types of courts. They can use the fees from those courts to help fund this. Even in Cook County, they usually only have about 15 or 20 participants in the veterans court as... at a time. What this allows you to do, especially for a veteran who's been diagnosed with Post Traumatic Stress Disorder the ability to... to trade a criminal sentence for a therapeutical sentence. And it's worked extremely well. Veterans have access to unbelievable benefits that they don't even know they access. And the successes of this court have been reported that the VAC, the Veterans Assistance Programs, have to react to a court-ordered therapeutical program. They can get people in faster, get the treatment faster, and actually benefit the veteran. And it's been successful. The... other states have adopted this and it's worked very well. So people, I believe, those who serve our country and come back with Post Traumatic Stress Disorders and other problems that are related to their service in the military, we need to be there for them. And while McHenry County has not instituted this yet, several counties have, and... and it only applies to nonaggravated offenses. Nobody that beats somebody up or had

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a situation where you created a problem from violence is going to be eligible for veterans court, but those who are... are nonaggravated offenses can use this. It's been a very good program. I certainly support the Bill."

Speaker Lang: "Representative McDermed."

McDermed: "Thank you. I want to speak to the Bill. I... I come from Will County where we have had Veterans Court for a number of years. And I just want to bolster what my fellow Rep, Rep Winger, has been saying. Veterans court runs once or twice a month using a judge that already exists. And it's a way to divert folks who are struggling from prison or jail, because sadly, many of our vets come back with mental health issues or substance abuse issues. So the idea, as we have done so many times so many ways in this House is to divert people from prison or jail and put them in a place where they get the treatment that they need. Veterans court is hugely successful, saves a lot of money by diverting these people from jail or prison. And I completely endorse this. And ask anyone in Will County from the County Board, of which I was a member, and who funds this, to the people who graduated from veterans court, to the judiciary in Will County, and they'll all tell you it's a great system. You should completely invest in it. It's a worthwhile investment in our veterans, and it saves taxpayers money. Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "The Sponsor yields."

Kay: "Representative, we have a court in Madison County. It's about two years old and it's doing the very things that you're

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suggesting today. And while there are times that I am very, very critical of the Madison County Court system, this is a portion of the system that works extraordinarily well. And when I say extraordinarily well, we're serving veterans faster and keeping dockets open in areas whether it be criminal or civil that move along cases quicker. Now I... I wish I had the numbers with me, they were given to me for the first year as to what the savings really was. And while it was not 20 or 30 thousand dollars, it was somewhere in that neighborhood and that was for a program that basically adhered to 18 to 20 veterans a month. I don't know whether that's a good payback, but I think the fact that you are expediting the process at a relatively low cost has to say something about the people and the process that the Representative is talking about here today. So, I'm going to be supporting this Bill. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Andersson."

Andersson: "Thank you, Mr. Speaker. To the Bill. Clearly, the intent of the Bill is laudatory. I don't think anybody debates that. We've heard good examples of how the system works. At the same time, the Representative from McHenry County's comments about the unfunded mandate are also appropriate. But I took a look at our existing law with regard to drug courts because I was curious. Do we mandate drug courts in every circuit in the state? And the answer is we do. So every circuit... every county has drug court. This Bill allows, with the discretion of the chief judge, to incorporate veterans court, if you will, into a drug court. So while there might be a little impact, a... a minimal mandate, I'll concede that.



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For the good of what it does, I would suggest this is an appropriate case to look at that because the impact, the real impact on the system is probably negligible from the court processing standpoint. So, I stand in support of the Bill. Thank you."

Speaker Lang: "Representative Winger to close."

Winger: "...for an 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 108 voting 'yes' and 3 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Mitchell is recognized."

Mitchell, B.: "Thank... thank you, Mr. Speaker. Point of personal privilege."

Speaker Lang: "Please proceed."

Mitchell, B.: "In the gallery right behind me, I have a gentleman, an athlete from Special Olympics in Macon County, Illinois, Matthew Davis. Matthew, you're right up there. Are you still there? Yeah, he... he's over there, so. And give a big welcome, and we have some folks for Sangamon and Kankakee Co... County. So, welcome to the Illinois House. Thanks for coming."

Speaker Lang: "Thank you very much. Happy you're here with us today. Mr. Sandack, for what reason do you rise, Sir?"

Sandack: "Thank you, Mr. Speaker. Point of personal privilege, as well, please."

Lang: "Please proceed."

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Sandack: "On both sides of the gallery, give my friends from Downers Grove, the good, hardworking firefighters from Downers Grove Fire Department are here. Folks, let's give them a good Springfield welcome, please. Nice seeing you guys."

Speaker Lang: "Welcome to Springfield. Thank you. I don't know who's watching Downers Grove while all of you folks are here. Representative Jesiel is recognized."

Jesiel: "Thank you, Mr. Speaker. On House Bill 5003, please let the record reflect that I intended to vote 'no'. Thank you."

Speaker Lang: "The record will reflect your intentions. Thank you. House Bill 5668, Mr. Sims. Please read the Bill."

Clerk Hollman: "House Bill 5668, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lang: "Mr. Sims."

Sims: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 56... 5668 is a result of some discussions we had early this year. Members of the Black and Latino Caucuses and other Members of the Caucus had with youth in the City of Chicago. This task force addresses the youth employment crisis that's going on here in the... here in the State of Illinois. Right now, nearly half of all young... nearly half of African-American males between the age of 20 and 24 are neither unemploy... are either unemployed or not in school. What this task force is... is going to do is... examine this issue, but more importantly, to come up strategies on how we can eradicate the employment problem here in the State of Illinois for people... for young people of color. I... there was an Amendment adopted to address concerns raised by some of

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the opponents and that... the Amendment has now removed that opposition and I ask for your favorable consideration."

Speaker Lang: "Mr. Sandack."

Sandack: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sandack: "Elgie, thank you. I... at the end of that I make sure that everyone now is on the same page, the opponents have been satisfied, and the task force, you have no known opponents to this Bill as amended."

Sims: "That's correct, Ron."

Sandack: "Thank you, Elgie. Appreciate it."

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? Record yourselves, please. Please take the record. There are 111 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 6021, Mr. Yingling. Please read the Bill."

Clerk Hollman: "House Bill 6021, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lang: "Mr. Yingling."

Yingling: "Thank you, Mr. Speaker. 6021 opens a one-year window within the IMRF, SURS, and TRS system for people who are already retired to buy back survivor benefits. The... it would open up a one-year window after the effective date. It would allow members a 24-month period to pay back survivor benefits that they had previously taken along with any interest accrued by the system during the absence of them being... having that benefit. This is to... to address a couple situations. One being

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with individuals who retired out of the system before their relationships were legally recognized by the state and the United States Supreme Court. I'm happy to answer any questions. This is a cost-neutral Bill."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Sponsor yields."

Sullivan: "Now, Representative, you indicated that this is for changes in relationship status through legislation that we passed a few years ago. This Bill isn't... this Bill allows for anybody, really, that has been in this situation to reclaim benefits that were lost in the past. Is that..."

Yingling: "That is correct."

Sullivan: "Okay. Someone wanted that on the record, sorry. Thank you."

Yingling: "Sure."

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? Members, please record yourselves. Please record yourselves. Mr. Clerk, please take the record. On this question, there are 102 voting 'yes', 4 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4633, Mr. Martwick. Please read the Bill."

Clerk Hollman: "House Bill 4633, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lang: "Mr. Martwick."

Martwick: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, today I present to you for your consideration House

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Bill 4633. House Bill 4633 is an initiative of the Treasurer's Office, Treasurer Frerichs. And it is the... it creates the Unclaimed Life Insurance Benefits Act. What this Bill does is it creates a requirement that insurance companies make regular due diligence searches to determine if their policyholders have passed, and then seek out the beneficiaries and get the benefits to the beneficiaries. Now, you would think that that would be the normal course of practice. And in 20 other states, and with 22 life insurance companies in the State of Illinois, it is the practice because it's the right thing to do. This Bill would codify those requirements so that all insurance companies are required to follow with these conditions. I am available for questions. And I ask for a favorable vote."

Speaker Lang: "Mr. Sullivan."

Sullivan: "First off, can we take this off of Short Debate and add it to Standard Debate, please?"

Speaker Lang: "We can take this off of Short Debate."

Sullivan: "Thank you. And would the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Sullivan: "So, Representative, there's certainly some opposition to the Bill. Can you expand upon why people are opposed to this Bill at this point?"

Martwick: "And... to be honest, Representative... and... I really... I really don't know. This is a Bill that has been passed in... in 12 other states in nearly identical fashion. In many of those states, it has gone out with overwhelmingly bipartisan support. In fact, in Florida, it was just signed in law today and it went through their Legislature unanimously and it's

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almost identical to this. This is a Bill that simply says to life insurance companies... there is... in the current law in Illinois there is no requirement that they search... or do any due diligence checks to see if their policyholders have been deceased. And what this Bill does is it just requires them to do that. Now the Treasurer attempted to do this through negotiations with life insurance companies, and many of the major life insurance companies that we all know: MetLife, Prudential, AIG, John Hancock, Hartford, TransAmerica, many others, are already doing this. This just brings in all of the other life insurance companies in Illinois into compliance with this initiative."

Sullivan: "So, right now there's standing legislat... I'm sorry... standing litigation out there over this issue. Is there not?"

Martwick: "One second, let me get back to you. My understanding is that the litigation has to do with the Treasurer's rights to audit a particular insurance company. It does not have to do... it does not have anything to do with changing the law to require them to do this due diligence search."

Sullivan: "So we have some life insurance companies that sue the Treasurer after he conducted these audits. Some are still ongoing, some are not. Is that correct with these audits themselves?"

Martwick: "There are audits ongoing. And my understanding is that the... there was one insurance company that is suing the Treasurer."

Sullivan: "Certainly. And so, we have this lawsuit out there, but we don't know what the effect of the lawsuit's going to be. I mean, if you pass your Bill and then the lawsuits come back

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and say no, you can't do these audits, aren't we circumventing the legal process at all?"

Martwick: "So, the... what I've been told is that the Treasurer's Office asked the Attorney General to do... to qualify this legislation to make sure it did not overlap with the subjects of the lawsuit."

Sullivan: "Okay."

Martwick: "And the Attorney General said that it does not."

Sullivan: "Okay. Well, that... that's kind of where I was going with that is how it was going to affect these lawsuits... and thank you for that."

Martwick: "Sure."

Sullivan: "One of the issues, I think, is contractual and some of these life insurance companies, and maybe you can expand on that, believes that you're going to be... by making this retroactive, instead of going forward, that there's going to be some contractual problems of preexisting insurance policies. Is... is this something that you thought through or what's your opinion on that... that opposition from the life insurance companies?"

Martwick: "Well... so, again, this has been passed in, approximately, I think it's 22 states now. Twelve of them have been enacted. Ten of them have enacted prospective legislation. Twelve of them have enacted retrospective legislation. But... let me address that. If we were to make this prospective, given the nature of what we're talking about as life insurance, so it would attach to every life insurance policy sold after a certain date. That would mean that,

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effectively, this legislation would not go into effect for 30 years. There is..."

Sullivan: "Hopefully."

Martwick: "...there has been... there has been a practice amongst insurance companies in Illinois to hold these benefits and... and not look for beneficiaries and hold this money. And you know, I... I think that this is, again, by virtue of the fact that you've got 12 other states that have adopted nearly identical legislation and the fact that you have 22 major life insurance players that are voluntarily consenting to this type of practice shows you that this is what we should do. Many of the contracts that you speak of were from a different era. And this is an era where we have so much information at our fingertips, as I sit here with two digital devices... three of them right in front of me... we can find out this information. We should require them to make sure that they are living up to their commitment. Remember, at... when a life insurance policy is sold, right, it is sold... if you purchase a life insurance policy, the day that you sign the line and you start making those payments, you're doing it because you expect that insurance company to be there for your family members when you're not. And they need to live up to that commitment and that's what this Bill is about..."

Sullivan: "Certainly."

Martwick: "...and it does it right now."

Sullivan: "Certainly. The Treasurer became involved with this because of the audits. Was he auditing to was he finding that these policies ended up in his office as lost property or... or



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what was the basis for his audits or did he just want to make sure people were getting paid their money?"

Martwick: "So... this... what I'm told is that this initiative began as a multistate initiative that was undertaken by treasurers of many states and insurance commissioners and insurance companies. That's where this whole thing started. The Treasurer here in Illinois, that was his concern was that many of these unclaimed properties... and again, in certain instances that if you die at 54, an insurance company has no obligation... has under no obligation to ascertain that you've passed or to look for your beneficiaries or try to get money to them for an additional 50 years, up to 104 in some instances."

Sullivan: "Wow."

Martwick: "So, when that happens, at... you hit 104, you died at 54 and now it's your 104th birthday... they look for you... they can't find your beneficiaries and so now they have to kick it over to the Treasurer."

Sullivan: "Okay."

Martwick: "And so, this is a part of that."

Sullivan: "That... that was kind of the point of what I was asking. So, eventually, if they don't find... you know, I sign it at 28 and I die when I'm 92 and I put my beneficiaries down as X, Y, and Z person, and they might have deceased as well, and so now we don't know where to go to it, and so that's how it ends up at the Treasurer's Office."

Martwick: "That is correct."

Sullivan: "Okay."

Martwick: "It could be any number of instances like that..."

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Sullivan: "Okay."

Martwick: "...or the beneficiaries cannot be determined."

Sullivan: "Okay. Well, thank you for your... your answers."

Martwick: "Thank you."

Speaker Lang: "Mr. Harris."

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

Speaker Lang: "Sponsor yields."

Harris, D.: "Thank you. Representative, if I can, just for clarification. You indicated that most of the large life insurance companies are doing this, checking it, and what they're checking as I understand, they're checking against the... the Social Security Administration's Master Death File. Is that correct?"

Martwick: "That is correct."

Harris, D.: "So they're running... they're running their policy names... their policyholder's names against the Master Death File to find out whether or not any of them have died."

Martwick: "Yes."

Harris, D.: "Okay. If some... if they find out that someone has died, but they have not been notified... Well, let me back up... before we get there. In the event that somebody does die, and the insurance company is not notified and they have a life insurance policy, the insurance company's not notified. Let's say somebody dies at the age of 60. The insurance company's not notified. They know basically... they know what the... the policyholder's age is because they've issued the policy. They haven't heard from the person for... So, the person dies at... the policyholder dies at 40. They don't do anything until

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that policy reaches what would effectively be 100 years... the policyholder being 100 years old. Is that correct?"

Martwick: "Yes. I... my understanding is there's some variation and... but roughly, yes."

Harris, D.: "Right. So... so, the policyholder has been dead for 40 years, but of course, the proceeds that would have been paid to the beneficiary have now been invested with the insurance company for those 40 years. So, they've been able to make money, right?"

Martwick: "That's correct."

Harris, D.: "Okay. So, I think that's... that is clearly unfair and that's why I think the... the idea of running the names against the Master Death File is indeed, I think, the right thing to do. Part of the question though is this, if the companies... the large companies are already doing it, why... why do we have such opposition from the Illinois Life Insurance Council, from the... the American Council of Life Insurance Companies. Why the opposition if... if they're voluntarily already doing it?"

Martwick: "Well, it's not all of them. It... it's 22 of the ones and again, I didn't list them all, but these are... and I didn't even list the name brands that you would all know. There's many other names there that you would recognize. There... there are, according to testimony by the Life Insurance Council, there are... hold on a second. So, there are 500-plus insurance companies that sell life policies in Illinois. The ones that I mentioned are 22 of the largest that are voluntarily complying. It's the rest of them and... and again, remember, a lot of these are small policies, too, as well."

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Harris D.: "Right."

Martwick: "So, there's a lot of companies that sell these optional term life of a small... small dollar value."

Harris, D.: "Okay. And... and I can understand the large ones, it might be easier for them to do it. You mentioned that a number of states have enacted nearly identical legislation. Well, nearly ident... is it identical legislation? What have they changed, I mean, I would be curious to know that because it may be not exactly the same as what we're... we're requiring here."

Martwick: "My understanding, and again, of course as we've seen, you know, rarely do you get identical language state by state, but my understanding is that New York, West Virginia, and Florida are virtually identical to this legislation."

Harris, D.: "Okay. When this Bill was first explained to me by a representative of the Treasurer's Office, quite frankly, I was positively... thought positively about the Bill because of what I just referenced to you earlier that a life insurance company could hold on to those benefits that... from someone who has died for 40, 50 years of more before they turn them over to the Treasurer's Office. What..."

Martwick: "And... and Representative, let me just interrupt you for just one second. I want to get to your thought, but I think there's an important distinction there too. If they hold on to those benefits for, as you said, 30, 40, 50 years, when they... if they do find after that period of time, a beneficiary, or if they turn it over to the state, they're turning over face value."

Harris, D.: "I understand."

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Martwick: "That 50 years of interest... interest accumulation on that money..."

Harris, D.: "Right."

Martwick: "...that wasn't really theirs or they weren't entitled to keep, they keep that."

Harris, D.: "And that's... and that's a fair point and that's why I think the... the running of the names against the Master Death File is indeed the right thing to do and that requirement, that part of the Bill, I think is an absolutely... absolutely solidly good part of the Bill. The part of the Bill that I have a question about and I have a concern about is this. It's my understanding from the life insurance companies that they not only have to run the names against active policies, but they have to run the names against... their policyholders against the Master Death File, against lapsed policy. Some... a policy as an example, that the person has no longer paid the premiums and therefore, that policy has lapsed, but they've got to go back and run those names. And when they do, and here's where... here's the sticking point, when they do, as explained to me by the... the position paper from the Treasurer's Office, it says that if they find someone who has died, and now in order to try to find the beneficiary, they must make multiple attempts to contact the beneficiary in writing, by phone, by email at the last known address in the insurance records, must include the use of a national online search or locator tool to identify a more accurate mailing address if the mail sent to the beneficiary is returned undeliverable. So, my point here is, that's a lot of work. That's a lot of burden that now they have to bear to find the

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beneficiary on not only their active policies but also their lapsed policies. Am I right or wrong?"

Martwick: "So, there's a couple of things. First of all, when there is a hit, when they find out that there is a policy that matches the Death Master File, DMF, they have 120 days at that point to wait to see if a beneficiary comes forward before they have to do any of this search. And in terms of lapsed policies, what they... what once... what they have to do is they... they have to determine whether or not the policyholder was alive or I should say the policy was in effect when the..."

Harris, D.: "Right."

Martwick: "...policy holder died so that the lapse was due to the fact that he stopped paying because he died. So, yes, we want to check those lapsed policies. That's why they're lapsed. But in terms of the... the contact, I would..."

Harris, D.: "And... and may I ask... interrupt one second."

Martwick: "Yeah."

Harris, D.: "How far back do they have to go on those lapsed policies? How far back... I mean, are they running their entire policyholder database?"

Martwick: "Yes. They have to run the whole list of their policyholders once. So that would get all of the lapsed policies."

Harris, D.: "And then what about... and then what about the requirement about the... what I consider to be a fair amount of manual labor to try to track down a beneficiary if they come up with a hit on the Master Death File?"

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Martwick: "So, what I would suggest to you is this. These are not... I mean, I get where you're going... and I would agree with you but for the fact that these are not unsophisticated companies that don't already have processes in place for digital and written communications that they automatically send to their policyholders anyway. So it's generating two letters. Now, I don't know about you but I have some insurance and a mortgage and... and I get... get correspondence from them all the time, most of it automatically generated. We're talking about two letters, two phone calls, and then when you talk about a search of a national database, well, that's Google, you know. I mean, we get on the Internet, it's there. It's not... I really don't think... I get what you're saying. It sounds like a lot. I really don't think it would be that much of a burden when you look at what we're trying to do. We're talking about since this program was voluntarily entered into by these persons. Just people in the State of Illinois, there's been \$500 million, half a billion dollars in benefits that have been pushed to the beneficiaries, given to the people that are entitled to it because these companies voluntarily entered into this. We need to get the rest of them going on this path."

Harris, D.: "Well... I hear you and just to the Bill, if I can, Ladies and Gentlemen of the House. Again, what I said earlier about the first part of the Bill that... the mandating of running those policyholders' names against the Master Death File, absolutely the right thing to do. The insurance companies shouldn't be holding on to this money once a policyholder has died. They should have... they should be

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required to make a good faith attempt to find out if there is a beneficiary and to get the money to the beneficiary. The problem comes into the requirement base of how you contact that beneficiary. And yes, a lot of them are computerized, but they have to do emails, they have to do phones, they have to do writing. I mean, it's more than just sending out a letter. There's a lot of... of manual work done here and that's my concern with the Bill. And I just... I bring that up as a... a real burden that these companies have to go through. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Demmer."

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

Speaker Lang: "Sponsor yields."

Demmer: "Thanks. Representative, a couple of comments that you've made, I just wanted some clarification on. You mentioned that 22 of the largest companies are currently complying with this, but there's 500 or so that are... have issue."

Martwick: "That's correct."

Demmer: "Do you have a sense for what share of the policies those 22 largest take in? I mean, I know we might not be able to be exact here, but do we have an estimate?"

Martwick: "Yes. It's... my understanding is that those 22 insurance companies net nationally, I can't speak just to Illinois, but 70 percent of all the life insurance policies sold."

Demmer: "So, over the course of time, too, if we're talking one of the issues you discussed has been these... these policies looking backwards so some of the retroactive aspect of this. Many of those companies have likely been bought and sold over time, correct?"



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Martwick: "Yes."

Demmer: "Do you foresee, as those... as those companies are taking a backward look at perhaps a company that's been bought or sold once or multiple times, some of just the logistical hurdles and reviewing those... those previous cases from a company probably used a different record keeping system, used a different piece of software, you know, may... perhaps has been obsolete, you know, over the last couple of decades?"

Martwick: "So, you bring up a good point. And I'm actually glad that you asked that because there's an important part of that answer. First of all, just to address that, these companies being bought and sold. They would only be required to do that list of all of the policies that they're currently holding once. And while you might say that that is burdensome for them because they bought these other companies and they might have a hard time with the record keeping, imagine the situation of the person who bought the policy and the company has been bought and sold many times. Now a friend of mine... I'm glad that that... just reminded me, a friend of mine, when I filed this Bill, texted me and his father passed recently. And they found a shoebox and they had to go through... and he was not wealthy man, he did not have loads of insurance. But he had a handful of these small policies and these... but companies have been bought and sold, they had over 50 policies that they had to reach out and try and find out where these benefits were. Thankfully, all of whom were in that shoebox. But what if one of them is not? And that's why this Bill is so important."

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Demmer: "Sure... and I appreciate that side of it. It certainly complicates things for both the policyholder and the company who now owns and maybe has to look through the records for that over time. What today governs the procedure that a company takes in order to pay a beneficiary... to locate a beneficiary? Does the contract govern that or would State Law govern that?"

Martwick: "So my understanding is that under current law it is both, a combination. So, there are contract terms, but they must comply with whatever the current policies are, regulations I believe, probably through the Department of Insurance. But what this Bill does not do, it does not change the requirements that the insurance companies can put upon those who purchase the contract in order to be paid the benefits. So whatever they require the beneficiaries to present as proof of the policy and proof of death, they still must live up to those requirements. This Bill does nothing to change that."

Demmer: "But if this... if this kind of location procedure of how the beneficiary may be located and paid out in the event of death, if that's governed by contract and we come in today with this Bill and say, we... we're essentially establishing a new procedure for those companies to locate and pay a beneficiary and what happens with the assets in that circumstance. Aren't we changing the terms of the contract, retroactively?"

Martwick: "So, my understanding is there is a U.S. Supreme Court case that was decided in 1947 that says that this policy would be okay because we are not changing the terms of the contract."

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We're just... adding a requirement that companies search for the... the beneficiary or... or search to see that the policyholder has passed."

Demmer: "Okay. The other question I had. I... I believe there was significant media attention last year when a court case came up about an audit that was being conducted of Kemper Insurance..."

Martwick: "Yes."

Demmer: "...and between the Treasurer's Office. If your Bill becomes law, how will companies be audited or held accountable for compliance with the new terms that are established here?"

Martwick: "So if the Bill becomes law, there... the lawsuit would sort of be irrelevant because there would no longer be an audit. The Bill would put the duty upon the insurance company to conduct their own due diligence search, so the Treasurer wouldn't be involved in auditing these companies. And then the... the enforcement..."

Demmer: "Would there be an audit to ensure they're doing that? I mean, would there be any mechanism by which the state would ensure that... that this is happening?"

Martwick: "So, that... that would be up to the Department of Insurance to regulate that, and then if they do not comply with their requirements under this, than it would be up to the Department of Insurance to issue any... ensure any sort of enforcement measure."

Demmer: "So the Department of Insurance would be required to ensure that the terms of this Bill were being carried out. What's..."

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Martwick: "In the same manner that they regulate all other operations of insurance companies."

Demmer: "So what impact might that have on the Department of Insurance? I mean, would that require hiring individuals to kind of go through the record books here and make sure that this is being handled the appropriate way. Would they contract with the outside vendor to do this? How would that happen?"

Martwick: "You know, and to be honest with you, I... I've never worked in the Department of Insurance, so I don't know their makeup, but my understanding is they're neutral on this Bill."

Demmer: "Okay. I appreciate that. I... I think it just kind of calls to attention this... this concept of if there is an auditor at play, you know, there has been discussion about, does this... does this group going in and doing these audits, how are they... how are they paid? Is it a flat fee? Is it a percentage of what's, you know, been recovered? How does that bid process work? I just think that from the compliance and enforcement perspective of this..."

Martwick: "Yeah."

Demmer: "...it does raise some real questions about if that's something we can do in-house. Can we... can we afford to do that in-house or does that have to go out? And then, you know, what are the financial implications of that?"

Martwick: "Well, I... I, again, Tom, I think you... you raised a very good point, but again, they're... we aren't auditing, right. So, currently, we're doing these audits. This would remove that requirement. The insurance company does it in-house. Now, how would the Department of Insurance..."

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Demmer: "Yeah, perhaps, audits the wrong word, but en... enforcement of compli..."

Martwick: "Yeah."

Demmer: "...the compliance, the enforcement there."

Martwick: "I imagine it's the same way that they do any other sort of complaint about insurance companies would be handled in that same course, which is why they're probably neutral. It's probably not going to be a burden on them."

Demmer: "Thank you, Representative."

Martwick: "Thank you."

Speaker Lang: "Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please excuse Representative Tryon for the remainder of the evening."

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

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

Speaker Lang: "Sponsor yields."

Ives: "Representative Martwick, I... I'm just kind of curious. Do these insurance companies, are you saying that, essentially, they have to hold them until they're 100 years old?"

Martwick: "No. Under the current law, they're... they're under no obligation to affirmatively ascertain whether or not their policyholders are passed. So imagine you purchase a life insurance policy, and at the age of 54, and this is just... I'm using rough numbers... let's say you pass and then you stop paying, right, so your policy lapses. Well, then... you might think... you might think that they would say, I wonder if maybe Representative Ives has passed so we should pass on these benefits, but they're under no requirement to do so, and many insurance companies actually plan on that. So nobody

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contacted them, they say, we're under no obligation to look. The only time that they're under an obligation to look is when you've reached whatever your maximum actuarial life is. So that could be say 104, so for the next 50 years, they don't look to see if you're dead. They don't notify any given beneficiaries until you hit 104. Well, if you hit 104, your kids may have already passed and they never get the benefits of the policy that you paid for."

Ives: "Okay. And so, unlike investments, where if you've not touched them for five years, they can basically consider follow... and then they would go to the Treasurer's Office and the Treasurer could essentially sell that entire investment underneath people. That's not the same case here, right? The insurance company holds it for a longer period of time. And at what point do they remit it to the Treasurer's Office?"

Martwick: "Hold on one second."

Ives: "As unclaimed property."

Martwick: "So, the current law says, if they don't know that a person has passed, a policyholder has passed then they can hold it until the maximum actuarial life span which is 104. If they are aware that that person has passed then it falls under the same law as securities, so they would have to turn it over to the Treasurer after five years if no one's come forward. And so that's where this law is important because now they will be aware on... as best as we can determine with the information that's available, who is passed and who is not, and the clock will start ticking on those five years."

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Ives: "And then what's the Treasurer's responsibility for finding the beneficiary? Is it the same as what you're requiring of the insurance companies under this law?"

Martwick: "So the... the Treasurer is required to publish in all 102 counties twice a year, a list of all of this unclaimed property, and they hold it forever until beneficiaries or heirs can come forward and claim it. And of course, as you're probably well aware that the Illinois Cash Dash program, where people can go online and search for unclaimed property, submit claims, and other things they do. Well, they... they obviously, they're constantly publicizing that as well, letting people know. I know they do it through many of our offices where we let constituents know that this resource is out there. So, they're doing a lot to proactively find people who have unclaimed property."

Ives: "It... it just seems to me, though, that the insurance company have a bigger burden than our Treasurer's Office in determining the beneficiaries under your Bill here. Is that correct?"

Martwick: "A bigger burden, no. So it's... it's not the Treasurer's responsibility to determine beneficiaries. It is the life insurance's obligation to determine beneficiaries. What we're doing is changing... we're not even changing, what we're doing is we're adding a requirement that they actually search to see if the policyholder is dead. Once they've done that then they have to reach out to any potential beneficiaries and... and notify them. If they don't then it comes to the Treasurer. Again, this is about trying to get this money to them as soon as possible. One thing I would point out, and... you know, you

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mentioned investments, many of these insurance companies sell an investment complement, which you're probably aware of, called an annuity. And this same process that we're asking them to do for insurance policies, many of them, and I... I believe if I remember correctly this was stated in our hearing in Consumer Protection, that they already used this Death Master File to check annuity policies, because we don't want to pay those any longer than we have to, right?"

Ives: "Yeah. They... they may not... I'm sure that they probably do that, that's a very good point. I understand though, too, that a lot of these insurance companies also do investments, just pure and simple not even annuities. And I will tell you right now, they are not under the same requirement to find people that hold investments with them at all. And it is a problem. And I've had a constituent basically robbed of \$40 thousand through this... this wrong. So, I mean, there should be a... something done about that as well."

Martwick: "And... I agreed and in fact, the representative from the Treasurer's Office said he'd be happy to talk to you about legislation for that as well. They're aware of that problem."

Ives: "Okay. All right. Well, thank you for your comments."

Speaker Lang: "Mr. Breen."

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

Speaker Lang: "Sponsor yields."

Breen: "Representative, I just wanted to reconfirm some of the things that we had had testified to in committee. It... it was, as I recall, it was testified that over 99 percent of life insurance policies are paid out to their beneficiaries under



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current... current practice and law. Is that your understanding?"

Martwick: "That was the testimony of the representative of the Life Insurance Council. I... I don't have any independent knowledge of that."

Breen: "Sure. Well, but I mean, there's no reason to doubt it. And the Department of Insurance is actually, right now, already rolling out a policy locator for folks to check for their deceased loved ones and see if they had any life insurance policies in force. I mean, isn't... that's already happening, isn't it?"

Martwick: "That's... if that's happening, that's great news. It's another complement to things that we can do to ensure these benefits get paid. You know, Representative, again, I just want to repeat that since those 22 life insurance companies started voluntarily doing this, we've gotten, just to Il... Illinois citizens, a half a billion dollars of proceeds that they're entitled to."

Breen: "Well, and... and this also then goes to the point of your particular Bill. You know, how exactly did you decide that the insurance companies have to send... have to make two telephone calls, send one email, and send two postal letters?"

Martwick: "So, as I mentioned earlier that there was this interstate initiative between treasurers and insurance commissioners, and this is model language and it's been adopted in many other states. Again, I... in this digital age, Representative, I don't... I really don't see this as being that burdensome."

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Breen: "Except that, actually... I mean, as I understand it, your language has been adopted in a single state and that was Florida and that was yesterday, or what have you, when it was signed. So it was one state that has your actual language. And that then goes to my next question. Isn't there a model for the NCOIL, which is the National Conference of Insurance Legislators? That's not the companies, but it's folks like us. So Legislators across the country who are experts in the insurance field, and made themselves such, they've put out a model policy to deal with this issue. So, why didn't we... why didn't you adopt that one? Why didn't we bring that one forward?"

Martwick: "So, my understating, Representative, is that there have been two different versions of NCOIL model legislation, neither of which has been adopted in any state. So... exactly. But there are parts of these different models that have been adopted in many of the states. So ours has parts of the first model, which relates to the way they search against the Death Master File, and then we have parts of it from the second model, which relates to... I'm stating this backwards, I think. So, we... our... what we're... our requirements for reaching out to the beneficiaries comes from the first model and our search comes from the second model."

Breen: "And... part of the problem here is this. I mean, we... we're dealing with... and actually just... just one last question to kind of close this out. Your... your Bill would declare any... the violation a deceptive business practice, right?"

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Martwick: "Only if they're failing to meet these regulations so often that their failure becomes a regular business practice."

Breen: "Well, they've decided not to comply. They've decided not to comply."

Martwick: "In other words, it's their business pract... Yeah. I'm just... we're going to refuse to do this. That's correct."

Breen: "All right. To the Bill. One of the issues here is that the insurance industry has a set of contracts. And we are declaring that following the law at the time of the signature on the contracts, the engaging of the contract, and following the terms of the contract will now be a... a deceptive business practice in the State of Illinois. And the insurance industry has come in. They have come in in good faith. They have said, if you will adopt the NCOIL model... and that's not the insurance industry, its Legislators like us who put this model Bill together... they said, on the record, they would work with us and put that model into effect. They're willing to even go that far with us but that was not the desire here today. We are imposing a mandate on this business. And the problem is, who's next? What contracts are next? I mean, we have a guarantee on our contracts, the U.S. Constitution. And I mean, just good common sense. Are banking contracts going to be subject to change next? Are securities contracts going to be subject to change next? You know, living through this day where we... consider mandate after mandate on business, large and small. I mean, could we take maybe just a year moratorium on antibusiness Bills? Just... just a period of time when we don't go after the business community in Illinois just to

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give them a little sense that we don't want to drive every single one of them out of the state. This Bill needs to go down. They... they were willing to work on it, didn't want to work on it. Wanted to push through the Treasurer's version, great. You know what, why are we doing this? There's no good reason for it when we could have found a ground for compromise. I urge a 'no' vote."

Speaker Lang: "Representative Scherer."

Scherer: "Thank you, Mr. Speaker. I wanted to approach this, not from the detailed stand that many of the former people have talked about, Representatives, but I wanted to talk about this very briefly from a personal standpoint. And I have some papers and booklets that I would like to show people. These... this is a policy from my own family, and these booklets show the policies that they took out in 1958. You can do the math to figure out how long ago that was. And to try to keep track of papers like this for over 60, 70 years, I think is asking too much of the people who buy the insurance policies and their family and their kin. If I look in this booklet, it's marked with nothing more than initials and dates written in pencil and the premiums were \$1.35 and \$3.15. My whole point in this being, one of these policies was for me that my parents took out and for my siblings and for my parents. And the problem is they took these policies out when they couldn't afford to go on vacation. They couldn't afford to go out to eat. You got your one pair of shoes for the school year, they better last. You... you just live from paycheck to paycheck just barely getting by and everybody in this family is working, by the way. These are not Freddie freeloaders. I

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feel that the people affected by these policies have just as much right to get their payment as anyone else. And every insurance company, if they're willing to take your money than they should be willing to pay out the policy, and if they're not, they should not be in business. Because in Illinois, we need our people to know if you buy insurance in Illinois, you're not going to get ripped off and you're going to get your payment. And I'm not sure it really is that case right now. And when I look at these books, it breaks my heart when I know how hard my family struggled to make that \$1.15 payment and nobody cares one bit whether they get their payments at the end of the journey. And the payment might even not be that much, but it's the principle of the thing that if you're going to do business in Illinois than you better do it correctly or you don't belong here. Thank you."

Speaker Lang: "Mr. Brady."

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

Speaker Lang: "Sponsor yields."

Brady: "Representative, a question for you regarding your Bill. Does this legislation have anything to do with hampering or prohibiting insurance proceed assignment forms for payment of funeral services?"

Martwick: "So my understanding's that it does not exclude funeral and burial policies, which is why the Illinois Department of.. Funeral Directors Association supports this Bill."

Brady: "There's policies that deal with burial and funeral goods and services specific to that, but there's just basic life insurance policies where a family may come into a funeral home and say we will turn this policy over to you, Mr. Funeral

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Director, and we will sign anything you want us to so you will become the first claimant, if you will, the beneficiary signing over that for payment of goods and services. Does this legislation hamper that or prohibit that in any way?"

Martwick: "No."

Brady: "Okay. Thank you. Have you or... and I... I believe it's for the Treasurer's Office if I'm not mistaken. It's an initiative of the Treasurer's Office, so have you or any of your team there that is with you looked at or know anything about the electronic filing of death certificates in the State of Illinois?"

Martwick: "My understanding is that there is some institutional knowledge here. So if you have a question, we'd be happy to answer it."

Brady: "I... I... looks like a great institution over there that you've got. In the electronic filing, it may be a tool, a resource for the Treasurer's Office to, by legislation, get the authority to be able to use that system as others have to purge records, to check on things. Because under the informant section of a death certificate in the State of Illinois, quite often the informant listed may be the beneficiary on your policy. So I would suggest to you that that might be something the Treasurer's Office would like to look into, and being the author and architect of that system, I'd be happy to assist them if they'd like to pursue that further."

Martwick: "I... I believe that that is an affirmative yes. We would like to work on that."

Brady: "All right, great. Thank you very much."

Martwick: "Thank you, Representative."

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Speaker Lang: "Mr. Martwick to close."

Martwick: "Ladies and Gentlemen of the House, this Bill was assigned, although it affects life insurance, this Bill was assigned to the Consumer Protection Committee where the hearing was held. And I think that's important, because at no more sensitive time does the consumer, the purchaser of a good, need protection than when they're not there to claim the benefit of what they purchased. We buy life insurance so that the life insurance companies will provide a benefit to the people that we leave behind when we can no longer do so. Twenty-two companies are voluntarily taking on a new practice to ensure that beneficiaries receive the benefits that they're entitled to. That is business friendly, because what we're doing is we're saying, we're now going to level the playing field. Everyone is going to be required to meet the same requirements. No one will get an unfair advantage by exploiting loopholes in our laws. And most importantly, we will protect the most important consumers, our loved ones, the family members that we leave behind. That's why this Bill is supported by the Attorney General. It's supported by AARP. It's supported by the Union Labor Life Insurance Company. It's... it's supported by the Catholic Conference of Illinois and many others. It's a good piece of legislation. It protects consumers. It's the right thing to do. Please vote 'aye'."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 75 voting 'yes', 34 voting 'no'. And this

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Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4663, on the order of Second Reading, Mr. Hoffman. Please read the Bill."

Clerk Hollman: "House Bill 4663, a Bill for an Act concerning alternate dispute resolution. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. On the Order of Third Reading, House Bill 4013, Representative Feigenholtz. Representative Feigenholtz. Out of the record. House Bill 6060, Mr. Rita. Mr. Rita. Out of the record. Some additional priority Bills on Second Reading. Listen for your name. House Bill 741, Mr. Acevedo. Mr. Acevedo. Out of the record. House Bill 4156, Representative Kelly Burke. Kelly Burke. Out of the record. House Bill 1290, Leader Currie. Out of the record. House Bill 6266, Mr. Ford. Mr. Ford. Out of the record. House Bill 5933, Representative Gabel. Please read the Bill."

Clerk Hollman: "House Bill 5933, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Gabel, has been approved for consideration."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. The Amendment changes the size of the Council... the Food, Farms, and Jobs Council from 35 to 20. Thirty-five was a very large number and they were having trouble getting quorum."

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



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

Speaker Lang: "Third Reading. The Chair recognizes Mr. Brown."

Brown: "Thank you, Mr. Speaker. Please excuse Representative Bryant for the remainder of the evening."

Speaker Lang: "Thank you very much. House Bill 4683, Representative Bellock. Please read the Bill."

Clerk Hollman: "House Bill 4683, a Bill for an Act concerning criminal law. Second Read... This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Bellock, has been approved for consideration."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And what we're doing is adopting the Amendment, Floor Amendment #1."

Speaker Lang: "Brief explanation, Representative."

Bellock: "Okay. What it does is it changes from the original was the State Appellate Defender would move forward to continue the appeal but after a defendant is deceased, but now it would be executor or the administrator."

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

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

Speaker Lang: "Third Reading. House Bill 5029, Mr. Kay. Please read the Bill."

Clerk Hollman: "House Bill 5029, a Bill for an Act concerning health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kay, has been approved for consideration."

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Speaker Lang: "Mr. Kay."

Kay: "Mr. Speaker, I have a... a bit of a problem with the Bill in that I had committed to the chairman that I would take it back to committee and it came out on a Floor Amendment. What would you have me do?"

Speaker Lang: "Why don't we take it out of the record? Have you talk to the committee chairman and come back and let me know."

Kay: "Well, I've already talked to the chairman and she says she's unsure as to what to do because it came out on a Floor Amendment."

Speaker Lang: "Let's take it out of the record. We'll figure that out and get back to you, Sir."

Kay: "Thank you."

Speaker Lang: "House Bill 4515, Representative Lilly. Representative Lilly. Out of the record. House Bill 4663, Mr. Hoffman. Out of the record. House Bill 822, Representative Mayfield. Out of the record. House Bill 4536, Representative Walsh. Please read the Bill."

Clerk Hollman: "House Bill 4536, a Bill for an Act concerning local government. This Bill is read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 887, Representative Williams. Representative Ann Williams. Out of the record. House Bill 5018, Representative Hammond on the Order of Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 5018, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Hammond."

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Hammond: "Thank you, Mr. Speaker. House Bill 5018 amends the State Commemorative Dates Act, and designates the second full week of April each year as National Public Safety Telecommunications week, as a week to honor the dedicated women and men that answer the 911 calls across our country. Normally, every year we introduce legislation that commemorates this week. As telecommunications week, this will do it automatically every year. And I appreciate your support. Thank you, Mr. Speaker."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Mr. Clerk, please take the record. On this question, there are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 6057, Mr. Harris. Please read the Bill."

Clerk Hollman: "House Bill 6057, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Lang: "Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 60... 6057 is an initiative of the... of Metra. It allows... it's a... it's a Amendment to the payment and wage Bill that allows the Metra to withhold from final salaries any moneys owed in the event that an employee either damages or owes the system money upon termination from Metra. This is the same authority that's given to Chicago Park District, Chicago Public Schools, a number of other units of government. It was meant to include Metra. It wasn't when it was put in

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to... when the law was changed a number of years ago. And this puts Metra into the same category as other units of government. I ask your support."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, does the... would Metra be required to get a judgement in order to adjudicate that the employee actually owes the money?"

Harris, D.: "I don't believe so. No other... what Metra would be required to do is exactly the same procedure that the other units of government would require to do and I do not believe that a judgement is needed in that case."

Franks: "Would this allow Metra to have a super priority over other creditors? Let's assume Mr. Fortner was selling his services and someone didn't pay, and then he got a judgement. And he was then garnishing the employee who works for Metra, but then Metra says, you know what, the employee owes me money too. I'm taking it first, forget Fortner."

Harris, D.: "I don't know..."

Franks: "Sorry. You're... I was looking at you."

Harris, D.: "I don't know... I don't know that I have an exact answer for you other than to say this. Again, it's the same authority that's given to the Chicago Park District, CTA, Chicago Board of Education, Cook County Forest Preserve."

Franks: "Oh, I... No, I understand it's the same."

Harris, D.: "And... and given the fact that Metra is the employer or the Chicago Park Districts is the employer, or the Chicago... Cook County Forest Preserve District is the employer, the

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employer has the ability to withhold that... that payment from a final paycheck and in that case would..."

Franks: "Well, what procedure will safeguard so that... the employee have from an employer who says, hey, Harris, you owe me money. And you say, no, I don't. And they say, tough, I'm taking it out of your paycheck. What can you do about it?"

Harris, D.: "Again, I would come back and say that the employee has the ability to challenge that... that fact that they... they're owed... they owe money."

Franks: "Okay, how? Tell... tell me how. How can they challenge?"

Harris, D.: "Whatever the normal procedures are and I don't know what they are, and I don't know what they are."

Franks: "That's the prob... that's the problem, David, and I appreciate it. To the Bill..."

Harris, D.: "May... may I ask before... address the Bill, but let me ask this?"

Franks: "Yeah, sure."

Harris, D.: "Whatever the... I'd come back and say whatever the procedures are for those other units of government, like the Park District... Chicago Park District, Chicago Public Schools. I would answer your question with a question, what do they do?"

Franks: "Right. I don't like what they do."

Harris, D.: "Okay."

Franks: "Okay. So, I appreciate what the Gentleman's trying to do. He's... he's saying that he just wants to extend this to another governmental unit, to allow them to collect against their employees basically, should they believe that the employee owes the... the employer. What I'm concerned about is

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working folks who don't have the ability to stand up to someone who's their employer because if they do, they're probably going to lose their job. And what we're doing is we're giving an employer, who's already got a superior relationship to the employee, extra leverage. And we're saying, you know what, we think you owe money and we're going to take it out of your account. Now, if they really believe that they owe them money, why should they be treated differently than every other creditor? Why don't they go to court and prove it so they can have an independent arbitrator or a third party or maybe even have arbitration? But at least have a neutral third party to be able to provide... to provide protection to that individual who's being accused of owing money. Because I don't think its fair right now, the way this is done, and I know that the Sponsor, my friend, says, well, I just want to do this to what... what the other ones are doing, how the other governmental bodies are doing, but how the other governmental bodies are doing it is wrong too. It's wrong too. We should not be giving government super priorities simply because they're the government. They're no better than we are. They're no worse. They should be treated the same, but we shouldn't give them special privileges that other creditors don't have. Because what they're doing is then... what they're able to do is say that you owe me money, then they're going to jump to the front of the line. But if you're a small business where someone's written you a bad check, and then you're trying to collect on that, and then you get pushed to the back of the line, well, perhaps you're not going to be able to make payroll. We have a time-honored system in this

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country. First in time, first in right. So if you get a judgement, then you record that judgement, then you're able then to go and collect on that judgement. But that's not what this Bill does. This Bill says if you're the government, you get yours first. Well, I don't think that the government should be put on top of law-abiding citizens. And I understand we're doing this with others, but it's wrong public policy. It's heavy-handed, and it also hurts poor working people. I encourage a 'no' vote."

Speaker Lang: "We have five speakers remaining on this Bill. Would you please be as brief as possible. Mr. Davis."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, in your description of the Bill, you talked about the final paycheck. So is this the last paycheck of their employment that you're referring to or is it the end of a pay period that they can then try to recoup these funds?"

Harris, D.: "I was referring to their final paycheck. And if I may address the previous speaker's remarks, and I should have been more clear in answering his remarks and reading the Bill more carefully, all... all it was doing was adding Metra to the other list. But he's absolutely right. An employee deserves the opportunity to challenge any debt that is claimed to be owed. And indeed, the Bill, as applied both to Metra and to all of the other units of government, says the employee has been afforded the opportunity for a hearing to dispute the debt that is due and owing the municipality, the county, the Cook County Forest Preserve, et cetera, et cetera, et cetera.

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So the employee does have the opportunity for a hearing to dispute any charge which is... which is may be owed."

Davis, W.: "Okay. Well, even in that conversation, there's no... really no context to the hearing. Yes, you can come and make your case, but we've already decided; so therefore, you're still going to owe us the money no matter what you say anyway. I mean... and I say that in fairness to, kind of what the Representative was asking about process. I'm careful of that. Careful of that. Careful. But relative to process of how that's played out, and that... that was kind of one of the things I wanted to ask about was... was process. I can appreciate what you're trying to do, but relative to process, what that process is, and even if other government entities have done it, I'm not going to make an assumption that what Metra wants to do is exactly the same as the other entities so you were talking about process."

Harris, D.: "Sure."

Davis, W.: "But my question was about the final paycheck, so it's once they're done with their employment. So, if that employment... if whatever the issue was happened this year, but you know, somebody... they continue to work for another 5 or 10 years, they'll deal with it in 10 years when that employee decides to... whenever that relationship is severed, or whatever and they part. Would that be fair based on the way you described it?"

Harris, D.: "It... say that... Excuse me, one second."

Davis, W.: "So... so if... if you say the final paycheck. So, let's say that something happened this year in 2016. I'm 48 years old. I technically wouldn't otherwise retire for another, you



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know, 15, 20 years, means that even though the issue is this year, will it be addressed when I retire, my final paycheck."

Harris, D.: "Let me... let me... let me reference the Bill, which says deductions by employers from wages or final compensation. So, talking about the final compensation. But if I may, Mr. Speaker, if I may, I'd like to take the Bill out of the record so that I can answer the questions about what exactly the processes are, so that we can make sure that the employer... the employees are treated fairly, and we know what is being done by the other unit... units of government. So rather than delay the House, let me take the Bill out of the record for the time being."

Speaker Lang: "Gentleman removes the Bill from the record. Mr. Clerk, House Bill 166, Representative Flowers. Please read the Bill."

Clerk Hollman: "House Bill 166, a Bill for an Act concerning employment. This Bill was read a second time on a previous day. Amendment #3 was adopted in committee. Floor Amendment #4, offered by Representative Flowers, is approved for consideration."

Speaker Lang: "Mr. Clerk, out of the record. House Bill 119, Representative Flowers. Please read the Bill."

Clerk Hollman: "House Bill 119, 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. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 1151, offered by Representative Gordon-Booth. House Resolution

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1152, offered by Representative Beiser. House Resolution 1153, offered by Representative Gordon-Booth. House Resolution 1154, offered by Representative Keith Wheeler. And House Resolution 1155, offered by Representative Ives."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements. Members, please listen to the committee announcements."

Clerk Hollman: "The following committees are meeting immediately after Session: Appropriations-General Services is meeting in Room 118. Appropriations-Public Safety is meeting in Room 114."

Speaker Lang: "Members, an announcement. I made this announcement yesterday. Substantive Amendments must be filed by the close of business on Friday. Substantive Amendments must be filed by the close of business on Friday. With that being said, leaving perfunctory time for the Clerk, Leader Currie moves that the House... Excuse me, Mr. Clerk. Mr. Reis is recognized. I have no answer for you regarding Friday, Sir."

Reis: "So we should not check out of our rooms tomorrow."

Speaker Lang: "Sir, I have no answer for you regarding Friday, I'm sorry. Mr. Batinick. Must have been the same question. And now, leaving perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned until Thursday, April 14 at the hour of noon. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House stands adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill

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6554, offered by Representative Will Davis, a Bill for an Act concerning appropriations. House Bill 6555, offered by Representative Arroyo, a Bill for an Act concerning appropriations. First Reading of these House Bills. Second Reading of House Joint Resolution Constitutional Amendment #5, offered by Representative McSweeney.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article V of the Illinois Constitution by changing Sections 1, 2, 3, 6, and 7 and by repealing Sections 4 and 14 as follows:

ARTICLE V

THE EXECUTIVE

SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Attorney General, Secretary of State, Comptroller and Treasurer elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

SECTION 2. TERMS

These elected officers of the Executive Branch shall hold office for four years beginning on the second Monday of January after their election and until their successors are qualified. They shall be elected at the general election in 1978 and every four years thereafter.

SECTION 3. ELIGIBILITY

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To be eligible to hold the office of Governor, Attorney General, Secretary of State, Comptroller or Treasurer, a person must be a United States citizen, at least 25 years old, and a resident of this State for the three years preceding his or her election.

SECTION 4. JOINT ELECTION (REPEALED)

SECTION 6. GUBERNATORIAL SUCCESSION

- (a) In the event of a vacancy, the order of succession to the office of Governor or to the position of Acting Governor shall be the elected Attorney General, the elected Secretary of State, and then as provided by law.
- (b) If the Governor is unable to serve because of death, conviction on impeachment, failure to qualify, resignation or other disability, the office of Governor shall be filled by the officer next in line of succession for the remainder of the term or until the disability is removed.
- (c) Whenever the Governor determines that he may be seriously impeded in the exercise of his or her powers, he or she shall so notify the Secretary of State and the officer next in line of succession. The latter shall thereafter become Acting Governor with the duties and powers of Governor. When the Governor is prepared to resume office, he or she shall do so by notifying the Secretary of State and the Acting Governor.
- (d) The General Assembly by law shall specify by whom and by what procedures the ability of the Governor to serve or to resume office may be questioned and determined. The Supreme Court shall have original and exclusive jurisdiction to review such a law and any such determination and, in the

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absence of such a law, shall make the determination under such rules as it may adopt.

SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State, Comptroller or Treasurer fails to qualify or if his or her office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor.

SECTION 14. LIEUTENANT GOVERNOR - DUTIES (REPEALED)

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies beginning with the term of office otherwise commencing in 2019. This was the Second Reading in full of House Joint Resolution Constitutional Amendment #5."

Clerk Bolin: "Second Reading in full of House Joint Resolution Constitutional Amendment #33, offered by Representative Sandack.

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

ARTICLE IV

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THE LEGISLATURE

SECTION 6. ORGANIZATION

- (a) A majority of the members elected to each house constitutes a quorum.
- (b) On the first day of the January session of the General Assembly in odd-numbered years, the Secretary of State shall convene the House of Representatives to elect from its membership a Speaker of the House of Representatives as presiding officer, and the Governor shall convene the Senate to elect from its membership a President of the Senate as presiding officer.
- (c) For purposes of powers of appointment conferred by this Constitution, the Minority Leader of either house is a member of the numerically strongest political party other than the party to which the Speaker or the President belongs, as the case may be.
- (d) Each house shall determine the rules of its proceedings, judge the elections, returns and qualifications of its members and choose its officers. No member shall be expelled by either house, except by a vote of two-thirds of the members elected to that house. Each house may punish by imprisonment any person, not a member, guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. Imprisonment shall not extend beyond twenty-four hours at one time unless the person persists in disorderly or contemptuous behavior.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois

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Constitutional Amendment Act. This has been the Second Reading in full of House Joint Resolution Constitutional Amendment #33."

Clerk Hollman: "Second Reading in full of House Joint Resolution Constitutional Amendment #36, offered by Representative Phelps.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 11 to Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 11. HIGHWAY FUNDS

(a) No moneys derived from taxes, fees, excises, or license taxes... relating to registration, titles, operation, or use of vehicles or public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports, or to fuels used for propelling vehicles, including bond proceeds, and from taxes, fees, excises, or license taxes relating to any other transportation infrastructure or transportation operation shall be expended for other than costs of administering laws related to vehicles and transportation, statutory refunds and adjustments provided in those laws, payment of highway obligations, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity

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passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes, the State or local share to match federal aid highway funds, expenses of grade separation of public highways and railroad crossings, protection of at-grade public highways and railroad crossings, and, with respect to local governments, other transportation purposes as authorized by law. Costs of administering laws related to vehicles and transportation shall be limited to direct program expenses of the Secretary of State, the Department of State Police, and the Department of Transportation, or their successor agencies, related to the enforcement of traffic laws or the safety of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports.

- (b) None of the revenues described in subsection (a) of this Section shall, by transfer, offset, or otherwise, be diverted to any purpose other than those described in subsection (a) of this Section.
- (c) If a mode of transportation not described in subsection (a) is first proposed for State funding after this Section is added to the Constitution, the mode of transportation must have a dedicated source of funding.
- (d) Federal funds may be spent for any purposes authorized by federal law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This was Second Reading in full of House Joint Resolution Constitutional Amendment #36. There



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being no further business, the House Perfunctory Session will stand adjourned."