

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

HB0001	Third Reading	44
HB0002	Second Reading	14
HB0011	Second Reading	14
HB0049	Second Reading	14
HB0071	Second Reading	15
HB0100	Second Reading	15
HB0101	Second Reading	15
HB0105	Second Reading	16
HB0125	Second Reading	17
HB0530	First Reading	44
HB0532	Second Reading	17
HB0533	Second Reading	18
HB0595	Second Reading	18
HB0806	Second Reading	19
HB0821	Second Reading	19
HB0830	Second Reading	19
HB0996	Second Reading	19
SB0015	Recalled	4
SB0015	Third Reading	5
SB0015	Vote Intention	6
SB0041	Recalled	10
SB0041	Third Reading	11
SB1245	Recalled	8
SB1245	Third Reading	9
SB1307	Recalled	21
SB1307	Third Reading	22
SB1454	Recalled	7
SB1816	Second Reading	3
Senate to Order-Senator Link		1
Prayer-The Reverend Dick Piscatelli		1
Pledge of Allegiance		1
Journal-Postponed		1
Senate Stands at Ease/Reconvenes		2
Committee Reports		2
Senate Stands at Ease/Reconvenes		42
Committee Reports		42
Messages from the House		42
Resolutions Consent Calendar-Adopted		93
Adjournment		93

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

PRESIDING OFFICER: (SENATOR LINK)

The regular Session, 98th General Assembly, will please come to order. Will the Members please be at their desk? And will our guests in the galleries please rise? The invocation today will be given by Reverend Dick Piscatelli, United Methodist Church, Williamsville, Illinois.

THE REVEREND DICK PISCATELLI:

(Prayer by the Reverend Dick Piscatelli)

PRESIDING OFFICER: (SENATOR LINK)

Please remain standing for the Pledge Allegiance. Senator Collins.

SENATOR COLLINS:

(Pledge of Allegiance, led by Senator Collins)

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Reading and Approval of the Journal.

SECRETARY ANDERSON:

Senate Journal of Thursday, May 16th, 2013.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journal just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. James Carder, [Blueroomstream.com](http://Blueroomstream.com), requests permission to videotape. Mike Brooks, WICS, requests permission to video and still photos. Ed Cross, WAND-TV, requests

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

permission to video. Seeing no objection, permission is granted. Will the Committee on Assignments please meet in the President's Anteroom immediately? Will the Committee on Assignments please meet in the President's Anteroom? The Senate stands at ease. (at ease) Senate will come back to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee Assignments, reports the following Legislative Measures have been assigned: Refer to Agriculture and Conservation Committee - Floor Amendment 1 to House Bill 2574; refer to Criminal Law Committee - Floor Amendment 2 to House Bill 2471; refer to Executive Committee - Floor Amendment 1 to Senate Bill 1002; refer to Judiciary Committee - Floor Amendment 1 to House Bill 830; refer to State Government and Veterans Affairs Committee - Committee Amendment 3 to House Bill 3035; Be Approved for Consideration - Floor Amendment 3 to Senate Bill 41, Floor Amendment 6 to Senate Bill 1245 and Floor Amendment 2 to Senate Bill 1307.

Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LINK)

We will now go to the Order of 2nd -- Senate Bills 2nd Reading, page 2, top of the order. Senate Bill 1003. Senator Muñoz. Out of the record. Senate Bill 1571. Senator Delgado. Out of the record. Senator Rezin, what do you -- what purpose do you rise?

SENATOR REZIN:

Thank you, Mr. President. For point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR REZIN:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Thank you. We are glad to be here today, Representative Mautino and I, to acknowledge and congratulate the Streator twelve-year-old baseball team, who won the State tournament for the State of Illinois. And in the State tournament, they played and beat Horner Park, Morgan Park, LaGrange, and Olney District 1 in order to take the State championship. I'd also like to acknowledge the parents that are here with the players. First, I'll start with the players: Adam Brown, Alex Arroyo, Mitch Vickers, Dakota Limberg, Cherokee LeBeau, Jacob Williams, John Benckendorf, Jake Marti, Joey Myers {sic} (Byers), Chandler Hillebrenner, Hunter Telford and Caleb Osborn. The team's coaches are John Brown, Jason Telford, Rodney Vickers, and also we're pleased to have the -- the parents here as well: Scot Williams; Mason Telford, who is the batboy - raise -- raise your hand, Mason - way in the back; Missy Brown and Dolly Telford. Again, we'd like to congratulate them. They're models of hard work, integrity and dedication for the people of the State of Illinois. And I'd like a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to Springfield and congratulations. Seth Perlman, Associated Press, requests permission to take photos. Seeing no objection, permission granted. Senate Bill 1630. Senator Haine. Out of the -- out of the record. Senate Bill 1724. Senator Mulroe. Out of the record. Senate Bill 1816. Senator Van Pelt. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House {sic} Bill 1816.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Could I get the attention of all Members in their offices or wherever they may be? We are going to start Senate Bills 3rd Reading. This is final action. So if you have a bill or want to vote on a bill, please come to the Floor immediately. Senate Bill 2. Senator Manar. Out of the record. Senate Bill 15. Senator Brady. Mr. Secretary, please read the bill. Senator Brady seeks leave of the Body to return Senate Bill 15 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd -- now on the Order of 2nd Reading is Senate Bill 15. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Brady.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady, on your amendment.

SENATOR BRADY:

Thank you, Mr. President. This -- this amendment adds two trustees to ISU, Illinois State University's Board, which puts it on par with the University of Illinois and Northeastern. I ask for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion on the amendment? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Could I ask the Chamber to keep the noise down, please? Britt Harris of -- WCIA Channel 3 News requests permission to video. Seeing no objection, permission is granted. Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis, for what purpose do you rise?

SENATOR OBERWEIS:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR OBERWEIS:

I would like the Senate to extend a warm welcome to two SIUE professors, who are sitting up here - my daughter, Trish Oberweis, and her husband, Matt Petrocelli - and, as well, to welcome my two Pages for the Day, Nick, eight years old, and, Joe, ten.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to Springfield. Senator Brady, on House -- Senate Bill 15. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 15.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Brady, on your bill.

SENATOR BRADY:

Thank you, Mr. President. As I explained in the adoption of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

the amendment, this increases the Board size of Illinois State University from seven to nine.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, the question is, shall Senate Bill 15 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. Senate Bill 15, having received the required constitutional majority, is declared passed. Senate Bill 41. Senator Muñoz. Out of the record. Senate Bill 115. Senator Mulroe. Out of the record. Senate Bill 202. Senator Haine. Out of the record. We'll skip over Senate Bill 340. Senate Bill 449. President Cullerton. Out of the record. President -- Senate Bill 450. Senator Mulroe. Out of the record. Senator McGuire, for what purpose do you rise?

SENATOR MCGUIRE:

Mr. President, I ask that the record reflect my intention to vote No on Senate Bill 15, please.

PRESIDING OFFICER: (SENATOR LINK)

The record shall reflect your intention. Senate Bill 580. President Cullerton. Out of the record. Senate Bill 629. Senator Trotter. Out of the record. Senate Bill 630. President Cullerton. Out of the record. Senate Bill 848. Senator Raoul. Out of the record. Senate Bill 851. Senator Raoul. Out of the record. Senate Bill 1002. Senator Kotowski. Out of the record. Senate Bill 1117. President Cullerton. Out of the record. Senate Bill 1190. Senator Hutchinson. Out of the record. Senate Bill 1245. Leader Radogno. Out of the record. Senate Bill 1307. Senator Lightford. Out of the record. Senate Bill 1341. Senator

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Lightford. Out of the record. Senate Bill 1448. Senator Muñoz. Out of the record. Senate Bill 1454. Senator Delgado. Mr. Secretary, please read the bill. Senator Delgado seeks leave of the Body to -- to -- seeks leave of the Body to put Senate Bill 1454 on the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading -- is Senate Bill 1454. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment 3, offered by Senator Delgado.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado, on your amendment.

SENATOR DELGADO:

Yes, thank you, Mr. President, Members of the Senate. Senate Committee {sic} No. 3 deletes all and becomes the bill. And for the purpose of the -- of the amendments, we do have another amendment, No. 4, that will be coming. Senate Bill 1454, as amended, reclassifies all forms of Hydrocodone as a Schedule II controlled substance; clarifies that the purpose of the prescription monitoring program is a critical tool to provide assistance to healthcare providers in preventing accidental overdoses or duplication of controlled substances to patients under their care. And I would ask for your acceptance of Amendment No. 3, although we will have another one coming behind it.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Senate Bill 1544. President Cullerton. Out of the record. Senate Bill 1588. Senator Mulroe. Out of the record. Senate Bill 1633. Senator Jones. Out of the record. Senate Bill 1708. Senator Silverstein. Senator Silverstein. Out of the record. Senate Bill 1934. Senator Muñoz. Out of the record. Senate Bill 1977. Leader Radogno. Out of the record. Senate Bill 1984. Leader Radogno. Out of the record. Senate Bill 2345. Senator Jacobs. Out of the record. Senate Bill 2363. Senator Martinez. Out of the record. Senate Bill 2366. Senator Harmon. Out of the record. Senate Bill 2393. Senator Manar. Out of the record. With leave of the Body, we'll go -- we'll go back to Senate Bill 1245. Leader Radogno. Senator Radogno seeks leave of the Body to return Senate Bill 1245 to the Order of 2nd Reading. Leave is granted. On the Order of 2nd Reading is Senate Bill 1245. Are -- Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 6, offered by Leader Radogno.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno, on your amendment.

SENATOR RADOGNO:

Thank you. The amendment becomes the bill and I will explain it on 3rd.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? All those in favor will vote Aye - or, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1245. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

Senate Bill 1245.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Leader Radogno, on your bill.

SENATOR RADOGNO:

Thank you, Mr. President. This bill will require COGFA to conduct a statewide in-depth study of the Public Safety Employees {sic} (Employee) Benefits Act. We've had a lot of anecdotal stories about potential problems with it, but no real data. So we want to secure that data and then from there make a decision as to what changes may or may not need to be made to the Act. I'd be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR ALTHOFF:

Anyone in this Chamber who was -- or, who came from local

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

government should be extraordinarily supportive of this measure. This is a local government initiative. We certainly could use the data before making any additional decisions with regard to the issue. I strongly support the legislation and urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Leader Radogno, to close.

SENATOR RADOGNO:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 1245 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1245, having received the required constitutional majority, is declared passed. With leave of the Body, we will go back to Senate Bill 41. Senator Muñoz. Mr. -- Senator Muñoz seeks leave of the Body to return Senate Bill 41 to the Order of 2nd Reading. Leave is granted. Now on the Order of 2nd Reading is Senate Bill 41. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 3, offered by Senator Muñoz.

PRESIDING OFFICER: (SENATOR LINK)

Senator Muñoz, on your amendment.

SENATOR MUÑOZ:

Thank you, Mr. President. Amendment 3 becomes the bill, which I'll explain on 3rd Reading. I will ask for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 41. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 41.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Muñoz, on your bill.

SENATOR MUÑOZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The amendment allows the -- the bill allows the Cook County Assessor to collect back taxes from people who claimed homestead exemptions they were not entitled to. Taxpayers will be informed of this with their second installment property tax. There would also be an amnesty program through December 31, 2013, where taxpayers could pay amounts they owe without interest or penalty. Ladies and Gentlemen of the Senate, I can tell you this has been an ongoing process for almost a couple years. I want to start out by thanking Leader Radogno, Senator Althoff, and Senator -- my other colleague in -- on Executive. I -- I can tell you, we -- we tried, we were going back and forth, but we finally reached an agreement and I want to thank staff, Retailers {sic}, and everyone else for their cooperation, as well as the Senators that I just

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

mentioned. And I will answer any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill. Can we keep the noise down, please, on the Floor? Keep the conversations... This is 3rd Reading, final action on a bill. Senator Althoff.

SENATOR ALTHOFF:

If this Body will recall, I made a passionate plea that we continue to move forward with regard to addressing homestead exemptions -- erroneous homestead exemptions and the effect that they would have on taxpayers who are fairly paying their portion of their property tax. Senator Link, in the Chair, passed that legislation. This bill does exactly that now for Cook County. It has been a yeoman's effort. I've worked closely with Senator Muñoz, as well as Senator Murphy from Cook County. I would certainly urge an Aye vote and this is one of those times we can feel proud about the work that we actually accomplished. So, again, I'd urge an Aye vote on this legislation. Thank you, sir.

PRESIDING OFFICER: (SENATOR LINK)

Senator Holmes, for what purpose do you rise?

SENATOR HOLMES:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR HOLMES:

Yes. I just want to urge everybody to vote Aye on this. This

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

has been a couple years in the making and I want to thank the sponsor for his perseverance in working on this and getting the agreement with the Realtors and those who were in opposition to it. And I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Is there any further discussion? Seeing none, Senator Muñoz, to close.

SENATOR MUÑOZ:

Thank you, Mr. President. Again, Senator Murphy, I didn't get to mention you. Thank you very much. Appreciate everyone's help and I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall Senate Bill 41 pass. All those in favor, vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, none voting Present. Senate Bill 41, having received the required constitutional majority, is declared passed. Senator Brady, for what purpose do you rise?

SENATOR BRADY:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR BRADY:

I'd like to introduce to the Ladies and Gentlemen of the Senate my two Pages for the Day - Emma Gillman, who is ten years old, in fourth grade; and Elise Gillman, who is nine years old and in third grade. They're here visiting and helping us in the Senate. They both enjoy gymnastics and chorus, all kinds of good

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

things. They're good students. Their parents are in the gallery, Scott and Lee. And I hope you'll help join me in welcoming their family to the Illinois Senate.

PRESIDING OFFICER: (SENATOR LINK)

Welcome to Springfield and enjoy. We will now go to the Order of House Bills 2nd Reading on page 11. House Bill 2. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 2.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 11. Senator Collins. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 11.

(Secretary reads title of bill)

2nd Reading of the bill. Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 49. Senator Althoff. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

House Bill 49.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 71. Senator Mulroe. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 71.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 100. Senator Delgado. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 100.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Human Services adopted Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 101. Leader Clayborne. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

House Bill 101.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 105. Senator Harmon. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 105.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Harmon.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, on your amendment.

SENATOR HARMON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The underlying bill deals with encouraging -- or, having colleges and universities encourage their students to register to vote. At the request of the members of the Executive Committee, we're clarifying they should give them direction to either register to

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

vote on campus or register to vote at their home address. This amendment embodies that. I move for its adoption.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 125. Senator Koehler. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 125.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 129. Senator Lightford. Out of the record. House Bill 131. Senator Hutchinson. Out of the record. House Bill 189. Senator Holmes. Out of the record. House Bill 479. Senator Muñoz. Out of the record. House Bill 490. Senator Hutchinson. Out of the record. House Bill 513. Senator Hutchinson. Out of the record. House Bill 532. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 532.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 533. Senator Martinez. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 533.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 595. Senator Raoul. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 595.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities and Pensions adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR LINK)

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. We'll skip over House Bill 702. House Bill 733. Senator Hutchinson. Out of the record. House Bill 743. Leader Clayborne. Out of the record. House Bill 806. Senator Sullivan. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 806.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 821. Senator Raoul. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 821.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 830. Leader Clayborne. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 830.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. House Bill 922. Senator Holmes. Out of the record. House Bill 946. Senator Manar. Out of the record. House Bill 996. Senator Haine. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

House Bill 996.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or -- no committee amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Have there been any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR LINK)

Senator -- Leader Clayborne, on Amendment 1 to House Bill 996.

SENATOR CLAYBORNE:

This -- oh, I'm sorry. Senate Amendment 1 retains the underlying provision of the bill and adds amendments to the Video Gaming Act and Riverboat Gaming {sic} (Gambling) Act to allow the Gaming Board to retain service of one or more independent testing labs for the purpose of testing gambling games and equipment.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Clayborne.

PRESIDING OFFICER: (SENATOR LINK)

Senator Clayborne, on Amendment No. 2. Leader Clayborne.

SENATOR CLAYBORNE:

Yes. Amendment No. 2 makes several changes to the Charitable Gaming {sic} (Games) Act to allow additional times during the year for charities to have events to raise money.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it. The amendment is

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. With leave of the Body, we will go back to Senate Bills 3rd Reading. Senate Bill 1307. Senator -- Senator Lightford seeks leave of the Body to return Senate Bill 1307 to the Order of 2nd Reading. Seeing no objection, leave is granted. Now on the Order of 2nd Reading is Senate Bill 1307. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 1, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, on your amendment.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 1 removes the language from seven to five for compulsory school age and raises that number to six. I'll be happy to answer questions.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

Floor Amendment No. 2, offered by Senator Lightford.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, on Amendment No. 2.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

SENATOR LIGHTFORD:

Mr. President, I apologize. Floor Amendment No. 1, I inadvertently switched them around. So what Floor Amendment 2 does is change the age to six. Floor Amendment No. 1 was just a technical change to take effect September 1st of the school year the child would need to be age six.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? Seeing none, all those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY ANDERSON:

No further amendments reported.

PRESIDING OFFICER: (SENATOR LINK)

3rd Reading. Now on the Order of 3rd Reading is Senate Bill 1307. Mr. Secretary, please read the bill.

SECRETARY ANDERSON:

Senate Bill 1307.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, on your bill.

SENATOR LIGHTFORD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill is a very important initiative for all of our school-aged children across the State of Illinois, as well for the teachers. All of our children should arrive in school ready to learn their reading skills, math skills intact. What our State has allowed parents to do is keep their children home until the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

age of seven. Kindergarten, arriving for kindergarten at age seven. I know that's something that none of us would be proud to know that we've allowed our State to go on this long at that age. We have invested quite a bit of revenue in early childhood education, understanding the importance of getting children off to a early start. And it's really important that we decrease the compulsory age to the age of six. This bill would allow school districts a year to market the information and to get their schools ready. So it would not take effect this school year, Mr. President. It would be the following school year, calendar '14-'15. The child would need to be age six by September 1st of that year. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld, for what purpose do you rise?

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. For -- for a question, please.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR LUECHTEFELD:

Senator, will this make mandatory kindergarten now the rule of Illinois?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Senator Luechtefeld, we have -- I'm proud to announce that out of seven-hundred-plus school districts, we only have one school district in the State of Illinois that does not offer kindergarten. Our State has done a fine job with not only having half-day



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

kindergarten, but full-day kindergarten. This initiative is just to make sure that parents are put on alert that it's best for their child to be in school for kindergarten by the age of six, opposed to the age of seven. Most parents would like for their children to have a early education, starting at three, four. We've invested over three hundred and fifty million dollars each year to make sure children have a early start, not to go home and sit for two years to wait till they turn seven to start kindergarten. So I - - if you say it's making kindergarten mandatory, then I will agree to that.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Well, you know, one of the -- and -- and, first of all, let me say, Senator Lightford has really, I think, attempted to make this bill one that more and more people could accept. You know, certainly by raising the age from five to six I think is -- is good. Now I -- I -- and, again, could you tell me, is -- we still have half-day kindergarten or maybe kindergarten three days a week, that sort of thing. Does this bill change that at all, where it has to be a full day or five days a week?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

No, it doesn't, Senator. It only establishes that children should be in a -- in a kindergarten class by the age of six.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

You know, I had -- I had -- I had talked to some people this morning and said that there was a bill similar to this in the House that you were looking at. Do -- could you elaborate on that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you. Senator, I -- I actually filed Senate Bill 1307 before I was aware of any House bill. I was out of the Chamber for a short period of time and actually missed moving this initiative. We heard this bill in Education months ago, far before the House bill came over. Staff just recently picked that bill up for me. I am aware of that bill, but I would like to move this bill forward.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, what's the difference between this bill and the bill in the House? Do you -- do you know that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

That this bill is the Senate bill. This bill is the higher Chamber bill, Senator. This bill is sponsored by me, Senator. That's the difference.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

But just again, that question: Is there a difference between your bill and the one in the House, even though this one is

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

sponsored by you - I understand that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

That's the significant difference, Senator. I believe the sponsor in the House may have addressed some issues that I'm not privy to, but this is the bill that we should be moving forward, Senator. It makes sure that if you're six years old by the age of -- excuse me, if you're six by September 1st of that school year, that you should have your child in kindergarten.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I was told that in -- the bill in the House did protect homeschoolers from this particular -- piece of legislation. Is there any truth to that? And... And how they did that I'm not real sure, but I was told that they were exempted from the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

I know just as much as -- information at this time as you do, Senator. What we have before us is Senate Bill 1307. The homeschoolers have the honor and privilege to not register their students anyway in a school district, so for them to have an argument -- I've stated in the Education Committee and I'll say it here. It's a moot argument. It's an unnecessary argument. If they choose to keep their children home at five, six, seven, until they're eighteen, no one questions that. No one puts parameters around what they do. This is an initiative to get children who

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

are at home in school to be taught. It's a -- a proponent of the teachers, because what happens is these kids arrive at school at seven; they should be in the second grade; they have no reading skills; they have no math skills. They're not prepared to take the State standardized testing the following year. They're not in the third grade. Most school districts will test the student, find out what level they're at and then they will label them special education, or these kids become the ADA children. And it's not their fault that they're behind. They just haven't been in a school setting. But, yet, we label them and now they're special education children. I'm just urging this Chamber to make sure that where we're putting our investments in -- in early childhood education to ensure that our children receive a good education earlier on and give them a good start is consistent with our State statute. I don't think many of us were even aware here in the Chamber that kids could stay home until seven and then come to kindergarten. You yourself, in a conversation, said that you thought it was first grade and then I brought to your attention, no, it's kindergarten. So I think it's important that we move this initiative over to the House and ask them to pass the bill and the Governor sign it.

PRESIDING OFFICER: (SENATOR LINK)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

You know, again, one of the reasons that - and I've explained this to Senator Lightford - one of the reasons that I opposed the bill originally and -- and I'll probably - because the School Alliance is still opposed to this -- even this amendment - would -- would very likely vote against it, but one of the issues that

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

I -- that I have is that, you know, a -- a parent can maybe feel that their -- their student is not quite ready physically, mentally, whatever, to start school at a particular time. Under -- under the original bill, which I think was -- was moving it to -- to -- to five years old, it -- this -- this took that option away from parents. I have been involved in education most of my adult life and I have never heard of a parent who held their kid back one -- one year who regretted that. When that student finally went to school, he was more physically and mentally ready to handle whatever grade, whether it be kindergarten or first grade, that he started in. The original bill did restrict that a lot and -- and that's certainly why I opposed it. Moving it up a year makes it a better bill and I appreciate you doing that, Senator. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Senator Duffy, for what purpose do you rise?

SENATOR DUFFY:

Question for the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will yield.

SENATOR DUFFY:

Senator, do we have any idea, how many kids will this add each year?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator. No, I'm not aware, when the bill was originally set for five years old. We just changed that amendment yesterday to make it six, so I have no information from the State

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Board of Education on the number. I can tell you that the number will be a lot less than the child being five years old.

PRESIDING OFFICER: (SENATOR LINK)

Senator Duffy.

SENATOR DUFFY:

Okay, so we're not sure how many students this is going to add to our school system. Do we know what type of financial impact this will put on our school system? How much will this cost?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

No, we're not aware of those numbers either, because it's the same situation, where we began to search that information now -- when the bill was originally calling for the students to be five years old. The amendment changed on yesterday for the students to be six. So, I guess it could be safe to cut all that information in half or even less than that to acknowledge the number now being the age of six instead of five.

PRESIDING OFFICER: (SENATOR LINK)

Senator Duffy.

SENATOR DUFFY:

...you very much, Senator. I appreciate it. Considering the fact of the financial position of the State of Illinois and knowing that we -- we're unsure of how many kids this will add to the system and we don't know what the financial impact will be, do you think it's a good idea to be proposing this legislation when we -- we don't have any idea about the most important figures and numbers?

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Lightford.

SENATOR LIGHTFORD:

Do you think it's a good idea for kids to stay home until they're age seven and then they start kindergarten?

PRESIDING OFFICER: (SENATOR LINK)

Senator Duffy.

SENATOR DUFFY:

...appreciate -- I appreciate you answering the question with a question, but this is not my bill. And if it was, I would make sure that I knew how many kids are going to be added to our school system and how much it costs.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, for what purpose do you rise?

SENATOR RIGHTER:

Thank you, Mr. President. Will the sponsor yield, please?

PRESIDING OFFICER: (SENATOR LINK)

She indicates she will.

SENATOR RIGHTER:

Senator Lightford, I know this issue has been around for some time and I just -- are you aware of, maybe not your estimates, but any estimates that have been floated by the School Management Alliance or any education group about how many children this change would affect and the potential impact in so far as cost? Do we have any -- any numbers whatsoever on that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Senator Righter. The State Board of Education provided us with some inflated numbers a couple months ago, because

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

they were basing them on a full number of kindergarten class. It was very difficult for them to determine what children were home because they're not registered, even homeschool. So the challenge that we have is, once this law's enacted, not every child will come to public school. They may go to a private school. They may choose to stay home and be homeschool. So it's really difficult to put a number on how many children will arrive into the classroom, because we don't know how many kids are at home. So I'm not trying to divert the answer. It's just that we don't have a solid answer. When I did have conversations with a couple other organizations that are huge proponents of this bill - you're acknowledging one group that's an opponent, leaving out there's about a dozen proponents - that they were all pleased with the notion that children can come to school and receive a quality education at a earlier age. The IEA, the IFT and CTU - they're the teachers who take children in that have not been taught; they're the most challenged when these children arrive into the school system - then groups like Ounce of Prevention, Illinois Action for Children, Voices for Illinois Children, Stand for Children, they all understand what Senator Duffy apparently doesn't, that children need to arrive to school to receive a quality education as early as possible. That's all this bill does. Again, I'm very pleased to announce that all of our school districts across this entire State, minus one, has a kindergarten class and many of them already have full-day kindergarten. So perhaps they'll -- they'll take in a couple kids here and there. I don't know that this is going to cause a huge upset to the budget. I believe all of these groups will be pleased to receive children earlier so that they can begin learning. And I don't



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

believe that this is such a big fiscal impact that we lose the thought that we want to make sure all of our kids are at school learning and being consistent with our efforts to improve an early childhood education.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Thank you, Senator. The -- the number that I have been given, which I was just given, which you have characterized as inflated and it might very well be - I'm not suggesting it's not - is between a twenty-eight- and thirty-nine-million-dollar impact on schools for which -- now that was -- that was age five. I understand that was the bill in its unamended form, so -- can you work off of that number and bring it down to any -- I mean, obviously, you're shaking your head no. Let me try another stab at this. Do you think there will be any, any, additional fiscal impact to any school district anywhere across this State or do you believe that they will see absolutely no fiscal impact from this?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Senator, I do feel that there will be a fiscal impact, because my goal is to get kids in school. I can't agree that it will be the number that you just stated because that's such a -- a huge inflated number, because the agency was given that number based on a full classroom of children already. So they pretty much just doubled the capacity. I don't know that this bill would -- would be that many children left out in the community that's equal to the number of kids that's in the classroom. That's why it was a

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

very hard take and it was also a hard take to determine whether or not these children would go to a private school or arrive -- or stay at home and be homeschool. So all of those numbers were pretty much based on -- I -- you know, is -- an untruth, if you will, in terms of grabbing that entire classroom. So, if a school district in your -- in your communities had a classroom of let's say twenty-five children in kindergarten, they just took that full number and said twenty-five kids will come. That's not a way to look at this. I don't know that there's twenty-five kids sitting at home waiting to start kindergarten. So I would say that there would be an -- a fiscal impact. That's the goal, to have kids arrive in school, but I'm -- I'm almost a hundred percent sure that it's nowhere near the numbers that were originally administered by the Department.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter.

SENATOR RIGHTER:

Fair enough. Senator, earlier when you were visiting with Senator Duffy, you asked him a question, and I don't like to usually answer Senator -- Duffy's questions for him, but I'm going to take a shot this one time. You asked the question of do you think it's a good idea that kids be held from being in school until they're seven years old? And I guess my answer to that would be, that should be up to the parents. And I understand that there are parents in this State, in certain regions of this State, that aren't doing their job. I mean, I -- I -- I noticed there was a Tribune editorial or story not long ago that said that eighteen percent -- there's an eighteen percent truancy level in the Chicago Public School System among kindergarteners and first graders. So,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

there's no question that we have in some regions of the State, or maybe every region of the State, a certain number of parents who aren't doing their job. But I would still submit to you that most parents in most parts of the State are doing their job with regards to parenting and are still the best people to make the decision whether or not seven or six or five is the right age at which to send their child into the public school system. I mean, tell me what you say to the parent who says, you know what, my kid's not ready to go until they're seven. What's the answer to that? They're not ready to go until they're seven.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

Senator, let me approach it from this perspective, out of all the states in the United States, we're one of those states that - one of those only states that allow children to come to school as late as seven years old. The majority of states across this country, children are arriving at school at either five or six. That should tell us something here. That should tell us why we're always ranked at the bottom in education, everything, across this great country. Here's something that we ought to consider, Senator, that might be baffling to you, but we should care about all children across the State. Whether they live in Chicago or whether they live in Collinsville, whether they're in the Quad Cities, it doesn't make a difference. They're all our children. Truancy is a problem. Chicago reported it because the Tribune did the article. They recognized that they had students who had been out of school nine days or more - because their parents can dress them and take them to school and then they don't have to if they

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

don't feel like getting up and taking them to school. What does that do for the child who's inconsistent? And what does that do to the teacher who has a student that arrives maybe once a week? They've moved the class, but now here comes that same child that only comes once or twice a week. So it's a problem. That's why the teachers support this bill. It's a problem. And I would again caution that we care about all of our children. We care about kids here in Springfield. We care about kids in Joliet. It does not matter where that child lives. It's important that all of our kids are in school by the age of six to have a quality education started to them in kindergarten, Senator.

PRESIDING OFFICER: (SENATOR LINK)

Senator Righter, to the bill.

SENATOR RIGHTER:

No, I have questions. Thank you, Mr. President. Senator Lightford, I -- I'm not sure I heard you correctly, but I think I just heard you suggest that I don't think that a child who goes to school in a district somewhere else in the State, other than my district, I view as as important. And I just want to -- I just want to abuse {sic} you of that notion right now. That's absolutely not true. And I would suggest to you that if you look at the budget priorities that have been in place for the last ten years that have been draining money for the public schools, that that is a conversation you should have with some colleagues on your side of the aisle, not over here. Now, Senator, the difference between other states and this State, which is actually a good one in this instance, is there are kids going to school at five and six here in Illinois - their parents are making that choice. Their parents are making that choice. They're saying, my child is ready at five

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

or six to go to kindergarten. The -- you're talking about a government mandate and the sad thing about that is, Senator, you can't equate a government mandate with a caring parent, and that's what you're trying to do here. You're saying we're going to resolve the truancy issue. We're going to make education better. We're going to make the parents better by saying, you've got to send your kid to school earlier. That's not the way it works. Still even in this day, a government groping through every area of education from the federal level and the State level, it's still true today that the most important issue in a child's education is a parent who gives a damn about the child's education. And this bill won't solve that. Actually, Mr. President, that was to the bill. Thank you very much for your time.

PRESIDING OFFICER: (SENATOR LINK)

Thank you, Senator. Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR LINK)

Indicates she will yield.

SENATOR ROSE:

Thank you. Senator, earlier in debate you had indicated that there were no cost estimates to this, but our analysis actually indicates that this is going to cost anywhere from twenty-eight to thirty-nine million dollars, and I think it was covered very eloquently by previous speakers that the State's broke, unless that memo didn't make it out. My school districts are anywhere from six to nine months behind in being paid. Where is the twenty-eight to thirty-nine million dollars going to come from to pay for

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

this expansion, as well-intentioned as it may be? And I do believe that the lady is extremely well-intentioned. But as well-intentioned as this may be, where is the twenty-nine to thirty-eight million dollars -- twenty-eight to thirty-nine million dollars, excuse me, going to come from to pay for this when we're six to nine months behind paying for K-12 altogether?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, to a narrative question.

SENATOR LIGHTFORD:

Thank you, Senator. Senator Rose, what I appreciate is a good debate. What I don't appreciate is you not listening up well enough to know I've answered that question three times already. And I did not say this did not have a cost effect. It does have a cost effect because we want children in school, learning. What's inflated is those numbers that you keep reading off and those numbers are based on the bill before it was amended. So, again, listen to debate before you come back asking questions that have already been answered three times.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, on a new question.

SENATOR ROSE:

So, let's talk about the amendment. Since we don't know what the cost is, but it will be something, when we can't pay our bills, what happens -- the current law says -- the current law gives complete flexibility to local school districts to do this anyway. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

You had a question about the amendment? Which amendment and what's your question?

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

Your amendment would say to require this, and I'm saying -- I'm asking you that current law allows school districts to do this already, correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

There was two amendments, Mr. President, Amendment No. 1 and 2. There was no questions on those amendments. I'd be happy to go back to those amendments once again and tell you what they do, Senator Rose. The first amendment increased the compulsory number from five to six and it added back the child should be of the age by September 1st. That's what the amendments did, both of 'em. They changed the concept of the original bill. They lowered -- or, would increase the number, if you will, instead of the child being five, now they would be six. And it clarified that the student needed to be of that age by September 1st of that year, and then the amendment also said that instead of it taking effect this calendar year, '13-'14, it would start with the school calendar year '14-'15. That was also in an effort to make sure that -- there was some other education groups wanting to make sure the school districts had adequate time. That's what the amendments did to the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

SENATOR ROSE:

You're -- you're -- but we're debating the whole bill now. We're on 3rd Reading. So I'm asking a question about the whole bill. Okay, not the amendments. If we're going to debate the amendments, we could have done that on 2nd Reading. So, under current law, what you are changing is that -- what we can already do anyway by local control, you are now going to mandate. I believe the answer is yes. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

This is an attempt to make sure that all children age six are in kindergarten and learning.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

If we were in court, I'd ask the court to direct the respondent to answer the question, but I'll move on, because the answer is yes to my question. In existing law, you have to have a minimum of fifteen students to have a kindergarten classroom. In your proposed change, is there any minimum?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford.

SENATOR LIGHTFORD:

No, there isn't any. You're not in a court of law. You're actually here. Welcome to the Illinois General Assembly. And this has been a task that I've been trying to work on for the past fifteen years to improve our quality education system. I'm well aware of everything that you just mentioned, Senator. And, yes,



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

it is my goal to make sure every child in this State receives a quality education and children cannot learn if they start kindergarten at seven and be expected to excel like other students. Now, if you don't like the bill, vote No, Senator, but when the budget rolls around, put more dollars in education, then your argument becomes of an argument.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR ROSE:

But the question was, is there a minimum number of kids in a classroom and -- and if there is, what is the minimum?

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, for the repeated question.

SENATOR LIGHTFORD:

For the -- for the final time, Mr. President. Read the bill. Read the bill and you would know that this bill does not..

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

SENATOR LIGHTFORD:

...make a change in the -- the definition of kindergarten. This number does not address a maximum or a minimum. I answered that question with Senator Righter when he asked me if I was changing how many days kindergarten meet, if you were listening to debate. This has nothing to do with the minimum of students, the maximum of students, changing kindergarten, period. This encourages to make sure that our kids are in school learning by age six. Stop challenging me. Read the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

SENATOR ROSE:

...bill. To the bill. I didn't ask...

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR ROSE:

I didn't ask a question about the days. I asked about the number of students, because, quite frankly, from a cost perspective, to have a kindergarten for one or two kids doesn't make any sense at all. That's why the current law has a minimum of fifteen, so you can have a critical mass and actually make it cost-efficient. But as long as we're talking about educating kids, I would submit the fact that we're six to nine months behind on paying our bills for what we already have is not educating kids. I would suggest the fact that we're six to nine months behind in paying our bills is closing schools in Illinois. That's not educating kids. Now I apologize for getting angry, but I asked two very simple questions that were -- were -- could have been answered easily, very simply. To the merits of the bill, we can already do this via local control and in a way that makes it economically efficient to offer it, a; b, we don't know what the cost is, but there will be cost; and c, we can't afford what we already have. This is not -- this is just not the right time to be putting more mandates on local school districts. I appreciate the indulgence, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Lightford, to close.

SENATOR LIGHTFORD:

Thank you, Mr. President. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

The question is, shall Senate Bill 1307 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 19 Nays, none voting Present. Senate Bill 1307, having received the required constitutional majority, is declared passed. The members of the Committee on Assignments will please come to the President's Anteroom immediately. The Senate will stand at ease. (at ease) The Senate will come back to order. Mr. Secretary, Committee Reports.

SECRETARY ANDERSON:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Be Approved for Consideration - Floor Amendment 3 to House Bill 183. Signed, Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR LINK)

Mr. Secretary, Messages from the House.

SECRETARY ANDERSON:

A Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1801.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 2 to Senate Bill 1801.

We have received like Messages on Senate Bill -- 1828, with House Amendment 1; Senate Bill 1829, with House Amendment 1; Senate

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Bill 1908, with House Amendments 1 and 2; Senate Bill 1923, with House Amendment 1; Senate Bill 1929, with House Amendment 1; Senate Bill 1930, with House Amendment 1; and Senate Bill 1940, with House Amendment 1. Passed the House, as amended, May 17th, 2013. Timothy D. Mapes, Clerk of the House.

Message from the House by Mr. Mapes, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 530.

Passed the House, May 17th, 2013. Timothy D. Mapes, Clerk of the House.

PRESIDING OFFICER: (SENATOR LINK)

Senator Rose, for what purpose do you rise?

SENATOR ROSE:

Point of parliamentary inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your point.

SENATOR ROSE:

Under Senate Rule 4-3(a), the only persons entitled to the Senate Floor are those who are, quote, "appropriately attired". I'd like to know, under this rule, if Mr. Madiar's coat today qualifies as appropriately attired. And if I may, he should be recused from deciding the question as Parliamentarian because he is the subject of the question.

PRESIDING OFFICER: (SENATOR LINK)

That was the Parliamentarian jacket that we issued him because we didn't have a Page jacket that looked good enough. Thank you.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Mr. Secretary, House Bills 1st Reading.

SECRETARY ANDERSON:

House Bill 530, offered by President Cullerton.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Harmon, for what purpose do you rise?

SENATOR HARMON:

A parliamentary inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

State your inquiry.

SENATOR HARMON:

Did Senator Rose really just make a fashion-related inquiry?

PRESIDING OFFICER: (SENATOR LINK)

The Presiding Officer is very open today. Senator Rose, again.

SENATOR ROSE:

For the record, I proudly do not have any buttons attached to my suit coat, which is a suit separate, and I have frayed cufflinks, under this Senate rule in protest. Thank you.

PRESIDING OFFICER: (SENATOR LINK)

Besides being out of order, so is the outfit. With leave of the Body, on Order of 3rd Reading, we will go to House Bill 1. Senator Haine. Senator Haine seeks leave of the Body to return House Bill 1 to the Order of 2nd Reading. Seeing no objection, leave is granted. On the Order... A little bit of a mistake. House Bill 1. Mr. Secretary, read the bill.

SECRETARY ANDERSON:

House Bill 1.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, on your bill.

SENATOR HAINE:

Mr. President, thank you very much, and thank you, Ladies and Gentlemen of the Senate. House Bill 1 is, simply put, the Compassionate Use of Medical Cannabis Pilot Program Act. This would create a highly regulated, very limited four-year medical cannabis pilot program, after which it sunsets. Patients with specified debilitating conditions and a Department of Public Health-issued registry identification card could possess a limited amount of cannabis for their medical use. Patients could designate someone to pick up their medicine, but all of these patients' caregivers have to meet stringent guidelines. They have to have background checks. The -- the -- the scheme has -- the structure has twenty-two State-licensed growers, one per State Police district - a maximum, could be less - and these will be regulated by the Department of Agriculture; sixty dispensaries around the State, and these will be regulated by the Department of -- of Public Health. The State Police will have general police supervisory authority over all of it. There's a verification system for the patient, a registration ID card. The -- the Act restricts use of marijuana in public, cannot be open in any vehicle, in the presence of minors near school grounds. The -- the qualifying conditions are listed in the Act. They are physical ailments as determined by a physician who has a bona fide doctor-patient relationship with the patient. And that has to be strictly followed. The medical records are submitted, along with background

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

information, for the use to the Department of Public Health. The physicians who recommend cannabis may not perform any physical examinations over the Internet; receive any compensation from caregivers, patients or medical cannabis businesses; serve on the boards of any cultivation center or dispensary; hold any economic interest in the medical cannabis business. They may not refer patients to a caregiver or dispensary or advertise in a dispensary. The -- the Department of Public Health will refer any physician who violates any of these conditions to the Department of Financial and Professional Regulation. The -- there is a provision - therefore, a strict requirement - that anyone who possesses the identification card and who drives a motor vehicle must submit to a field sobriety test, as authorized by a police officer, to determine impairment. And this is admissible -- for the first time in Illinois -- Illinois law, this would be admissible in a court of law. It's a unprecedented implied consent. This bill is filled with walls to keep this limited. We have learned from California and Colorado and Michigan and other states. There are eighteen states and the District of Columbia, which have done this, and I have to say, sadly, that most of them have done it sloppily. They've been done by popular referenda, because this is popular in the sense that citizens believe it's a reasonable exercise of the law. Many physicians' groups support this, as well as citizen groups. And -- but the states that have implemented it have allowed it to become chaotic, a freewheeling doctor-patient relationship or none exists at all. We have taken steps over the past two years to strictly control the distribution of marijuana to those who need it. It is a -- it is a substance which is on the schedule of controlled substances, placed there by Congress in

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

1937, over the objection, by the way, of the head of the AMA at that time, Dr. Woodward, but -- and he objected because there were known medicinal uses for marijuana at that time and prior years. That Act by Congress in 1937 has inhibited research. It's inhibited states from doing what we're doing here today. There's been a change in policy at the national level and we are confident that a strict controlled implementation of this for those who suffer pain with the diseases and conditions listed in the Act can be well served. Many of us have anecdotal evidence of the value of this. Doctors' groups have endorsed this, nurses, and it is a substance which is much more benign than, for example, powerful prescription drugs, such as OxyContin, Vicodin, and the rest. The scourge of these drugs is well known. This is not true of the medical use of marijuana. And I would ask for your -- your consideration and -- and open the Floor to any questions.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins, for what purpose do you rise?

SENATOR BIVINS:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR BIVINS:

Thank you. Senator, do we -- you've mentioned that doctors have said this is okay to use -- or, in -- in your estimation, is this a safe and effective drug?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

It -- it is for the alleviation of pain. Yes, sir. It -- it



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

is a -- it's been considered for decades to have the value of alleviating pain with little side effects. The other powerful drugs have side effects. This is a relatively benign substance compared to those. It doesn't cure anything, obviously, but it does offer relief from pain. Yes, sir.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins.

SENATOR BIVINS:

Are there any studies or any doctors who have actually said that it's a safe and effective drug? I know they've -- you've indicated something along that line, but have they actually said that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir. There have been two hundred and fifty doctors or more across Illinois -- have written in support of this bill - the Nurses Association, the Advanced Practice Nurses, Illinois Dietitian Association, the American College of Physicians, among others. I have a letter from a professor from Washington University's Medical School in St. Louis, who's written me in support of the bill. He's a professor of neuropharmacology in neurology and he recommends this for the use of patients who have painful neuropathy, resulting in disabling pain and numbness. This neuropathic pain is difficult to treat and his study group has found that the use of marijuana does do well.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins.

SENATOR BIVINS:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Thank you for that answer, Senator. Do you know, will the -  
- will there be any warning labels on the packages that are -- are  
being distributed?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes. Yes, sir. There's supposed to be warning labels on the  
packages, saying this is for medical use only. And -- and, again  
- I hope I said this at -- at the outset - the one who has  
permission to use this substance may not have it in anything but  
a closed container. It may not be used in public. It cannot be  
in any open form. It must be strictly controlled to their home  
and used in that home and not in front of any minor.

PRESIDING OFFICER: (SENATOR LINK)

Chris Slaby of WUIS seeks permission to take pictures. Seeing  
no objection, permission granted. Senator Bivins.

SENATOR BIVINS:

Thank -- thank you, Mr. President. Beyond the -- that  
warning, is there any warning as to side effects or any other  
problems with the drug that -- as most drugs require?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir. That'll be done by the Department of Public Health.  
They'll have signs inside the dispensaries with any -- that any -  
- any -- any -- any of these conditions, which you suggest and  
which I don't know of, would be informed to the user. That has -  
- that has to be done. That'll be done by rule. It'll take a  
year to set this thing up, actually.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins.

SENATOR BIVINS:

Thank you, Senator. I have been told in -- within the bill there's thirty-three diseases that -- that this covers and someone suggested to me yesterday - it was -- was a proponent lobbying for this - that there -- it's up to thirty-six now. Is that -- do we know the number of -- of diseases and illnesses this would cover?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, I think the confusion is, there's thirty-three, is what I understand, but there could be some variations within those diseases that may add a couple more, but that has to be determined again - those variations, I suppose - by the Department of Public Health, working with the doctors' community. But as I understand it, it's thirty-three.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins.

SENATOR BIVINS:

Would the Department of Public Health have the ability to expand that number beyond...?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

They -- they could by rule, but it's got to go through JCAR and the rulemaking process and it's got to be based upon the structure of this bill.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Bivins.

SENATOR BIVINS:

And do we know how many -- within these diseases, do we know how many people in the State of Illinois would qualify, the number, and -- and what percentage of those people would be using the medical marijuana?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

No, I don't -- I don't have that information, Senator Bivins. I wish I did.

PRESIDING OFFICER: (SENATOR LINK)

Senator Bivins.

SENATOR BIVINS:

Thank you, Senator, for -- for your answers. To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR BIVINS:

I've -- I've asked that question of -- of several of the proponents. It's a concern of mine and -- and it's -- I know it's a difficult number to come up with - how many people would fit into that; how many would use it. But one of the concerns that - that occurs to me is, as you have businesses coming in to our - excuse me, our State, they're going to have a substantial investment to produce this and distribute this, and if the numbers are so low that they can't maintain a profit, then they're either going to close up shop or they're going to -- we're going to have to expand. So that -- that is a -- a -- a worry and a concern and

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

something that we do need to think about. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul, for what purpose do you rise?

SENATOR RAOUL:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR RAOUL:

Senator Haine, is it true that for medical cannabis cardholders, if you ingest any amount of cannabis that results in the lack of capacity to drive safely, then you are guilty of -- of a DUI? In other words, if the consumption of any amount of cannabis diminishes a person's capacity to think and act with ordinary care, they are guilty of a DUI?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

Is it also true that, under current law, if a person smokes cannabis and drives, a person smells like cannabis, the passenger compartment of a person's car smells like cannabis, a person has a pot pipe in the center console of his or her car with cannabis residue in it, and a person admits to smoking cannabis an hour before driving, that person is not guilty of DUI unless there is further evidence, pursuant to the case of People versus McPeak?

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

Would it be fair to say that House Bill 1 addresses the current problem outlining McPeak by allowing the National Highway Traffic Safety Administration's Standardized Field Sobriety Test to be admissible in cannabis DUI prosecutions for medical cannabis cardholders and everyone else suspected of cannabis DUI?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir, that's absolutely correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

And does the National Highway Traffic Safety Administration find that the use of standardized field sobriety tests are an effective tool in the detection of cannabis DUI according to the National Highway Traffic Safety Administration's instructor training manual and its resource guidelines?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir, that is correct.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Raoul.

SENATOR RAOUL:

Does House Bill 1 mandate that -- the suspension of a cannabis cardholder's driver's license and the revocation of their medical cannabis card if they refuse to perform field sobriety tests during the DUI -- DUI investigation?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, for a year.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

House -- does House Bill 1 prohibit medical cannabis cardholders from transporting cannabis unless it is in a closed, sealed container that does not emit the odor of cannabis?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, that's -- that's an absolute requirement under the law -- under this -- this proposed law.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

And does House Bill 1 criminalize the use of cannabis by medical cannabis cardholders in a vehicle and in public, subjecting them to arrest for illegal possession or use of cannabis and the revocation of their medical cannabis card if they do so?

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Haine.

SENATOR HAINE:

Yes, sir, that's absolutely correct. That's part of the structure of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Raoul.

SENATOR RAOUL:

To the bill: I -- like to commend the sponsor for bringing this bill forth and to have -- for having these -- very narrow precautions that would make this the most restrictive medical cannabis bill in the nation. As -- I know as a -- the -- the -- the -- the sponsor, as a former prosecutor, has a sensitivity to this and I -- I can think of no better sponsor to make sure that we have the precautions in the bill to make sure that this a -- a narrow way to give compassion and relief to those who suffer from many debilitating illnesses. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis, for what do -- do you rise?

SENATOR OBERWEIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR OBERWEIS:

Senator, I am truly undecided at this point. I don't have a list of prepared questions to ask, but one of the objections that I keep hearing is from law enforcement agencies, who are concerned that there is no good test if somebody is pulled over. Perhaps you have more information. Is there a test that will be able to determine if somebody is, in fact, influenced by the use of the



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

marijuana?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator Oberweis, that's an excellent question. The -- what -- cannabis can be in one's bloodstream for up to a month. There can be a trace of it and the law at the current time is that one -- if one is stopped and there's a blood test or a urine test and they find a trace of marijuana, it's DUI, even though they're -- they're sober as a judge, because they smoked it or -- or consumed it twenty days ago. That's the law. The reason for that is there wasn't a test really to determine the -- the -- a litmus test like .08. .08 has been generally accepted as enough to indicate an impaired driver with alcohol, but marijuana is not. So what we devised here was a -- a system which required a field sobriety test and we made it admissible for the first time in the law. And a field sobriety test shows distracted attention, the inability to do multiple tasks, such as the -- turning the steering wheel, stepping on the gas. These are tests approved by the National Highway Transportation Safety Administration, NHTSA. And what we did is, on one's driver's license, if one is a permissioned holder to use marijuana, it's listed, and if there's reason for the officer to stop, can be any reason - showing weaving or anything of the sort, or they run a stop sign and the officer smells marijuana - that officer can require that cardholder to take that test. And if they fail, that's admissible to show impairment. That's not the law now for DUI. It's -- if a DUI person is stopped and they're -- they're -- if they refuse, their license is summarily suspended for -- I believe it's ninety days or six

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

months. Under this, it's suspended for a year, but their card is permanently revoked. This forces them to realize that they may not use this to such an extent that they're impaired. Absolutely not the case. And this is for the first time we've made this test admissible. There was some debate on this, but I -- I believe it's necessary for the officers to -- to know. And if they see any open cannabis, they're charged. No rights. They're -- they're charged. Their card is revoked.

PRESIDING OFFICER: (SENATOR LINK)

Senator Oberweis.

SENATOR OBERWEIS:

Thank you, Senator. That was a very good answer. And I have one other, final question. Another objection that's been raised is the cost. Would this bring in a requirement to have new government employees to administer the program and supervise this? And if so, do you have an idea of what the cost might be?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, that's an excellent question and we struggle with that. That -- the -- there cannot be a cost to the State with this. It has to be paid by fees. And those are going to be established by the Department of -- of Public Health, the Department of Agriculture, and the -- and the State Police and be established by rule. We have no idea. But the user, the people who are in this system, have to pay. That is correct. Be no cost.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter, for what purpose do you rise?

SENATOR McCARTER:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

I'd like to ask some questions of the sponsor, please.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR McCARTER:

Senator, where is law enforcement on this? Specifically, where are the sheriffs? Where are the chiefs of police?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

The -- the Sheriffs' Association, my good friends, and the Chiefs of Police, my good friends, are opposed to the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Specifically, why would that be?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I -- I really, with all due respect to them, not want to speculate. I -- they have -- we've -- I've talked to them over the years - and, Senator McCarter, you can go back to my tenure as State's Attorney, Madison County; I believe I was well known as pro-cop, pro-State's attorney, pro-sheriff - and they have a -- they do not believe that anything good can be said about marijuana in this context. I don't agree.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

I don't think anyone questions your -- your support of law

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

enforcement, Senator, especially over your -- your well-known, you know, career as a prosecutor, and -- and we don't question that in the least, but I -- I think they do have concerns because this is a -- they spend a lot of their time dealing with this drug. In fact, out of all that's confiscated in the State of Illinois - it's over thirty-eight thousand pounds that's been seized - the majority of everything that's been seized has been cannabis and it costs a lot of money for them to do this. Well, they do it because they -- they -- they -- they do have problems with the drug. I know you disagree with them, but I think we should -- we should take their opinion very seriously. I want to move on to another question about production and distribution. Can you help us understand how this is going to be produced, how this is going to be harvested, assembled, packaged and distributed, please?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

It -- it must be in enclosed containers, not -- cannot be in any way open to the public. It's got to be grown in conditions under the supervision of the Department of Agriculture, where they note what comes in, what goes out. Same with the dispensaries. They have -- they're monitored. They're subject to search by the police twenty-four-seven. If there's any leakage, they will be - they will lose their licenses, their corporate licenses. They will be prosecuted.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Explain to us what kind of license they will have and -- and

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

will that require them to have any kind of professional requirements to be a licensed grower?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir. They'll be licensed and controlled by the State, regulated under the conditions set by each of those departments with an expertise in that area, and under the general -- under the general supervision of the State Police.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

What kind of professional title would they have to have, chemist, cannabis agricultural specialist? I mean, what -- what do they -- what do you expect them to have to have?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Well, Senator, I'd -- I'd be speculating, but I presume a botanist would be a good one. I mean, I -- these are people that are going to grow these and they want 'em to meet certain standards. The Department of Agriculture would be one to set those. These -- these are -- the way this bill is set up, under the supervision of these skilled agencies, they can't be a fly-by-night operation.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Is -- is there anyone in our Department, currently, that

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

understands the chemistry of this drug well enough to actually regulate it?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I don't know whether there's one now, but I'm sure they're going to find some. ...(microphone cutoff)... Mr. President, I'm sorry, I -- I do -- wanted to add that I'm -- I -- I'm confident that they'll find the -- the expertise. But -- and I do -- as to the law enforcement question, I failed to note that we -- we had a continued colloquy with the law enforcement officials in drafting and redrafting this bill over the years, and the State Police, the Fraternal Order of Police State Lodge and the State's Attorneys Association are all neutral on the bill. I wanted to -- to note that.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Just -- I have one more question regarding these -- this professional title of these growers. You -- you said perhaps a botanist, but wouldn't it -- are we sure that we wouldn't need for them to have some chemistry background or even a medical background, since this is a -- this is a drug, especially one that's not approved by the FDA?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I -- I would recommend that to the Department, yes. And -- and as to your last comment, it's -- it's -- the reason why the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

FDA has not specifically approved this is because it's on the schedule of controlled substances, which was done in 1937 by Congress. A group of political folks in 1937 did it over the objection of the AMA head at that time. And so that has forced everyone to stand down on any movement anywhere, and that's a real problem. The -- the Attorney General of the United States has, in the past few years, modified the federal position on this - that if a state has a tight structure for the delivery of this and it's targeted to those with these illnesses, consistent with medical evidence, then -- then they're not going to interfere. And I would note to you, Senator, that a couple of years ago, the National Review magazine, which was founded by William Buckley, Jr., which is arguably the House organ of the conservative movement, wrote a favorable editorial, which I have, praising the President of the United States and the Attorney General of the United States for their change in policy on medical marijuana. The National Review editor said that it was a victory for common sense and for federalism. This is the conservative National Review.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Thank -- thank you, Senator, for reminding us of that endorsement from the National Review. Honestly, I don't see where that has anything to do with this today, but you -- I guess it's good -- it -- it sounds good. But, you know, if the -- FDA -- if -- surely, they have some of the same thoughts as you that this would be comforting to -- to patients in pain and they would have pursued approving this as a drug. I mean, there's got to be a reason they -- believe me, in this political climate, surely,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

having control over every agency, as the party in charge does today, they would be able to pursue this and get this approved. Why -- why don't they get it approved as a drug?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator McCarter, I -- it -- again, to answer that in the way I did before, I think it's because it was placed by Congress on this schedule and they're inhibited by that from moving. I mean, I -- I'm with you. I wish they would. I wish they would look at it and allow people who suffer pain to use it.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Let me -- let me ask another question. Now, someone sets up in this enclosed area, this greenhouse, and they've got the license. They're -- they're an approved botanist. They're not necessarily a chemist or a -- and don't have a medical degree, but they start producing according to the guidelines that you set up in the regulations under the licensing agreement. They're going to carry on business in this State. They're going -- they're going to -- they're going to buy -- buy -- buy their -- their product to start this up. They're going to produce it. They're going to sell it. They're going -- they're going to have money coming in, money going out. What's the effect on a bank? Is -- is a bank required to accept and to -- and handle the cash of this illegal product?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

SENATOR HAINE:

Senator, I -- I'm going to read you from the bill -- the -- the Act requires operating by-laws that include procedures for the oversight of the cultivation center, development and implementation of a plant monitoring system, medical cannabis container tracking system, accurate record keeping, staffing, a security plan reviewed by the State Police that are in accordance with the rules issued by the Department of Agriculture under this Act. All -- a physical inventory shall be performed of all plants, medical cannabis containers on a weekly basis. The people employed have to have experience with agricultural cultivation techniques and industry standards. They must have academic degrees, certifications, or relevant experience with related businesses. They have to show the identity of anyone having a -- an interest, pecuniary interest, in these cultivation centers. I mean, this thing is filled with one check after another on the possibility of abuse. So these are honest businesses and -- and it allows the cultivation of this substance which can -- relieve these -- the terrible pain suffered by people and they won't have to go to the dark side to get it. It will be grown here in Illinois, not somewhere else.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Senator, you mentioned something just now that just made me wonder. What are the industry standards for growing pot? What -- what are the -- what are the organizations that will put their approval on this and say you are growing it according to the industry standard. Is it a national standard, a state standard,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

a world standard, and who are they?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, that will be developed by the Department. That will be developed by the Department according to those strict rules. And I don't know. I'm -- I'm a mere lawyer.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Senator, that -- you know, we, as a State, can't figure out a pension program. We can't do pensions. So many things we can't do, but now we're going to -- we're going to develop the -- industry standards for growing pot nationwide through JCAR? Boy, whoever's on JCAR, your -- your -- your job just got a lot harder. And I look forward to this monumental task of developing industry standards. I -- I -- I think the answer, there is no industry standard. We're just going to wing it. I -- and is that what I'm -- is that what I hear, Senator Haine, that we're just going to try to figure this out in JCAR?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I -- I have confidence in the departments. This is a pilot program. It'll take a year to construct this. These are reputable people that will be reviewed and their backgrounds checked. Banks will make lending decisions based upon that. The -- the -- it'll take a year to review this. If -- if we have to have a trailer bill, we can do it. If -- but these are -- this is a pretty

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

complex and tight structure, which I think should -- and, again, I'm -- I -- your questions are reasonable. I'm just saying that the -- that we've taken care to raise comfort levels with this.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Senator Haine, I appreciate you trying really hard. I just don't have as much faith in JCAR, with all due respect to every member, to develop industry standards for growing pot. I -- I just -- I just don't have that in -- let me ask another question. How will this -- what about advertising? Can you advertise for this? Where? In print, in TV, in radio? How can you advertise?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

No, there can be no advertisements. This is a physician-based system.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

How will the growers and distributors let people know that their product is for sale?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

They -- they have to go through the Department of Public Health.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter, to the bill?

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

SENATOR McCARTER:

Almost. Two questions and I'll close. I appreciate your patience. How much can be prescribed, Senator?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

It -- it's no more than 2.5 ounces.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

Within how many days?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Fourteen days.

PRESIDING OFFICER: (SENATOR LINK)

Senator McCarter.

SENATOR McCARTER:

You know, ounces don't mean much unless, I guess, you're in the business. I -- I'm not. I don't suspect that any of us are. But, what's that equivalent to is a hundred and eighty joints. That's about thirteen joints a day. So -- so I just -- everybody should take note of that. Now -- and we don't all have to confess whether we did or we didn't inhale or whatever, but I think we all understand what thirteen joints means in a day's time. I want to -- I will -- I'll close with the issue of marijuana as a gateway drug. And let me just say that studies have shown that people who use marijuana also tend to use other illegal drugs. And there's evidence that among multi-drug users, marijuana is the drug that

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

was most commonly used first. Study in 2006 states, "Regular or heavy cannabis use was associated with an increased risk of using other illicit drugs, abusing or becoming dependent upon other illicit drugs, and using a wider variety of (other) illicit drugs." You know, today, you say we're only talking about medical marijuana and it's contained in a -- some -- a -- a quasi-approved bottle, like all the other drugs that we know are safe and approved by the FDA, like Tylenol, like acetaminophen, all these basic drugs that we trust are safe, but we're making a decision today to say in our communities that marijuana use is okay. It's accepted and we're doing this based on concern, genuine concern, I -- that I know the sponsor has for people that are in pain. I know that. I believe that. But let me just tell you this: Ultimately, we will choose what the future of our communities look like and we will protect our children from easier access to unapproved illegal drugs. For every touching story we have heard about the benefits to those in pain, I remind you today that there are a thousand times more parents who will never be relieved from the pain of losing a child due to addiction, which in many cases started with the very illegal FDA-unapproved addiction-forming drug that you are asking us now to make a normal part of our communities. As -- as one of those dads, I ask you to vote No.

PRESIDING OFFICER: (SENATOR LINK)

Senator Barickman.

SENATOR BARICKMAN:

Mr. President, a question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR BARICKMAN:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator, I have concerns about this legislation that I'd like to discuss with you, but before I do so, let me say first that I commend the work that you have done on this legislation. I think that it is very apparent that you have put in a hard -- a lot of hard work here to try to craft legislation that you believe will not make Illinois look like many of those other states who have gone down this path already. I also know that there are many people whom {sic} are watching what happens in Illinois, many of our residents watching this debate and believing that if this legislation becomes law, they will be able to find a mechanism for which they can find relief from a terrible illness that they may face or their family or loved ones may face. And that notion, I believe, tugs at every person in this building. And the notion that our government may restrain their abilities to find relief is compelling. But my question to you and the -- the issue I think that's before us here today is, why is this discussion happening here? You -- you stated that in 1937, an Act of Congress prohibited the use of cannabis by federal law. You said there's been a change in policy. I think the -- the President has issued or his -- the Attorney General has issued a change in policy. Explain to me how the State of Illinois has the authority to act here given those circumstances.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, that's -- that's a good question and I -- there -- and that's one reason why I cited the National Review article, because it -- it is from an ethic that has an emphasis on federalism. The Tenth Amendment reserves to the states that which

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

is not delegated to the federal government. And that's the relevance of -- of that. The -- the reason why, as I stated a few moments ago, we haven't moved in more substantive research is because of the political Act - with a small "p" - by Congress in 1937 to put this on the schedule without doing any -- doing what we're doing here. The -- in fact, the AMA -- I have a -- I -- I -- a -- the Council on Science and Public Health of the AMA, in this section, which I had and forgot to read earlier, stated -- and two years ago, they urged that marijuana's status as a federal Schedule I controlled substance be reviewed with the goal of facilitating the conduct of clinical research, precisely. And this should not be viewed as an endorsement, to be honest, for state-based medical cannabis programs. They're not saying that. But they're saying that the scientific evidence on the therapeutic use of cannabis should meet current standards and -- and -- and studied, because there is evidence coming from their own members, anecdotal evidence - the Institute of -- of -- of Medicine, the National College of Physicians, the professor at Washington U, many of us have anecdotal stories - of the use of marijuana to alleviate pain. And -- and everyone is on hold because of Congress in 1937 and marijuana has become part of this whole -- I guess it's a panoply of drugs. And I -- certainly, my heart goes out to Senator McCarter and his concerns, but I have seen the -- the effects of illegal drug use in my county -- as I've been on raids, showing people, frankly, living in pigsties with children and consuming heroin and cocaine and consuming alcohol with it and, yes, marijuana, and consuming methamphetamines, a recent phenomenon - and how they got into it, I don't know. We established a drug court to pull them out. But cannabis, compared to all of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

these, is clearly the most benign. And it's the -- it's benign compared to OxyContin and Vicodin, which is abused -- you'll find that in every one of these crack houses. The pills go on the street for a hundred dollars a shot. And to answer your question, the states have moved because the citizens have moved and the -- the doctors prescribe it. They tell people, "This may help you." My own family went through it, my wife's family. They -- they -- they say -- the -- the patient says, "I can't take this. I can't go on with it." The doc says, "Try some marijuana." So, to me, as a -- as an officer of the court and an officer -- former officer of the law, the hallmark of the law should be reasonableness. It should meet the constitutional test. And it shouldn't be an excuse, as you imply, to open the floodgates - or as Senator McCarter to imply - for general abuse and use. That's not my intent. That's why it's a pilot program. We're going to see how this thing works. And if it goes off the track - I've got a four-year term, God willing - I'll be here to pull the plug. I mean this is a pilot program to set it up. We filled this thing with check after check, as I pointed out to you. But that's the reason why the states have gone ahead, because Congress immobilized every -- everybody with this political Act of 1937 and no one -- you know, politically, no one wants to say, gosh, I'm weakening drug -- drug laws.

PRESIDING OFFICER: (SENATOR LINK)

Senator Barickman.

SENATOR BARICKMAN:

But to your point...(microphone cutoff)... To your point, Senator, Congress has acted. The Tenth Amendment is what it is. There may be many, many people who disagree with many acts of



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Congress, but until Congress changes their tune, laws that have been in place since the 1800s or earlier remain in place until Congress acts again. And in this instance, Congress acted then. The Tenth Amendment reserves - as you so accurately depicted - the Tenth Amendment reserves to the states the rights not afforded them or not -- for which the federal government has -- has not acted. But in this instance, the federal government has acted. Is it your -- is it your belief that because the President has issued an order here that somehow that 1937 Act is no longer pertinent?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

That's another good question. I think it's -- I -- I think the -- the -- the discretion of the Attorney General is to act in the case where a state has set this thing up as a pure medical program, and if it's loosey-goosey and filled with abuse and it's just a sham to have legalized marijuana, they're going to intervene. But if it's not, if we do this the right way, I'm confident, based upon these statements, that they're not.

PRESIDING OFFICER: (SENATOR LINK)

Senator Barickman.

SENATOR BARICKMAN:

My understanding is, this is a four-year pilot program. The President's term is up within those four years. What happens if the next President of the United States issues a new order?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator, we have to make sure we elect a Democrat. Just kidding - I don't want to lose your vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Barickman.

SENATOR BARICKMAN:

To the bill: My -- again, Senator, I -- I -- I think you have clearly done a lot of work on this legislation. My concern here is that this is a debate for which needs to occur in Washington, D.C. If there are individuals in this building - in this State - who believe that the federal government has it wrong, there is a well-established process for that to change. Some people are saying the federal government, on this issue, isn't moving fast enough. Fair enough, I can make that argument on a whole number of things that the federal government is doing. The bottom line here is, we have an established framework for how we -- how we make decisions in this country. There are certain decisions allowed for the federal government, those for the state, others for the locals. This issue clearly is an issue for our federal government to deal with. Our federal government has spoken on it. There's a process in place for which the people - you said this is a people's initiative - there's a process for the people to speak. They can call their Congressman. They can call their U.S. Senator. They can get involved in elections and help elect the next President, but also the next Congress. What concerns me is the step that this legislation takes into an arena for which the State of Illinois should not be in. There are presumably many, many, many drugs out there prohibited by federal law that some individuals would say would bring relief or help for any number of illnesses that they may be facing. But the State of Illinois isn't

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

taking action on those, the federal government does. They do it through the FDA. They do it through the political process. And the results are that people in the United States can travel from state to state; they can stop by Walgreen's with their prescription from their doctor and pick up those drugs that are approved by the FDA for their use. This legislation does nothing more than create a new bureaucracy to handle one drug and, in doing so, sidesteps an already established federal bureaucracy. It sidesteps federal law and it takes us down a path for which none of us can predict what the next step may be. What drug is next? You're a lawyer. I'm a lawyer. Those are issues for the doctors and for the FDA to establish. I think this legislation is wrong for the State of Illinois and I urge a No vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR SYVERSON:

Senator, mine will be much briefer. I just want to address a couple questions regarding questions I received from the Illinois Rental Property Owners Association regarding guidelines of if there is a -- if a landowner -- landholder says no to smoking or it's a smoke-free premise. What are the requirements that are in this legislation?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Thank you, Senator Syverson. The property owner rules. If they have a drug-free smoke-free house, that must be the case.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

So even if they have a prescription for this, if the -- if the landlord says the rules are this is a smoke-free, then that supersedes that concern.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir, that's correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

And then regarding concerns raised and regarding the -- the municipal crime-free/drug {sic} housing ordinances, if -- if a local government has those ordinances in place and a individual has marijuana in their apartment, their government apartment, then does this address that coverage in those cases?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

It -- it -- I'm not certain. It should, for the same principle that the property owner should govern.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Thank you. So from a -- a -- a legislative intent standpoint

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

-- so from a legislative intent standpoint, can you maybe just comment on what the intent would be regarding those local rules regarding crime- or drug-free housing, how this would -- how this would come into play or what your intent is for this?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Senator, my intent is that they remain drug-free. It's the primacy of the local government managing whatever apartment it is, same as a landlord - drug-free, smoke-free. That's what I consider to be the intent of the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Okay. So, again -- so it's the same case when you have a -- a -- subsidized housing, that those rules in those subsidized housing, even though they're a government housing, as opposed to a private landlord's, no smoking rules, the -- in a government housing scenario, that decision can also be made as -- as a drug-free, even though this individual may have a -- a script?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir, that's my intent.

PRESIDING OFFICER: (SENATOR LINK)

Senator Syverson.

SENATOR SYVERSON:

Thank you very much. That's -- that's the questions I had. Appreciate it.

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood, for what purpose do you rise?

SENATOR LaHOOD:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will yield.

SENATOR LaHOOD:

Thank you, Mr. President. Senator Haine, I -- I have a great deal of respect for you when it comes to prosecutorial matters and in your experience as a prosecutor and with law enforcement, and in listening to the debate, as I understand it, there is nobody in law enforcement that is supportive of this bill. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

I don't know that that's the case. I mean, there may be some officers, sheriffs that like it. I -- I -- I have no idea. I know that the organizations either are neutral or opposed, as I've listed.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LaHOOD:

And just so I'm clear, the Illinois State Police is not supportive, the Chiefs of Police are not supportive, the Sheriffs' Association is not supportive. At the federal level, the DEA is not supportive. If you have a specific organization that you could cite to me that is a law enforcement group, I'd like to hear that, if you have that.

PRESIDING OFFICER: (SENATOR LINK)

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Haine.

SENATOR HAINE:

Senator, I -- I agree. They're either not supportive, neutral, or they're against it. That is correct.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LAHOOD:

I -- I guess just to summarize that, so you don't have anybody that is supportive of it. Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, again.

SENATOR HAINE:

Senator LaHood, I repeat and reallege, either they're not for it or they're against it.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LAHOOD:

Thank you. And in -- in looking at the material on this issue, Senator Haine, the one thing that I guess I've focused on is looking at what this, from a public policy standpoint, will do for our young people, for teenagers and adolescents, and -- and what this says about marijuana and -- and the illegality of marijuana. And I've looked at three different studies that show that states with medical marijuana laws have far higher rates of teenage marijuana use. I guess, what would be your response to that?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

I don't know of these studies, Senator, but we have now in society an -- an effort, series of -- of efforts, to teach children responsibility in the use of prescription drugs and a number of -- of other things. Alcohol is reserved for adults and that's made clear over and over to children. OxyContin is a prescription drug that shouldn't be abused by children. We've made that clear over and over. If this is adopted, it'll be the same effort. This is not a children's item. It's an adult matter and we make that clear over and over. Did the legalization of alcohol in 1933 increase teenage drinking? Perhaps - I don't know - but we've made it clear over and over. Marijuana -- in fact, I believe that -- that adopting this would clearly show young people that this is a serious matter for adults; it's only used for medical purposes and should never be used for recreational use or any other purpose.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LaHOOD:

And, Senator Haine, I appreciate that response and that may be your view, but that directly contradicts the studies I just mentioned to you and the fact that states that have medical marijuana laws, teenage marijuana use has significantly gone up. And I guess my question is -- that education process you talked about and -- and parental guidance and all of those things, that's not reflected in what's happened in these other states and that concerns me. The other part of that, Senator Haine - and -- and I think you fully understand this - you know, as a -- as a prosecutor - I spent nine years as a State and federal prosecutor - and when you look at drug cases, particular cases of teenagers and -- and -- and career criminals, when you look at probation



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

reports, it always starts with marijuana and leads to more addictive drugs, whether it's cocaine or heroin or methamphetamine. It always starts with marijuana. And I have not seen a study yet that disproves the addictive nature of marijuana and the fact that it's a gateway drug and leads to harder drugs. And when I look at these statistics in other states and the direct correlation of medical marijuana laws and teenage drug use going up - I understand what you're saying in terms of education and good parents - but the statistics don't bear out what you're saying and that to me causes a great deal of concern.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Quite simply, in eleven of the first fifteen states that adopted medical marijuana, teenage use actually went down, according to our -- our information. The Institute of Medicine, in 1999, states "There is no evidence" - this is the Institute of Medicine - "that marijuana serves as a stepping stone on the basis of its particular physiological effect." It "does not appear to be a gateway drug to the extent that it is the cause or even (that it is) the most significant" predictor -- "predictor of serious drug abuse". I mean, so -- that's -- if you want to rely on those studies, that's -- that's fine. But I -- I also want to emphasize again this thing about law enforcement. The Chiefs of Police Association, the Sheriffs' Association are against the bill. However, the other ones mentioned are neutral, neutral on the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LaHOOD:

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Haine, thank -- thank you for that. And -- and I'd be happy to share these studies with you. But what they specifically -- this is the conclusion of the SAMHSA study that was done in 2010, "one reason teenagers smoke more pot in states with medical marijuana laws is that they begin to see pot as a benign medication", the word that you used previously. And I think you're right on that. People are -- this type of law and laws in these other states, they give the justification, the rationale, the normalization that this is somehow benign. That's the problem, and -- and the problem in -- in this particular case. And I can't get over that fact in these studies and what that's done to teenagers in these other states. And I think we all recognize that the addictive nature of marijuana leads to harder drugs with teenagers and that bears out in the criminal justice system.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, I think there was a question there.

SENATOR HAINE:

I don't agree. OxyContin is clearly more powerful and addictive than marijuana and it's in millions of medicine cabinets as we speak - with no control.

PRESIDING OFFICER: (SENATOR LINK)

Senator LaHood.

SENATOR LaHOOD:

In -- in ten of the states - this was a study done in 2008 - twenty percent more teenagers were smoking pot in medical marijuana states. 2011, went up to thirty percent, and it goes on to say - and -- and this is what I think is -- is most prevalent - that -- that the "research shows that teenagers who smoke pot frequently have difficulty with memory, attention and problem-solving, find

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

it harder to learn, get lower grades, and are less likely to finish high school or college." And -- and, again, we look at what this does in terms of -- of legitimizing that. You know, I have not seen anything from law enforcement or any study that deters me away from that fact. And -- and I haven't heard anything here today. To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR LaHOOD:

I want to read a -- a quote from a gentleman who heads up the Peoria Multi-County Narcotics Enforcement Group. He's our director, Rene Sandoval, in Peoria and he heads up our drug unit there. He's a former State Trooper for a number of years, involved with drugs, and he said, quote, "Law enforcement officers are a hundred and ten percent opposed to medical marijuana legislation." Quote, "We spend {sic} (spent) a ton of time as law enforcement officers trying to get the word out there to young adults as to the dangers of drugs and drug abuse. This right here sends a totally different message." I urge a No vote on this legislation.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado, for what purpose do you rise?

SENATOR DELGADO:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LINK)

Indicates he will.

SENATOR DELGADO:

First of all, I want to congratulate Senator Haine for taking on such a difficult chore, especially with his background, and that really gives me a lot of relief, also coming from the

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

background of law enforcement. I -- it's -- and I just have a couple questions. Mr. Haine -- Senator Haine, are you familiar that what we're talking about here is medical marijuana in terms of -- creating a prescription to adults that need it for possibly osteoporosis, cancer, epilepsy, and other related illnesses? Is that your -- is that your intention with this legislation?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes -- yes, sir. The -- the conditions listed in -- in the bill.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

Would it also be true that medical marijuana will come in many forms? It can come in liquid. It can come in lozenges. Would you agree that it comes in all other ways, other than just smoking it? Is that correct?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

Yes, sir, that's a very good point and I -- I failed to mention that at the beginning. It can be consumed in a cookie or a brownie.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

Senator Haine, are you familiar with a program in Michigan, the State of Michigan, that also has authority to dispense, and/or

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

other neighboring states, that do so through liquid form in a soda, in a cookie, for those who cannot get it out of Illinois?

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine.

SENATOR HAINE:

No -- no, sir, I'm not.

PRESIDING OFFICER: (SENATOR LINK)

Senator Delgado.

SENATOR DELGADO:

To the bill. Mr. President, I rise...

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR DELGADO:

I rise in strong support. Ladies and Gentlemen of the General Assembly, we got to get our minds off the corner. We got to get our mind off of sativa, cannabis sativa. There's two types of marijuana. There is indica and there's sativa. So, if you look at sativa, or cannabis sativa -- indica is the most prominent drug -- or, marijuana strain that is grown for medical marijuana. It is -- matter of fact, GW Pharmaceuticals has a trial going on in Washington, D.C. If anyone should be held accountable for the amount of drugs that are -- that are -- that are killing our young people and adults in this nation, should be the FDA, because they're the ones that are letting out OxyContin with eight hundred milligrams of acetaminophen. They're the ones that let out Vicodin, which is hydrocodone with eight hundred milligrams of acetaminophen, the common denominator, that are killing more than -- actually, it's second to gunshot wounds by death in America, is by opiates. Second now, according to the CDC. Look it up on your

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Google - Center for Disease Control - and ask, what is the number two killer next to automobile deaths, accidents in cars? Opiates, specifically Xanax, hydrocodone, which is Vicodin, which is OxyContin, which is found in every medical -- in every home. And children see that as a benign prescription as they see mom and dad do it. So at the end of the day, we're talking about a plant that actually comes in two strains. And when I used to bust med marijuana, I thought it was marijuana, but a defense attorney can come and argue, "this is indica marijuana", and wind up reducing it, in terms of its strains and what it can create and what it can be. The major force that Mr. Haine is talking about is called a cannabinoid and we can let the scientists talk about that. This is a little too deep for this General Assembly. This is about patients that are suffering with osteoporosis. This is about individuals that are having a difficult time finding solutions to their cancer pains, that are finding other solutions and are going to the black market buying it anyway. We must find these solutions, and the strains of -- of -- of what Senator Haine is proposing here is not only rational, but is also the wave and where things are going in terms being able to control some of the things we're trying to do. I would hope that we're going to have such a spirited debate when I bring legislation to curb hydrocodone, to put it in Schedule II, to make sure that we don't have opiates and children and adults dying like flies in this nation. And we're talking about marijuana? Marijuana. When you -- I had a hearing down in Southern Illinois University. Four hundred people attended. No one talked about overdosing on marijuana. They said, my son fell asleep and when he woke up he was starving, 'cause he had smoked herb. He smoked a joint. But when they take Vicodin,

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

when they take Xanax, when they take the drugs that are coming out of the FDA - those are the criminals that are sending it out - where is the outrage? Where is the outcry on that? How many of us have to lose our children to the drugs that we get prescriptions by our doctors that have no clue what that interaction is doing to our families? But, yet, it's the same doctors that say "Smoke a joint. I don't have anything that I can give you that's going to relieve the anxieties that you hold today that may not only be physical, but maybe psychological and only within you. You're going to have to make that decision." And let them make it with their doctor. I stand in strong support and I look forward to a very lively debate on how we save our young people and our young folks against the opiates and the pharmaceuticals that are flooding this State and are killing our families. I would ask for a very, very enthusiastic Aye vote and let's be -- let's be daring and let's take a look. We're moms and dads. Let's sit down at our kitchen tables and let's have this real discussion. It's about time. Marijuana? Vote Aye.

PRESIDING OFFICER: (SENATOR LINK)

Senator Hunter, for what purpose do you rise?

SENATOR HUNTER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR HUNTER:

I stand in very strong opposition to this bill and the reason why I do that is for a number of reasons. I think that I have the strongest background than any one of you all in here. I am a certified alcohol and drug counselor. I went to school and I

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

studied it. I have a master's degree that I've had since 1982. I've run programs. I've run outpatient, intensive outpatient, residential. I've run methadone clinics. I've run alcohol clinics and drug. That includes marijuana, cocaine, crack cocaine, as well as heroin, you know. And all of this rhetoric that I keep hearing all day is ridiculous. You all know full well the effects marijuana has on the body. All they did was put medical in front of marijuana. It's still a drug. I know that people who are ill -- I have family members in my family who has medical issues and they're in pain, but in 1985, the FDA approved a synthetic THC. THC is -- is a chemical inside of marijuana that -- that gives you that euphoric high feeling. The FDA approved the synthetic drug, called Marinol, M-A-R-I-N-O-L, that relieves the nausea associated with cancer chemotherapy. What we're doing is responding to the -- the public outcry. Why don't we take a look at the science? What does the science say about this? This matter has been researched. It has been debated for a very long time. And the only difference between this so-called medical marijuana and Marinol is that Marinol does not have the THC in it. It'll solve the medical problems, but it will not get people high. It will not get them high. We're talking about passing concealed carry and marijuana, so now we're talking about drugs and guns. Law enforcement has already stated that they can't even handle -- they cannot handle the crime and other issues that we're creating by passing this bill today. So I'm going to vote No, 'cause I'm not going to have this matter on my hands. It's going to be you all. And I would ask that every single one of you all vote No on this bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)



STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Senator Holmes, for what purpose do you rise? Excuse me, first. Ray Preston of KMOV-TV requests permission to video. Seeing no opposition, permission is granted. Senator Holmes.

SENATOR HOLMES:

To the bill.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR HOLMES:

First of all, I want to start out by saying, as you all know we passed this bill in this Chamber a couple years ago and I want to thank the sponsor for bringing back this bill, which is much stricter than the bill we passed in this Chamber, and I also want to thank the House for finally passing a medical marijuana bill and helping out so many people in this State that are in desperate need of a drug that will relieve some of the symptoms they suffer because of so many different illnesses. I don't think there's anybody in this Chamber who's not aware of the fact that I have MS. As a list of people who are able to get that, although I'm fortunate not to need it, medical marijuana is on that list. And I will tell you all, the people who have approached me that have MS who have talked about the importance of passing this bill. The reason being is that it relieves some of the horrible debilitating symptoms of MS. It relieves the spasticity. It relieves the pain. And it relieves some of the fatigue. There's actually been studies that say it may even slow the neurodegeneration that's associated with MS. Pain relief is probably the most well-known benefit of medical marijuana. And pain relief is -- is -- is huge and it's something that the American Academy of Family Physicians, the American Public Health Association, the American Nurses

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

Association, and even the New England Journal of Medicine have endorsed the use of medical marijuana for the treatment of severe and chronic pain. We're talking about people who suffer from rheumatoid arthritis, fibromyalgia. Medical marijuana's full potential has also been seen when it comes to respect to cancer treatment and it hasn't all been realized. In a recent study, medical marijuana was found to actually halt the spread of breast cancer. It's been found to inhibit tumor growth. In addition, we know it relieves some of the symptoms from chemotherapy that's used to treat cancer - the vomiting, the nausea - and as a huge plus, it can stimulate appetite, which will help these patients who are unable to eat and are losing weight. And if you have ever watched a friend or a loved one with cancer and you have watched them lose fifty percent of their body weight, because they are so nauseous they can't eat, you cannot tell me that you would not do anything in your power to help them find something that can stimulate that appetite and have them able to eat, to get them through the treatment so they can finally beat the cancer that has made their life so difficult. But the current legal restrictions with the use of marijuana are actually preventing researchers from conducting the clinical trials that are necessary to even fully understand all the benefits medical marijuana can achieve. We've sat here in this Chamber and talked about the gateway drugs and the horrible drugs and, oh, my gosh, all the crises that's going to happen and the number of people that are going to be abusing marijuana if we put medical marijuana as a list of another prescription drug that can be taken. Um, I would say if we really want to eliminate any drug abuse - and we know that it's actually reached epidemic proportions in this country, the abuse of

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

prescription drugs - then I think what we need to do is pull all the prescription drugs off the market. That will certainly reduce the abuse of illegal -- of legal prescription drugs. That doesn't make sense. Why doesn't it make sense? Because we want to take care of people, because we're compassionate. We don't want them to suffer the illnesses and the debilitation that they suffer from their diseases. So, we embrace the use of drugs. Um, let's talk about some of those that we use. Go into your medicine cabinet and you have the Vicodin for the last root canal you had. That drug, by the way, is more highly addictive than marijuana. How about the Valium or the Xanax that's prescribed for those anxiety attacks? Talk about two very, very highly addictive drugs. Because these drugs that I'm talking about are on the list of the nine most addictive prescription drugs. Also, how about that Ritalin you give your child with ADD? By the way, to every adult woman here who's worried about being a little tired or wanting to lose a little weight, pop that Ritalin. It'll do the trick for you. So don't tell me that one's not abused. Then, of course, we have OxyContin when -- which has been brought up. OxyContin, by the way, which is a painkilling drug, which is also the most important benefit of medical marijuana, which is for pain, this is the prescription drug that is likened to be most like your street drug heroin. And this is prescribed about six million times a year, and it's, in fact, been called the gateway to heroin use. I think that is a much more dangerous drug than the medical marijuana we're talking about - the medical marijuana that will help the thirty-five-year-old mother with MS be able to walk her child to the end of the block to catch the bus, rather than being confined to her bed because of spasticity. It will help your father, who's

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

laying in bed with lung cancer, able to withstand the treatment and the chemo that may buy him some more time. So, if we don't look at the compassionate effect of medical marijuana and say, yes, it's finally passed in the House, this much more restrictive bill. This will ensure quality of life for people in Illinois who so desperately need it. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

Senator Haine, to close.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I thank each and every one of you, pro and con, for the questions and the comments that you made. And I must say, this has been a remarkable journey in my life, this bill, and I shared the journey with Majority Leader Lou Lang, of the House, who's here on the Floor. We spent hours and hours and days in colloquy with law enforcement, advocates, physicians, many others to craft this bill. This bill is simply about giving comfort to people suffering terrible pain from the diseases listed in the bill. It is not about recreational drug use. It is not about using this substance to get "high", quote, unquote. We are a mature State, a mature society, and we are awash in this society with the immature use of prescription drugs, powerful drugs, as was cited by the previous speaker. And we -- embarking here upon a way to achieve relief, compassionate relief, consistent with the law, a system which avoids abuse. This bill is the tightest, most controlled legislative initiative in the United States relating to medical cannabis. It allows a finite group of people with severe illnesses to get medication to address their serious health conditions, generally chronic. Many of these people are dying - they're dying. And it does so with a drug that

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

does not have the debilitating side effects and addictive qualities of many of these prescribed medicines. People, who are suffering and in desperate need of relief should not be relegated to narcotics, opiates that are highly physically addictive and have horrific side effects. They shouldn't be relegated to this. The tightly controlled medical cannabis regime in this bill allows relief to the suffering without causing physical addiction, side effect suffering, and provides hope for the most vulnerable people in our society, those suffering through no fault of their own from severe medical illnesses. This bill is in the -- is -- will advance the common good of society. It is a pilot program. It will take four years to construct and to implement. During that time, each and every one of us will see how this is done and any representation I have made on this Floor of this great Chamber will be put to the test and I will be held accountable and I will do what I can to rectify any problems. I would respectfully ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LINK)

The question is, shall House Bill 1 pass. All those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 35 Ayes, 21 Nays, 0 voting Present. House Bill 1, having received the required constitutional majority, is declared passed. Could I get everybody's attention, please? The President said you did such a good job on all these major bills, the Senate Sessions for Saturday, May 18th, and Sunday, May 19th, have been canceled so that Members can work in their district. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 noon

STATE OF ILLINOIS  
98th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

52nd Legislative Day

5/17/2013

on the 20th day of May, 2013. The Senate stands adjourned. ...will be added to the Consent Calendar. Mr. Secretary, are there any objections filed to any resolutions on the Consent Calendar?

SECRETARY ANDERSON:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion is -- carries, and the resolutions are adopted. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 12 noon, the 20th day of May, 2013. The Senate stands adjourned.