

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

77th Legislative Day

11/6/2013

Speaker Turner: "Members are asked to be at their seats. We shall be led in prayer today by Reverend Dr. L. Bernard Jakes, who's with the West Point Missionary Baptist Church in Chicago, Illinois. Reverend Jakes is the guest of Representative Christian Mitchell. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and Pledge of Allegiance."

Reverend Jakes: "Let us pray. We enter this Session, Oh God, anew. The freshness of our good morning allows us to acknowledge that yesterday didn't claim us and today is ours to embrace. The anewness of this day brings joy for some but anxiety for others. The anewness of this day rings with the proverbial bell of justice as fairness and equality have been extended to those who were denied their civil liberties because of whom they love. However, Oh God, the anewness of this day, for some, has the proverbial bell silenced as Illinois is poised to become the fifteenth state to allow her same gender loving citizens to engage in legalized marriage. Whether these policymakers were for or against, Oh God, I invoke thy presence upon this House on this day that is anew for the purpose of unification across the aisle. As these elected officials continue their strenuous and laborious work, I call upon you, Oh God, to shape their work whereby the liberation of all people becomes the common bond that unites each policymaker within this hall. Where there may be dissension, let peace abound. Where there may be... ness supervene. If personal anger dies then rears its head, let humility run interference. Where there may be intolerance or unfairness, remind these who are called to serve others the age old adage

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

77th Legislative Day

11/6/2013

that we are to treat all brothers and sisters as we desire to be treated. Oh God, as this passionate assembly prepares to further engage in policymaking, allow them to feel the refreshing nuance of anew, as the anewness of this day is an opportunity for each person to do something new, while thy hand guides them, as they have miles to go before they sleep. Hear our prayer, Oh Lord. Hear our prayer, Oh Lord. Incline thine ear to us and grant us thy peace, Amen."

Speaker Turner: "We should be led in the Pledge of Allegiance today by Representative Greg Harris."

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

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

Currie: "Thank you, Speaker. Representative Jakobsson is excused today and I would like the Members to join me in sending our deepest sympathies to Naomi and her husband, Eric. Last night, their son, Garret, age 46, died after a long illness. In addition to grieving parents, he will be missed by his many brothers and sisters, his wife Liz, his 10-year-old son, Gunner. And I would ask, Speaker, for a moment of silence so that the Members can express in their own hearts their concern for Naomi, her family and young Garret."

Speaker Turner: "The Body will take a moment of silence. Thank you. Representative Bost."

Bost: "Thank you, Mr. Speaker. All Republicans are present today."

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

77th Legislative Day

11/6/2013

Speaker Turner: "Mr. Clerk, please take the record. On a count of 117 present, a quorum... we have a quorum... a quorum is established. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Gabel, Chairperson from the Committee of Human Services reports the following committee action taken on November 6, 2013: recommends be adopted is House Resolution 461, House Resolution 614, and Senate Joint Resolution 443. Representative Beiser, Chairperson from the Committee on Transportation: Regulation, Roads & Bridges reports the following committee action taken made on November 6, 2013: recommends be adopted is House Joint Resolutions 35, 44, 47, 52, 53, 57, and 58. Representative Hoffman, Chairperson from the Committee on Labor & Commerce reports the following committee action taken on November 6, 2013: recommends be adopted is House Resolution 556. Representative Nekritz, Chairperson from the Committee on Personnel and Pensions reports the following committee action taken on November 6, 2013: do pass as amended Short Debate is Senate Bill 1922; recommends be adopted is Floor Amendment #3 to Senate Bill 1523. Introduction of Resolutions. House Resolution 673, offered by Representative Bost. House Resolution 675, offered by Representative Riley. House Resolution 679, offered by Representative Dunkin. And House Joint Resolution 63, offered by Representative Feigenholtz is referred to the Rules Committee."

Speaker Turner: "Representative Bellock, for what reason do you seek recognition?"

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

77th Legislative Day

11/6/2013

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

Speaker Turner: "Please state your point."

Bellock: "I have Ellie Peña here with me today. She'll be Paging. She is in fifth grade in Oakbrook, Illinois, and her dad is also a principal of a school at the Hinsdale Middle School. And I also have a good friend, Dr. Susan O'Brien, who is up in the balcony with the Decoding Dyslexia parents, the Dyslexia Association. And they are in the Capitol today to raise the awareness that one out of every five children in United States has dyslexia. So, I'd like to ask everybody to welcome them to the Capitol today. Thank you very much."

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

Mayfield: "Personal privilege."

Speaker Turner: "Please state your point."

Mayfield: "Everyone, I sen... I passed out a flyer on a Lunch and Learn. This will be the first Lunch and Learn for the Illinois Legislative Black Caucus. You're not being lobbied and we're just really hoping that you'll be able to come out, have a 15 minute presentation on this disease that is silently increasing within the state and have a very, very good lunch. So, I'm hoping that you'll be able to join us on November 14 in Chicago at the Chicago Cut Steakhouse. Thank you."

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

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

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

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

77th Legislative Day

11/6/2013

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'd like for you all to help me welcome from the great City of Harrisburg, my Honorary Page, Nick Davis. Him and his Dad, who was my college roommate, but he will not be telling any stories."

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

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

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

Demmer: "I'd like to welcome to the floor Travis Sterling, who runs my district office and is helping out as a Page today. Welcome to Springfield."

Speaker Turner: "Welcome to your Capitol, Travis. Beginning on page 2 of the Calendar, with Senate Bills on Third Reading, we have Senate Bill 116. Representative Martwick. Mr. Clerk, please read the Bill."

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

Speaker Turner: "Representative Martwick."

Martwick: "Thank you, Mr. Speaker. Today I have Senate Bill 116. What this Bill does is it... it makes a change in the language to Public Act 91-824. This involves land that was part of the Chicago-Read Mental Health Center. That land was... by the state was transferred to the City of Chicago, and in that same Act was also part of it was transferred to the New Horizons Center. The New Horizon Center is... provides educational services for people with profound... profound mental and physical disabilities. And the City of Chicago... the New Horizons Center is seeking to expand. What this Bill would do is it would change the language to allow the City of Chicago

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

77th Legislative Day

11/6/2013

to transfer property to the New Horizons Center without it having to revert back to the state first. The reason is simply, the language change would change it from... the City would be allowed to use the property for public purposes. It would change it to include educational and charitable purposes and this would allow the transfer of the New Horizons Center. This is really a great, great institution that does great work. It deals with children who are referred there through their local public schools and this would help them expand their mission and continue to do good work in my district. I ask for an 'aye' vote."

Speaker Turner: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. I'd like to commend Representative Martwick. I worked on legislation similar to this 13 years ago and as Representative Martwick alluded to, New Horizons is a school that needs to expand. There's plenty of property there and it's been underdeveloped for... for many, many years and the school needs it. And I think it'd be a great addition to the neighborhood, especially for the children and the people that work there at the school. This is an eyesore that they keep looking at and this is something that will benefit the whole community. I'd like to also thank Senator Mulroe for passing this legislation in the Senate and for Representative Martwick, which New Horizons is in his new district, for the work that he's doing. And they'll be very happy to see this Bill pass today. Thank you."

Speaker Turner: "Representative Davidsmeyer."

Davidsmeyer: "Thank you, Mr. Speaker. To the Bill. I think this is a great use for former state property. I want to... I want

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

77th Legislative Day

11/6/2013

to say thank you for doing this. I know there's a lot of other state property out there that could be used in similar fashion and I just look forward to working with you on other Bills in the future. Thank you."

Speaker Turner: "Representative Martwick to close."

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

Speaker Turner: "The question is, 'Shall Senate Bill 116 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no' and 0 voting 'present', Senate Bill 116, having received a Constitutional Majority, is hereby declared passed. Senate Bill 492, Representative Currie. Mr. Clerk, please read the Bill for a second ti... Mr. Clerk, please move that Bill back to Second... the Order of the Second Reading."

Clerk Hollman: "Senate Bill 492, a Bill for an Act concerning local government. This Bill was read a second time on a previous day. Amendment #3 was adopted in committee. Floor Amendment #4, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Last spring we adopted legislation extending the sunset and making some changes in design-build for the Chicago Public Building Commission. The Governor signed the Bill six weeks after the expiration of the old sunset and this Amendment, which will become the Bill, is an effort to make sure that there were no... no issues in contracting by the Chicago Public Building

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

77th Legislative Day

11/6/2013

Commission while the sunset was not... while the design-build opportunity was not in place. It's quite technical. I'd appreciate your 'aye' votes."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "The Sponsor will yield."

Pritchard: "Representative, in committee you were talking about this Bill and one of the questions raised, I think, is important to state again. Has there been any construction or issues that this Bill is trying to cover up?"

Currie: "We tried to find out from the Public Building Commission. I do not believe they let any contracts during that six weeks period. At least, we've not been able to discover that they have, but there might have been ancillary issues, left over issues, from the previous contracts they had already undertaken while the old exemption was in place. So what this really is, is dot the i's, cross the t's, make sure that there are no openings, no avenues to call into question any particular project that's under the purview of the Public Building Commission."

Pritchard: "And this sounds like the action would then protect the district and prevent unnecessary lawsuits that might increase the cost on this public body."

Currie: "That's exactly right. The possibility of frivolous lawsuits is a possibility always with us, and this is intended to make sure that the Commission is not subject to that kind of harassment."

Pritchard: "Thank you for bringing this legislation forward."



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

77th Legislative Day

11/6/2013

Speaker Turner: "Lady moves for the adoption of Floor Amendment #4 to Senate Bill 492. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, Senate Bill 492. Representative Currie. Please read the Bill."

Clerk Hollman: "Senate Bill 492, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill is the Amendment we just discussed. Nothing else is in the Bill, just what we just discussed with Representative Pritchard. I'd appreciate your 'aye' votes."

Speaker Turner: "Seeing no debate, the Lady moves for the passage of Senate Bill 492. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mautino. Mr. Clerk, please take the record. On a count of 77 voting 'yes', 39 voting 'no' and 1 voting 'present', Senate Bill 492, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Reading... Reading, we have Senate Bill 496, Representative Beiser. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 496, a Bill for an Act concerning local government. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

77th Legislative Day

11/6/2013

Speaker Turner: "Third Reading. Senate Bill 1007. Excuse me. Mr. Clerk, Senate Bill 496. Please read the Bill."

Clerk Hollman: "Senate Bill 496, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker. This is a Bill to dissolve a local has... a township hospital in my district along with Senator Haines district. Currently, the Township Code outlines how the guidelines for establishment and operation of a public hospital by a township, but there's nothing in the law that governs the dissolution of this. This hospital quit operating in the year 2000 due to lack of funding. Back then, State's Attorney Bill Haine, who's our sen... Senator now, along with Attorney General Ryan, at that time Senator Dick... Alan Dixon worked out a deal that once this hospital ceases operations and all debts and obligations are satisfied, then the remaining funds, as audited and documented, would be disbursed. What this does is says that these funds that will be disbursed will go to the taxpayers. The county treasurer will hold the money as the statutory custodian of funds and the county clerk will disburse those funds to the homeowners as of the assessment... of assessed... assessment of 2005."

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

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

Speaker Turner: "Sponsor will yield."

Moffitt: "Representative, this is obviously a... a nice thing to be able to do and it's one of those rare opportunities. Just from a procedural standpoint, this statute spells out that

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

77th Legislative Day

11/6/2013

the treasurer holds the money and the distribution is by the clerk. Is that right?"

Beiser: "Yes. And much like the business as usual as the county operates now, where the... upon a warrant, the county clerk does issue checks for warrants."

Moffitt: "Okay. I was a county treasurer before I was elected to the House. Now actual distribution was really, in our county, was a combination of a clerk and treasurer issuing checks. Is that the way it is in... in this county? They actually both would sign it and... and..."

Beiser: "Yes. The... I... I'd kind of liken back to when I was the city treasurer, and obviously, it's different form of local government, but I was the custodian of the funds. I would sign off on the checks but the actual issue of the checks would be done by the Comptroller's Office. And it's similar, in this instance, where the treasurer would hold off... hold the funds and then the... the clerk would disburse them. But I think obviously they have a key role in the process."

Moffitt: "Right. And actually both probably have a... are signators on the check, I would assume."

Beiser: "That's my... that's my impression."

Moffitt: "And this is following the usual procedure?"

Beiser: "Yes, Sir."

Moffitt: "This is just a real nice thing to be able to do and how often do we get a chance to refund some money? So it's, I'm sure, it's a delight for you to work on this and that your treasurer and clerk are working together and that's great and appreciate that you can do this."

Beiser: "Thank you."

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

77th Legislative Day

11/6/2013

Speaker Turner: "Representative Kay."

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

Speaker Turner: "The Sponsor will yield."

Speaker Turner: "Representative, if I am reading this correctly, all moneys, some \$8 million, will be disbursed to the taxpayer."

Beiser: "Yes."

Kay: "Okay. Are all encumbrances paid?"

Beiser: "It's... There will be an audit to make sure that that is and... and should there be a obligation or a debt that is not known, and we do not think there will be, then there would have to be a further assessment. But this is a very thorough audit, Representative Kay, that should outline exactly that there are no debts and there are no obligations. 'Cause that's why we took this period of time between the closure and today, so that not only the IMRF portion of the obligation but anything else to do with the issuance of debt, which that has been satisfied, that... that can be... can be taken care of and the taxpayers should not be on the hook because of the time lapse."

Kay: "Okay. And have you looked at the duties of the treasurer and the county clerk, with respect to 55 ILC?"

Beiser: "I just know that the county clerk... and the I... I checked with our county clerk to make sure that this was procedurally how we do things and it is. It's business as usual. I refer back to my comment to Representative Moffitt. When I was the city treasurer for 16 years, by statute, I was the custodian of the funds and I think the county treasurer of custodian of the funds by statute also."

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

77th Legislative Day

11/6/2013

Kay: "Let me... let me be real clear. Does the treasurer disburse money?"

Beiser: "In... there are instances, yes."

Kay: "In fact, most of the time they do because that's what the statutes says they should do, right?"

Beiser: "I don't... I wouldn't agree with that a hundred percent, no, I would not."

Kay: "Well, I have the statute in front of me. You want me to read it? How about the clerk? What's your understanding of his job or her job?"

Beiser: "Representative Kay, I'm telling you that in this county, this is an issue that is being handled much like disbursements are right now. And if you want the county treasurer to hold the money and disburse the money, I'll be honest with you, I would not do that when I was city treasurer and if I was the county treasurer, I would not want to have to hold the money as the custodian and then be responsible disbursement."

Kay: "Yeah. Well..."

Beiser: "I like the fact that there was a check and balance."

Kay: "Yeah, I understand that and the check and balance is cosigning the check. I guess my question was who disburses the money and that's the treasurer and when the checks are cut and disbursed there's a consignee and that's the clerk who then records that transaction. Is that not correct?"

Beiser: "The clerk does issue checks in this case."

Kay: "Yeah. Isn't this..."

Beiser: "If you... if you're objecting to the fact that the taxpayers are getting money because of who would actually issue the check, I would take exception to that."

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

77th Legislative Day

11/6/2013

Kay: "Yeah. No, I'm just... I... I guess what I'm taking exception to is it seems a little political to me, but maybe I misread that. I don't think anyone in most counties or at least generally speaking would subscribe to this process, but we'll take the money with the understanding that the treasurer disburses money, the clerk records that and the clerk can sign off. That's what the law in 55 ILC says..."

Beiser: "Well, the..."

Kay: "...and I just want to make sure that we're doing what the law says and not what we want to do."

Beiser: "The law also allows for this procedure as... as outlined in this. The... the law also allows for that."

Kay: "So, why are we doing this Bill then? Why are we outlining what the clerk and the treasurer should do?"

Beiser: "We have... obviously you didn't... you didn't read the... or you didn't hear the opening. Is that this, the county law now does not allow for the dissolution of a township hospital. It allows for the creation and the maintaining and operation, but we have... in order to disburse these funds, we have to do this because statute is silent on dissolution of a township hospital."

Kay: "You're right. You're right, Dan. It is silent on dissolution, but it's not silent on the specific duties of a clerk and a treasurer and with that, I'll just stop there. It's a little... it's a little political and I just want the Body to know that, because separate and aside from our county, I don't know any other county that would go about doing business like this. But we'll take the money."

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

77th Legislative Day

11/6/2013

Beiser: "Well I... I take exception to that because in this case the clerk... county clerk does maintain the... the pin numbers and the assessment information from the previous taxing years. Therefore, it makes more sense for this to be disbursed that way, in the way we have it outlined here. And... and to be honest with you I think the... the political injection was... you're inferring that there is politics in this, so I... I take exception to that. And I'll be honest with you as an elected treasurer for 16 years for the city, I took very serious the responsibility of being the custodian of my public funds in my city. I welcomed the input and the disbursement by our Comptroller. With this it would.. which would equate to our county clerk here. I did not see any politics from that because the Comptroller was appointed, I was elected. I welcomed that."

Speaker Turner: "Representative Beiser to close."

Beiser: "I think we've heard that this is a unique situation to the Wood River Township Hospital. It's a way to get the money that is held over back to the taxpayers. We have the process to do that within our county. We're operating within business as usual where the things operate, and I think it offers a great checks and balance for those that would hold the money and then those that would disburse it. I'd ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 496 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Golar. Mr. Clerk, please take the record. On a count of 116 voting 'yes', 0

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

77th Legislative Day

11/6/2013

voting 'no', and 0 voting 'present', Senate Bill 496, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, the status of Senate Bill 2196."

Clerk Hollman: "Senate Bill 2196 is on the Order of Third Reading."

Speaker Turner: "Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2196, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The measure does two things. First of all, it ensures that the... the program involving labor relations of the School of Employment and Labor Relations at the University of Illinois will continue on its merry course. Second, in response to concerns raised by the university, the measure delays for a year the requirement that the university avoid rehiring people, faculty members who have retired and... and not pay them more than 40 percent of their old salary and also limited the amount of time that they could be returned to the faculty. In response to concerns raised by not just the University of Illinois but the other universities as well, we delay the implementation of that program and also focus on the salary rather than the amount of time that a faculty member might spend teaching. I'd be happy to answer your questions and I'd appreciate your 'aye' votes."

Speaker Turner: "Representative Sandack."

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

Speaker Turner: "The Sponsor will yield."



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

77th Legislative Day

11/6/2013

Sandack: "Leader, apart from the service component, there's another part of this Bill which respects the University Of Illinois School Of Labor. Why is that in this Bill?"

Currie: "Well, I said there are two items in the Bill. One ensures the continuation of the School of Employment and Labor Relations. That school has been in existence since it was created, I believe in 1945, and there are many people who would like the program to continue."

Sandack: "Leader, is there any reason why that program wouldn't continue and wouldn't regularly be... be part of its... of the normal appropriation process? So, why is it singularly taken out and put into this Bill in this instance?"

Currie: "Well, there was a concern on the part of some in the broader citizen community that the university intended to fold the program into either the School of Arts or the Business College. There were many who thought that the program would better serve its mission were it to retain its independent status, as I say it has had since 1945."

Sandack: "Leader, I don't know who the citizens in the broader community are. It seemed to me pretty singular and focused on the labor community. But notwithstanding that, is there ever an instance in your experience where we have taken a portion of the University's budget and set it aside because of, what I would assume, is kind of an interesting component, saying we want this... these dollars designated for this school only?"

Currie: "Actually, I believe both the School of Dentistry and the School of Pharmacy have been treated that way in the past. There may be other instances of which I'm not aware and you should know that it was not the Labor Committee but the

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

77th Legislative Day

11/6/2013

Committee on Economic Development that heard testimony twice on the question of the ultimate... ultimate end of the... of... of this particular program at the University of Illinois."

Sandack: "Yes, Leader. I was... I'm on that committee and I was in both meetings and the word was 'community' not 'committee'. The community that was objecting to this potential change by the University of Illinois was the labor community and it was potentially the university's idea to maybe put this school in the School of Business or the School of Liberal Arts and Sciences. So, my last question, Leader, is do you think this Legislature should be imparting it's wisdom upon the university in the... in its endeavors to undertake administrative decisions?"

Currie: "When the Legislature is acting with the kind of wisdom that it seems to exercise today, the answer's yes."

Sandack: "To the Bill, Mr. Speaker. The wisdom this Legislature undertakes from time to times can be generally questioned and in this instance, I think it should be. Without any doubt, this is an inappropriate use of the Legislature and legislating. I think we ought to take a dim view of telling University of Illinois how to administer its various and numerous programs. Thank you, Mr. Speaker."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "Sponsor will yield."

Pritchard: "Representative, this Bill apparently has a number of portions to it. There's also a... a portion that deals with re-employing university faculty."

Currie: "Yes."

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

77th Legislative Day

11/6/2013

Pritchard: "Can you explain what..."

Currie: "Yeah."

Pritchard: "...this Bill does?"

Currie: "In fact, there are two distinct parts of the Bill. The first has to do with the... the School of Employment and Labor Relations. The other is a deferral and a change in the underlying language that was an effort on the part of this Legislature a year or two ago to limit the times when a public university might permit a faculty member to retire and then hire that individual back at a large salary for large numbers of hours. That measure limited the amount that the individual, someone coming back, returning to service could be paid, could be no more than 40 percent of what they earlier had earned. And it also limited how much time they could spend in the classroom. Administratively, the universities have had a good deal of difficulty in implementing this program. So what this does with that program is two things. First, it really only talks about salary, because figuring out time turned out to be very difficult. And we give them time to implement because the public universities are on different calendar years, different academic quarters and what this will do will give time to implement appropriately the... the mandate we have given them."

Pritchard: "I... I think one of the provisions of this Bill sets a starting time for the school term. Which was..."

Currie: "Yes."

Pritchard: "...obviously different between institutions and brings some stability and uniformity to that interpretation."

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

77th Legislative Day

11/6/2013

Currie: "That's exactly right. And the university brought this issue to our attention. They said, look, we can't do what you've asked us to do. So they said would it make sense just to focus on salary and to give them time to figure out the time table?"

Pritchard: "And it's my understanding that all the universities and colleges are in support of this Bill."

Currie: "They're certainly in support of this provision."

Pritchard: "Thank you."

Speaker Turner: "Representative Demmer."

Demmer: "Thank you, Mr. Speaker. To the Bill. As the Sponsor mentioned, there are two distinct parts of this Bill. The first which I think many people here would support and the second which we raised several concerns about yesterday in which Representative Sandack has raised concerns about again today. Again, the provision applying the School of Labor and Employment Relations came through, for whatever reason, the Economic Development Committee, in which subject matter hearings were held but no vote was taken, a recommendation came back. We have two distinct parts of this Bill. This is really an overreach by the General Assembly to tell the University of Illinois how to conduct its business. And for that reason, I'll oppose this Bill."

Speaker Turner: "Representative David Harris."

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

Speaker Turner: "The Sponsor will yield."

Harris, D.: "Representative, as some of the previous speakers mentioned, it does... there is, or there are two very distinct parts of the Bill and the first part creates the University

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

77th Legislative Day

11/6/2013

of Illinois School of Labor and Employment Relations Act to provide that the U of I shall operate the School of Labor and Employment Relations as a distinct and autonomous entity within the U of I. Is there any other school within the U of I that operates that way?"

Currie: "Well as I say, we've had separate appropriations for some of the other schools, Dentistry, Pharmacy, but... so, this has been a program that is... that was established by us in 1945, became operational in 1946 and for some reason that I can't quite fathom, the university is proposing to cancel the program. Doesn't make sense to me to say that we ought not to be concerned about training the workforce, the workforce that, as you know, business depends upon to make commitments to the State of Illinois and help our economy do better as the years go by."

Harris, D.: "So, do you..."

Currie: "So this, I think, is a very reasonable response on the part of the Legislature that created the program in the first place to make sure that it continues on into this century and I hope the next."

Harris, D.: "So... so the school, the University of Illinois is thinking about canceling this school?"

Currie: "They were talking about possibly merging it into, it was a very inchoate proposal in that they didn't say this is what we want to do. They might do this, they might do that. It... it didn't look as if it had a very sound pedagogical reason for making the shift and there were many in the community who came forward in the two hearings that our House Committee held to say that this was not a good idea."

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

77th Legislative Day

11/6/2013

Harris, D.: "Does the University of Illinois support this initiative?"

Currie: "I do not know. I know they certainly support the second part of the Bill and I think they would be... and the appropriation that is specific to this program was approved yesterday by this House."

Harris, D.: "Okay. Thank you."

Currie: "So, I don't know what they're going to do, if they... if they don't like it, I don't know what they're going to do for money to do something different."

Harris, D.: "So we voted the money yesterday and now this is the substantive portion of it. Thank you."

Currie: "Yeah. Just, you know."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "The Sponsor will yield."

Franks: "Majority Leader, I'm having... I'm not sure I totally understand this. I understand that there's questions of merging of schools. I get that. What I don't really understand though is the rehire issue."

Currie: "Okay."

Franks: "Now is this for someone... Would it be for an employee who already has retired and has already maxed out how much they can get for a pension?"

Currie: "These are people who have retired from faculty positions at the university. There was an effort spearheaded by former Representative, now State Senator Daniel Biss to make sure that these were not people who were essentially feeding at

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

77th Legislative Day

11/6/2013

the public trough twice. So, the idea is there ought to be limits on how much you can pay people who are coming back once they have retired and perhaps limit the amount of time that they could be employed in the university setting. That provision caused administrative problems for the universities. They have asked for additional time and they have asked for us to focus on the money because different calendars from one public university to the next made that difficult for them to understand. So, what this does, it gives them additional time and focuses only on what they can actually spend on these people who come back from retirement."

Franks: "I think it makes perfect sense to have them all on the same fiscal year because we have problems throughout all of State Government and local governments when these governments have different fiscal years. I'm wondering if it would be a better public policy though, and I'm actually filing a Bill on this, that if people have already retired and have already maxed out their pension, then I've got a problem with them earning another. I would think that... you know, and Social Security, if you make over X amount, then it starts coming off of what your... like if you make too high of money then you lose some of your Social Security benefit. I'm wondering that if people want to work after they've retired whether there should be some diminution of their pension or perhaps they shouldn't have to pay in any more while they are working, just don't jump in on another... on another state job."

Currie: "These people do not actually earn additional pension contributions."

Franks: "They would not?"

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

77th Legislative Day

11/6/2013

Currie: "So... so, for this set of people, more pensions are not an option."

Franks: "Okay. So, what's this annuity they're talking about? What would the employer have to pay something into some type of annuitant system?"

Currie: "Actually, they'd have to pay a penalty to the system if they work more... under the... under the legislation that we adopted, then they would have to put money into the system. The employer would then have a disincentive to hire people for more than 40 percent of their last best salary."

Franks: "Thank you. I'll continue to listen. I appreciate it."

Speaker Turner: "Representative Senger."

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

Speaker Turner: "The Sponsor will yield."

Senger: "This... this Bill is an example of something that I do not like to see when it comes before us as legislation. The first part of it is a... is a fix that the universities need to tier one. The second part is something that University of Illinois needs, which we were just explaining and to further... and I'm... I'm supportive of it, to further talk about what they're doing here is they're making it even more tight to make sure that someone doesn't collect second pensions, is what the 40 hour is. But the last part is something that shouldn't even be part of a pension Bill and that has to do with the state coming in and dictating how the university does its own business. I am in support of the two parts of the Bill. The two first parts of the Bill are really needed by the university systems and the University of Illinois. But it really concerns me when we take legislation and add things to



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

77th Legislative Day

11/6/2013

it for the intent of getting it passed that you know wouldn't get passed unless you put it into something that had components that the Republicans wanted to vote for. I'm going to be an 'aye' on this, but I am definitely against the way this is being managed and handled and I would discourage this sort of creation and... and passing of Bills in the future."

Speaker Turner: "Representative Kay."

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

Speaker Turner: "She indicates that she will."

Kay: "Leader, I'm curious. I have one... one question to begin with. Supposing the State of Illinois would just like to shut down their School of Labor Relations or whatever the title is. Could the University of Illinois do that?"

Currie: "Yes."

Kay: "Okay. So why is it, then, that we have moneys, sort of surreptitiously stuck into an appropriations Bill, and I was told yesterday that there would be no following legislation, no following legislation. That was a statement that was made on the floor. Why is it, if all of these things are true, that we have to appropriate money, especially for this department? And why is it that the department can't decide, if they can close down, why is it that they can't decide to merge to provide a better curriculum for a better outcome?"

Currie: "Representative, the answer to the first part of your question, I certainly never said there would not be follow up legislation because I knew there would be. Second, nothing surreptitious about a line item in a budget Bill passed by this Legislature, nothing surreptitious at all. There it is,

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

77th Legislative Day

11/6/2013

in stark black and white. This amount of money is appropriated to the University of Illinois to operate this school."

Kay: "Okay. So..."

Currie: "I would remind you and the other Members of this chamber that this program was created by Act of the General Assembly in 1945. Yes, the university could do something different. But if we don't think that what they think they might want to do, and we don't even know exactly what that is, if we have heard from the community that that's not the right way to do things, I think we're definitely within our rights to say continue the program as an independent operation. In fact, this program exceeds the standards, the mission set by the university for this program."

Kay: "Well, Leader..."

Currie: "You don't have to agree with me..."

Kay: "No, I don't, I dont..."

Currie: "...but certainly, it's a legitimate role for this Legislature to play, to say to the... to the university, this is a program you should continue and there is nothing sneaky about putting language, specific budget language in a budget Bill that refers specifically to this program."

Kay: "Well, Leader, let me... let me just remind you about the debate yesterday. I want to make the record clear, here, that I specifically asked the question of Representative Arroyo if there was a trailer Bill, a follow up Bill coming, specifically talking or dealing with this issue and the answer was no. So, that... I'd like to cover that... that portion with you. Furthermore, in the Economic Development Committee and... and I don't, I guess you would disagree with the term

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

77th Legislative Day

11/6/2013

surreptitiously, but after we heard from the University of Illinois that that school could be run better and in a different manner, at the end of the testimony, at the end of the testimony, the chairman of the Committee said, this is the way we're going to do it, and we're going to do it in this manner, in this fashion, in this time, and we didn't vote on it. We had no vote. And then we see in appropriations this pop-up number that we were supposed to vote on yesterday, which you know, you can't turn down, because that means you turn down conceal carry. So I guess when I say this thing doesn't look pure and clean, it certainly has a lot of dog legs to it and I would simply say if we're going to start spending our time deciding that the unions who testified should control the particular aspects the University of Illinois and how it's run, we're headed down the wrong path. Mr. Speaker, I'd... I'd advocate a 'no' vote."

Speaker Turner: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. We're well within our rights, in a very open, straightforward manner, to say this valuable program at the University of Illinois, our flagship school, should continue. We also are within our rights to exceed to the university's concerns about implementation of a proposal that is meant to bring more sunlight and greater fiscal sanity to the operation of that very university. I urge your 'aye' votes."

Speaker Turner: "The Lady moves for the passage of Senate Bill 2196. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, please record

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

77th Legislative Day

11/6/2013

yourself. Mr. Clerk, please take the record. On a count of 92 voting 'yes', 24 voting 'no', 1 voting 'present', Senate Bill 2196, having received a favorable Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1007."

Clerk Hollman: "Senate Bill 1007, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "Senate Bill 1007, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 1007 is a trailer Bill to a Bill we did in two thou... in the spring dealing with pros... the offense of prostitution. We... we had as... been asked to clarify the type of treatment a defendant would get and this Bill does that. I'd ask for an 'aye' vote."

Speaker Turner: "Representative Sandack."

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

Speaker Turner: "The Sponsor will yield."

Sandack: "Mike, I'm sorry, a little hard to hear, here. And so, would you walk me through what this Bill does? I heard trailer and that's all I heard."

Zalewski: "In the spring, Ron, we did a Bill that reduced the enhancement for prostitution that took it from a felony to a misdemeanor because we found that there's no deterrent effect for felony prostitution. A colleague of yours is... asked for

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

77th Legislative Day

11/6/2013

a clarification on the type of treatment that would be required from defendants. This Bill makes that change."

Sandack: "Thank you. And obviously, the reduction of the enhancement means is it's simply a misdemeanor?"

Zalewski: "That Bill we did, just so we're clear, but that was in the spring. Yes, it reduced it to a misdemeanor."

Sandack: "And you mentioned there was no deterrent effect, so that's obviously the... the motivation behind the reduction of this and then treatment over incarceration..."

Zalewski: "Correct."

Sandack: "...being the policy benefit."

Zalewski: "Correct"

Sandack: "Thank you, Michael."

Zalewski: "Thank you, Ron."

Speaker Turner: "Representative Zalewski to close."

Zalewski: "I'd ask for an 'aye' vote."

Speaker Turner: "The Gentleman moves for the passage of Senate Bill 1007. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, please take the record. On a count of 82 voting 'yes', 35 voting 'no', 0 voting 'present', Senate Bill 1007, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1045. Please... please read the Bill."

Clerk Hollman: "Senate Bill 1045, a Bill for an Act concerning civil law. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

77th Legislative Day

11/6/2013

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

Clerk Hollman: "Senate Bill 1045, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. This is an extension of the HAMP Program, Federal Making Home... Home Affordable Program. Our law has to mirror Federal Law and we're asking that the... the deadline be extended. I'd ask for an 'aye' vote."

Speaker Turner: "Seeing no debate, the Gentleman moves for the passage of Senate Bill 1045. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1045, having received the Constitutional Majority, is hereby declared passed. Continuing on the Order of Zalewski. Mr. Clerk, please read Senate Bill 1448."

Clerk Hollman: "Senate Bill 1448, a Bill for an Act concerning revenue. This Bill was read a second time on a previous day. Amendment #2 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

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

Clerk Hollman: "Senate Bill 1448, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Turner: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 1448 does two things. First, it is an incentive package for the company by

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

77th Legislative Day

11/6/2013

the name of Univar. Univar is a chemical company that wishes to relocate to Downers Grove, Illinois. They also have plants within my district in Bedford Park. I... I would note at the outset that there's been a lot of discussion in... in the last few weeks about the use of the EDGE tax credit, and what the EDGE tax credit is designed to do. And it's important to remember, it's designed to be an incentive... incentive. It's designed to incentivize a company to relocate to Illinois from another state and it's exactly what the Amendment here does for the company of Univar. They are relocating from Redmond, Washington, to the State of Illinois. It's the first time a company has design... decided to relocate to Illinois from a West Coast state since Boeing did it. It's also important to know that they are already an existing company in Illinois who wishes to grow their infrastructure in Illinois. They're going to add a hundred new jobs to the State of Illinois and they are going to build a capital investment within Illinois. The... the economic activity is... is immeasurable given that they are going to come to the State of Illinois. The economic activity is... is thought to be \$9.3 million and the cost is only going to be 5 million over 10 years. I'd ask for an 'aye'... Oh, also we have the manufacturer's tax credit in this Bill. The issue dealing with the manufacturer's tax credit. The Department of Revenue found that, after an audit, there was a misapplication of a tax credit for manufacturers. What they found was the statute had a drafting error which was causing auditors to say the ta... the manufacturers weren't... shouldn't be the benefit... beneficiary of the tax credit. We would say that this drafting

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

77th Legislative Day

11/6/2013

error will be clarified and would be made retroactive, so that the manufacturers continue to be the beneficiary of the tax credit. Can someone... I'm happy to answer any questions."

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

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

Speaker Turner: "The Sponsor will yield."

Sandack: "Representative Zalewski, what was the fine town where this pro... this business would be relocated in?"

Zalewski: "Repeat your question, Ron."

Sandack: "What's the fine town where this pro... business will be now relocated to?"

Zalewski: "Downers Grove, Illinois."

Sandack: "That's a good thing, right?"

Zalewski: "I'm told they... good people come from Downers Grove, Illinois."

Sandack: "They... they unequivocally do. Just walk through a little bit what makes this EDGE credit a little different than some of the other ones. I know ADM is now in the news a little bit even though that's not a done deal. Just give me some of the finer points of why this deal makes economic sense and is a good vote."

Zalewski: "Well, I... I'd say a couple of things. They're... they're moving their corporate headquarters here, Ron. So they want to make Illinois the showcase of their company. They're not going to take advantage of any TIF program; they're not going to take advantage of any enterprise program. Univar, in fact, already has its EDGE tax credit in Illinois. All we're doing is really enhancing it and we're asking them to make more of a capital investment in Illinois that they already did. We're



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

77th Legislative Day

11/6/2013

showing to the State of Illinois business community that Illinois is an attractive place to do business and we're saying it's more attractive than some of the other states that have been chasing Univar."

Sandack: "Representative, obviously the requisite thing that the company has to do is hire new people, right?"

Zalewski: "It was hire... I'm sorry, say that again, Ron."

Sandack: "They need to hire new employees."

Zalewski: "They bri... will bring a hundred new jobs to the State of Illinois."

Sandack: "All right."

Zalewski: "Good paying, executive jobs that'll... that'll really create economic activity in Downers Grove."

Sandack: "All right. And just pivot real quick to the second part of this Bill, on the manufacturer's purchase..."

Zalewski: "Ron, Ron, wait one second. I need to correct that. It's retain a hundred jobs and create 70. That's important; I got to make that distinction. I apologize."

Sandack: "Okay. So, it's keep the hundred jobs that already exist and hire 70 new employees."

Zalewski: "Correct, correct. I apologize."

Sandack: "All right. No, that's okay. It's still meaningful. Now, move over to the manufacturer's purchase credit. What's the scrivener's error or what's the thing that this Bill is correcting?"

Zalewski: "So, what I'm... what I'm of the opinion of, and staff might correct me, is that back in the day we wrote this re... this legislation and we found that there was a drafting error and the drafting error went unnoticed for several years.

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

77th Legislative Day

11/6/2013

Meanwhile, manufacturers made use of the tax credit. There was an audit of the Department of Revenue. The auditors said you need to fix this and until you fix this, the factu... manufactures have a tax liability. What we've asked to do in this Bill is say we're fixing the drafting error and it's going to be retroactive so the manufacturers don't owe the tax liability."

Sandack: "Thank you, Michael. To the Bill, Mr. Speaker. This is a good Bill. I... I generally am not real excited about EDGE cre... EDGE tax credits, but this one makes eminent sense and is based upon new hires and obviously closing a loophole where scrivener's error makes sense. Thank you, Mr. Speaker."

Speaker Turner: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. Some questions of the Sponsor, please?"

Speaker Turner: "The Sponsor will yield."

Harris, D.: "Representative, tell me a little bit, let... let me preference by saying I, for one, strongly support the EDGE tax credits that have been in place for a number of years. We need to be competitive. We need to have a mechanism to be competitive with other states. If other states are going to offer incentives to businesses, we need to be able to counter those incentives. However, the EDGE tax credits that we have in place, according to the law, were set up so that the credits would apply to a corporation's tax liability that they owe to the State of Illinois, correct?"

Zalewski: "Correct."

Harris, D.: "Okay. However, this is making a change. This, instead of applying to the corporate tax liability, instead this is

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

77th Legislative Day

11/6/2013

going to enable them to use employee withholding... keep the employee withholdings that they collect, correct?"

Zalewski: "So... so, and David, I know you know this through our hearings on this, but in oft... as often is the case, there's not sufficient corporate tax income tax liability to use the EDGE against that. So in those instances, we have to use the withholding benefits from the employees to... to make this work. I would also say that it's contin..."

Harris, D.: "Well... well, if I may, Representative, we don't... we don't have to. We come... they come to the Legislature and say we want a change in State Law."

Zalewski: "Sure."

Harris, D.: "We don't have to apply it to... to corporate..."

Zalewski: "But Dave, it's..."

Harris, D.: "...to the tax liability. Well, let me..."

Zalewski: "Da... Rep... Representative Harris. David, it's important to know if they don't create the positions, the new 70 positions, they don't get the benefit of with... the withholding."

Harris, D.: "No, I understand."

Sandack: "That's a real... it's a contingent offer."

Harris, D.: "And... and that's the benefit of the EDGE tax credits. You have to do X in order to get Y. You have to do the... the investment and the job creation or retention in order to get the credit. So you got to do X to get Y."

Zalewski: "And... and relo..."

Harris, D.: "Great id... great idea and the department tracks it. It's wonderful. Let me ask this. How large of, and by the way, I'm not arguing against the Bill, but I think it's a

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

77th Legislative Day

11/6/2013

public policy discussion that needs to be had. How large a company is Univar? In terms of do you have any idea what their corporate sales or corporate profits might be?"

Zalewski: "Give me... give me one... give me one second, Da... Representative. I know... I know it to be a large chemical manufacturing company. They have two large processing facilities in my district. My... to my... to my knowledge, it's a significant company."

Harris, D.: "Okay. Well, my... my fact sheet says that it's a 10 billion... \$10 billion global company. We want big companies in the State of Illinois, I buy that, I agree with that. At the same time, what we're saying is a \$10 billion company in the State of Illinois has no corporate tax liability in the State of Illinois. Now a \$10 billion company probably generates a lot of net revenue, yet they pay no taxes in the State of,,, no tax... corporate tax liability in the State of Illinois. So they come to us and they say, hey, we have... we have no tax liability, so we want to take the credits against our employee withholding. We have done that for other corporations. We've done it for, I believe the testimony was 10 other corporations. Okay. Those other corporations though, and again this is for public policy issue discussion, those other corporations... as an example, Sears agreed to retain 4250 jobs. Sears said that they were going to have 2600 jobs I belie... believe the figure was. Here we're talking about keeping a hundred jobs and creating 70 new. What's the value of this tax credit to Univar, do you know?"

Zalewski: "We... we said it was five million over 10 years, Representative."

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

77th Legislative Day

11/6/2013

Harris, D.: "Five million over 10 years. That tells me I can calculate what the value of each of those jobs is. Okay. Good discussion. Let me turn to the manufacturer's purchase credit for a second, if I can. Tell me how that works. Do you know how that works?"

Zalewski: "My... my understanding was there was a tax credit that lapsed. The General Assembly in 2003 wished to reinstate the tax credit. When they did that, there was a drafting error. Auditors captured the drafting error, told the department. If you don't fix the drafting error, this liability is going to be owed, so we're fixing that problem."

Harris, D.: "And... and I understand. There was clearly a mistake made, we... it was discontin... the... the credit was discontinued. When it was reinstated, there was a drafting mistake. So, I understand that policy... or that portion of the Bill, but the... the credit itself, do you know how that is calculated? Again, this is for public policy discussion."

Zalewski: "Fifty... fifty percent of the tax credit... or 50 percent of the liability that would have be paid on purchases of manufacturing machinery and equipment. That's a mouthful, Representative."

Harris, D.: "Okay. Thank you. Let's... let me give you an example."

Zalewski: "Okay."

Harris, D.: "Corporation... manufacturing corporation buys a \$100 thousand piece of equipment to be used in the manufacturing process. We give that corporation... we, the General Assembly and public policy we've established, give that corporation an exemption from the sales tax on that \$100 thousand piece of equipment. Six... six... I think we have a problem, Mr. Speaker."

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

77th Legislative Day

11/6/2013

Speaker Turner: "The House will be in order. Doorman, please remove them."

Harris, D.: "If those... If those are real I want to pick them up. It's a million bucks."

Speaker Turner: "Never a dull moment. Members, we will return to order and turn to the debate of Senate Bill 1448."

Harris, D.: "You notice that these were passed out at the Republican side of the aisle."

Zalewski: "Mr... Mr. Speaker... Mr. Speaker, it's been that kind of week down here. That's just the way it goes."

Speaker Turner: "That kind of week. Thank you, Members."

Zalewski: "Go, ahe... Rep... Representative, I don't remember your last question."

Harris, D.: "Well, okay. Well, we were talking about the... the manufacturer's purchase credit and there is a public policy issue here, and I just want to make sure the Members are aware of how it's calculated. There is a logic to giving if... if a... if a manufacturer buys a \$100 thousand piece of equipment the sales tax is exempt, so they don't pay roughly \$6,250 in sales tax. Probably a good idea because other states do that. However, we not only give them an exemption from the sales tax, we then say, we are going to going to give you a credit of 50 percent of what the value of that sales tax is to be used in other ways. So we're not only losing \$6 thousand, we're losing \$9 thousand. Maybe that's the public policy this bod... this Body and this General Assembly wants to have, but it's a worthwhile debate, because this tax credit expires next year, and we're going to have to look at whether or not we want to... want to extend it. I really appreciate your time;

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

77th Legislative Day

11/6/2013

I really appreciate your courtesy in your answers. These are big public policy issues. I think this is an instance where the Bill makes sense. We certainly need to fix the MPC. I think that the discussion on the EDGE tax credits is a precursor of bigger discussions we are going to have on some of the other pieces of legislation that are going to be put before this Legislature very shortly. So, thank you very much for your courtesy."

Speaker Turner: "Ladies and Gentlemen, Members, I know there's a lot of commotion in the chamber. We're still having a debate on Senate Bill 1448. There are still other Members wishing to speak. Could we please keep the noise level down and take all conversations to the rear of the chamber. Thank you very much. Representative Ives."

Ives: "Mr. Speaker. I filed this morning an Amendment, Amendment 3 to SB1448, which we are discussing right now, and what this Amendment would do is actually offer the enhanced EDGE tax credit to all of the almost 700 companies in Illinois that receive the EDGE credit already. Now, what we have coming before us right now are... we have about 10 companies who decide to come down and hire lobbyist and... and legislate for their special consideration where we know that this tax credit should be offered to all of them the same. In fact, the Illinois Constitution from Article 9, Section 2 says that all classes of taxes and fees should be applied uniformly, uniformly. That means everybody should be eligible for the same credit. Instead what we do here in Illinois is we decide who's going to be a winner and who's going to be a loser in the marketplace. And in fact, we'd write our language such

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

77th Legislative Day

11/6/2013

that you can start to discern that it was written specifically for a particular company. For example, the enhanced EDGE credit for Sears reads, primarily operates a discount retail store, maintains a headquarters in Illinois, employs a minimum of 4,250 people at their headquarters, has a minimum of 40 billion in revenue in 2010 and makes a \$300 million investment. Another, you can, go ahead, we can play the matching game on these EDGE... enhanced EDGE tax credits. How about this one, can anybody guess who this applies to? Primarily engaged in the manufacture of tires and inner tubes, employs a minimum of 2400 employees. Or how about this one. The beginning of it says primarily engaged in water purification and treatment. Is there any guesses to which company that applies to? And we can go on and on. We have people coming in here getting favored status on tax credits when they should be applied according to our Constitution, uniformly. Now, there's no reason we can't create good jobs in Illinois and use this enhanced EDGE credit for everybody who's already eligible for an EDGE credit and they have to go through a very particular process and they have to report back to the Governor's Office and DCEO about the jobs that they've retained or created and the investments they've made. So. there's no reason for us to simply pick out individual companies for these credits. In the absence of really comprehensives tax reform, the best thing we can do in Illinois is at least give people, like the almost 100 billion... million dollars of investment that went into my hometown this year alone, at least give those small business people the same advantage that the large companies get as well. So, we



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

77th Legislative Day

11/6/2013

should apply this tax credit to everybody who already receives an EDGE credit. Thank you."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "The Sponsor will yield."

Zalewski: "Hey, Jack, before we get started."

Franks: "Sure."

Zalewski: "Was that your dough they were throwing from the gallery up there? Did you borrow the money?"

Franks: "I was going to talk about that. I'm putting on my banker hat here. I like to always look at things as a cost benefit analysis and I'm a disciple of Warren Buffet and Warren Buffet's first rule when you invest is never lose money, and his second rule is never lose money. So, I want you to convince me how paying \$5 million over 10 years, broken down, 'cause you said there's 70 new jobs..."

Zalewski: "And a him... And a hundred retained."

Franks: "I'm not sure how you define retained."

Zalewski: "Okay, fair enough."

Frank. "'Cause if they're not going anywhere, they already got manufacturing there. So, you have 70 new jobs. Let's look at the new numbers. So, we're paying approximately \$71,500 per job, if there's 70 jobs and were paying \$5 million for them. How does the state benefit if we pay someone \$7,142 per job? How much are these people making? What's their average salary? How much are they going to be paying in taxes?"

Zalewski: "I... all I can tell you, Jack, is they're going to be making... these are high level corporate positions and they're going to be relocating from a West Coast state to the State

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

77th Legislative Day

11/6/2013

of Illinois for the first time since Boeing. They're going to be making a capital investment in the State of Illinois and they're going to be saying to Texas and other states that have been chasing them, we're choosing Illinois."

Franks: "I'm... I'm not looking for a psychic benefit."

Zalewski: "Sure."

Franks: "I'm a bottom line type of guy."

Zalewski: "I know you are, Jack."

Franks: "So, if we have a 150 thousand... let's assume they make 150 grand, right? And they got to pay 5 percent because that's our state income tax, that's \$7500 bucks. So you're basically saying for every person they bring that makes 150 grand they don't have to pay any income tax, the individuals, and instead the company's going to keep that dough. Is that... is that how it breaks down?"

Zalewski: They're going to reap the benefit of the withholding tax, correct."

Franks: "Right. So, the company would keep... would keep that 5 percent that they would've paid in income tax. And right now we don't know if the company even pays any income tax to the State of Illinois. Has there been a fiscal note filed on this Bill?"

Zalewski: "Not to my... not to my knowledge, Jack."

Franks: "Okay. And I'm not beating you up, but I can't tell if it's a good deal. I mean, if ultimately the state is going to, and forget the psychic stuff, I don't care about telling Texas. I got no... I don't care about Rick Perry."

Zalewski: "Sure."

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

77th Legislative Day

11/6/2013

Franks: "I don't care about that. I care about each dollar that we forgo, because I can tell you, two years ago, this administration gave a blank check to companies on EDGE and as a matter of fact, we gave over \$160 million in credits that we did not budget for. At the same time, we were cutting funding for education and other core issues. So, if we're going to be giving an incentive, what kind of return. And forget the psychic."

Zalewski: "So, let's talk about perspective economic opportunity."

Franks: "Okay."

Zalewski: "If we decide that to allow Univar to make this capital investment in Illinois and make Downers Grove its... its world headquarters, we bring the perspective benefit of several job... hundred jobs over the course of the life of the credit. So, if you want a bottom line, the bottom line is a capital investment, a base line number of jobs, with a real prospective opportunity for economic growth on the line."

Franks: "But presently, isn't it that... isn't it law that under the EDGE credit program, that if you are an employer in this state and you add 25 employees, that you are eligible for an EDGE credit and you get that regardless? Isn't that correct?"

Zalewski: "Repeat that, Jack."

Franks: "Right now, if you have a company in this state and you add 25 employees... Let's look at Zebra Technologies, for instance, in Vernon Hills. They... they get... they added around 70 employees and they got an EDGE credit. My point is if you automatically increase your employment by 25 percent that you will get an EDGE credit."

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

77th Legislative Day

11/6/2013

Zalewski: "I think there's a capital investment required in that as well."

Franks: "I don't believe there is."

Zalewski: "One moment. So, I think what I'm told, Jack, is your... your assessment of the statute's correct."

Franks: "Right. So we already have..."

Zalewski: "You're right."

Franks: "Okay. Will you write that down? I'd like to take that home. That could help. My point is, we... I don't believe we should be doing special winners and losers unless the state is the winner here. And I don't know right now, because there's no fiscal note, there is no empirical evidence whatsoever that this is a good deal for the state. I filed a Bill earlier last year and we had hearings on it and hopefully we're going to continue. I've asked Representative Bradley through his Revenue Committee to overhaul how we do these EDGE credits so we have independent individuals or a body overseeing these to make sure they're a good deal. And I understand you're well-intentioned and we always want to bring jobs, but we have to make sure that it's a good deal for the state if we're going to be forgoing tax revenue and right now, unfortunately, that can't be proven here. Part of your Bill is good, where you want to fix that drafting error. I wish... if you'd move this back to Second and move that part of the Bill where we fix the drafting error, that would fly out of here. But to put this on along with it, without any empirical evidence that this is a good deal for the State of Illinois, I'm going to have to encourage my colleagues to please vote 'no', because we cannot continue to throw money

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

77th Legislative Day

11/6/2013

at issues without any semblance of a return on our investment. When... when the Governor's giving hundreds and hundreds of millions dollars to companies that don't even pay taxes and then want to give them a higher incentive, when they're not even paying taxes, is simply not fair to all the other corporations and small businesses that pay their fair share. So, I would encourage a 'no' vote at this time. I'd encourage you, Representative, to move this back to Second, put the Amendment on to fix the drafting error and let's work on this as a whole and not just working on individual corporations here. So please vote 'no'."

Speaker Turner: "Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. I'd like to yield my time to the distinguished Lady from DuPage County, Jeannie Ives."

Speaker Turner: "Representative Ives, do you request to speak? Representative Ives does not wish to speak. Representative Zalewski to close."

Zalewski: "Ken, thank you for that. I... I ask for an 'aye' vote. This is, again, the way the incentive is supposed to work. We need EDGE to be a sword, not a shield. We are getting a company to relocate from an out of state, West Coast state to the State of Illinois, make a capital investment in Illinois that will create a lot of new jobs and a lot of economic growth. I ask for an 'aye' vote."

Speaker Turner: "Gentlemen moves for the passage of Senate Bill 1448. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Members, please record yourself. Have all voted who wish? Representative Berrios, Franks, Hoffman, Walsh. Mr.

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

77th Legislative Day

11/6/2013

Clerk, please take the record. On a count of 86 voting 'yes', 28 voting 'no', and 1 voting 'present', Senate Bill 1448, having received the Constitutional Majority, is hereby declared passed. Representative Leitch, for what reason do you seek recognition?"

Leitch: "Thank you, Mr. Speaker. I'd like the record to reflect that I meant to vote 'yes' on Senate Bill 1007. Thank you."

Speaker Turner: "The record will reflect your request, Representative. Mr. Clerk, Senate Bill 2071. Representative Will Davis."

Clerk Bolin: "Senate Bill 2071, the Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Will Davis."

Speaker Turner: "Mr. Clerk, please take that Bill out of the record. Representative Franks, for what reason do you seek recognition?"

Franks: "Thank you, Mr. Speaker. On the last Bill, Senate Bill 1448, I had pushed my 'no' button, but it didn't register. So, I'd like to be recorded as a 'no'."

Speaker Turner: "The Journal will reflect your request, Sir. Mr. Clerk, Senate Bill 1787, Representative Mautino. Please read the Bill."

Clerk Bolin: "Senate Bill 1787, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Representative Mautino."

Speaker Turner: "Representative Mautino."

Mautino: "Thank you. Amendment #2 is identical or very, very similar to the Amendment #1. This would allow for the

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

77th Legislative Day

11/6/2013

Comptroller to add one more item to her ability to refuse or nonrenew the sale of burial... preburial policies, and this would add to that item whether there is a lockout in a labor dispute which has been a detriment to the public and that would be by the Comptroller's determination. I'd ask that the Amendment be adopted, debate it on Third."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 1787. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Clerk, Senate Bill 1787, Representative Mautino. Please read the Bill."

Clerk Bolin: "Senate Bill 1787, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Mautino."

Mautino: "Thank you. I appreciate the indulgence of the... the House. This legislation will allow for one additional item for the Comptroller to use. She is the regulatory authority of funeral homes and this would allow, beginning effected... effective immediately, that the Comptroller may suspend or revoke licenses on preneed contracts. Be happy to answer any questions."

Speaker Turner: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker. To the Bill. Ladies and Gentlemen of the House, this legislation mirrors many things that we have here legislatively, and it's not... not perfect. It's intended to help in an area that, believe it or not, affects the funeral industry now when there's a labor and

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

77th Legislative Day

11/6/2013

management issue and problems and families are caught in the middle of that. The legislation does not authorize the Comptroller to be able to take a license of a funeral home firm to operate overall. It does expand her scope of authority to potentially take a license for a firm that is licensed for preneed prearrangements prior to death only. I hope that we'll continue in negotiations and discussions, but for the time being we have made some improvements to the legislation and I intend to continue as a licensed funeral director to work on the legislation as well with the Comptroller's Office and other stakeholders because it is a very important issue. Thank you very much."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "The Sponsor will yield."

Pritchard: "Representative, in... in committee you... you talked a little bit about the fact that there was concern about interfering with consumers and there might be some damage done to consumers that were trying to remember their loved ones and... and there would be picket lines and other things."

Mautino: "Thank you for asking. Yes. The... the concern is that during a very difficult time when you're having a... a family burial, there have been picket lines that are set up. There have been changes... material changes made to these preneed contracts. The family would come in under stress; their forced to up sale. And there's some bad upcharge to those contracts. So, the Comptroller has been getting a lot of phone calls. There have been a lot articles in the paper showing this distress. And to her credit, she has been conducting these



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

77th Legislative Day

11/6/2013

negotiations and has been active at the table. We have had over the last week a lot of movement with it and I'm hopeful that in the next day or so we can have this situation resolved, but I think I would like to move this to the Senate and allow her the opportunity, along with Representative Brady, myself and others to continue these talks."

Pritchard: "So, I believe our... our current funeral director licensing laws have provisions in it that if the consumer is harmed in some way, there can be unprofessional conduct charged against that funeral director. Has there been any such finding by the Department of Professional and Financial Regulations?"

Mautino: "As to whether there are current findings on these cases, I don't have that answer. But there are a number of things. Under the current Act, they may include but are not limited to misrepresentation, false statements, insolvency, unsatisfactory fidelity bond or conducting business in a fraudulent manner. Those are all terms right now under the existing law where the Comptroller can go ahead and refuse to renew or revoke on the area of preneed contracts."

Pritchard: "It was my understanding, though, that the Department of Financial and Professional Regulations has oversight and can find some violations of the law, and apparently that has not been the case in this situation."

Mautino: "Well, in... in actuality, when we changed the funeral directors, they do regulate certain activities of the professions themselves. But in the case of funeral directors and preneed contracts for the burial industry, the regulation is completely conducted and we've placed that power and

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

77th Legislative Day

11/6/2013

authority within the office of the Comptroller, which is why the Teamsters and the Comptroller have been working together on this because she is the ultimate authority."

Pritchard: "Under federal labor law, aren't we at risk of violating the rights of the parties here? It's my understanding that if there are disputes, the Federal Law provides various forms of... of relief. Labors unions can strike, management can lock out. So, by passing this legislation, aren't we interfering with the Federal Law the rights that these parties have under the Federal Law?"

Mautino "I think that the... and that would have to be determined by case specific and by the action. The Bill itself is censored on whether the public has been harmed or placed at potential harm in adverse situations and that would be the criteria that would be used for determination on the preneed contract ability to sell because in this instance, this is where some of the public stress has come in to play. And so, it would be determined basically by what actions are available. And this is also under negotiation as we're speaking right now."

Pritchard: "Yeah. It just seems like this... this law is precluding on the rights of the parties and would be declared invalid in... if a court case was challenged. In this particular Bill, you're referencing a statute that affects some of the parties here, that Employment of Strikebreakers Acts. Wasn't that invalidated by the U.S. 7th Circuit Court of Appeals?"

Mautino: "Oddly enough, I have an expert who's standing next to me. The intent of the legislative change is not to preempt Federal Law. The employers can still lock out workers as long

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

77th Legislative Day

11/6/2013

as they're doing it in a way that does not negatively impact customer service."

Pritchard: "Okay. Well, it just seems to me that we're... we're setting a... a dangerous precedent here by involving the Legislature in individual labor disputes. I think this sets a bad precedent, although certainly the intent of the Sponsor in this legislation is to protect consumers. I think we're treading on very thin ice by coming involved in this labor action. Thank you."

Speaker Turner: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker, and just a few questions of the Sponsor."

Speaker turner: "The Sponsor will yield."

Harris, D.: "Representative, would you admit that this Bill is injecting us into a labor management dispute?"

Mautino: "I think that the Comptroller is actively involved in a labor management dispute, but her interest has been because of the consumer harm and the complaints to her office. So she has actually logged the calls, the complaints and the disturbances and in working with all of the groups, she has actually sat for the last few days and tried to receive some kind of a settlement, work towards a settlement that keeps the public out of harm's way. That's her intent."

Harris, D.: "And does the... does the Bill give the Comptroller more power than she has now?"

Mautino: "Yes, it does."

Harris, D.: "Okay. Now, I'm..."

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

77th Legislative Day

11/6/2013

Mautino: "It would add... add the item of the ability to refuse to renew a contract, a preneeds contract, based on adverse public impact to a... as a result of a labor lockout situation."

Harris, D.: "Okay. I was, unfortunately, I had a committee conflict yesterday and I couldn't... couldn't sit in on the State Government Administration Committee that this was heard in. But the first time, with your first Amendment when you had it up, I believe you said the objective was to move it to Second and then hold it for discussions. So I..."

Mautino: "And actually, we did that."

Harris, D.: "And so, you... we had discussions and you brought the second Amendment back yesterday, heard it in committee. We don't have an agreement, though, do we? Among all the parties?"

Mautino: "We don't... we don't have an agreement, but as I said, we've had very strong movement from both sides. They're talking today as well. My wish would be to move the... to continue talking, as they're doing now, move the Bill to the Senate, where the Bill still remains alive, and I think that keeps everyone coming back to the table."

Harris, D.: "Do... do you have a Senate Sponsor lined up for the Bill?"

Mautino: "I believe the Comptroller had met with... was... was going to allow for a Senate Sponsor today."

Harris, D.: "Is the... do... do you know, is the intention of the Senate Sponsor to say, okay, look, it passed the House, let's get an agreed Amendment here before we pass the Bill to Third or before we pass the Bill..."

Mautino: "I would hope so."

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

77th Legislative Day

11/6/2013

Harris, D.: "Into law?"

Mautino: "I would hope they'd come to an agreement actually this afternoon."

Harris, D.: "Okay. Thank you very much for your answers."

Speaker Turner: "Representative Tracy."

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

Speaker Turner: "The Sponsor will yield."

Tracy: "Representative... Leader Mautino, we're... over here we're having a little difficulty understanding all the different components of the Bill because of the different Amendments. But have you clarified why the Chamber of Commerce and the NFIB remain opposed to your Amendment?"

Mautino: "The Bill... actually the Amendment is identical to the first Amendment. Two is identical to one. There's one word changed which is 'inconsequential'. It was my ability to go back to committee and explain what stage we're at in the negotiations. The Comptroller herself has conducted those with members of her team. They met in Chicago on Thursday. They had considerable movement and her concern is that... the reason for the Bill itself is to keep the negotiations going. This is one more tool that the Comptroller's Office would have at their discretion. But it is our hope that actually sometime later today we have an agreement on the Bill and both sides are very, very close together on it, or they're... they're close to a solution is the belief of the Comptroller's Office. This gives time for the negotiations but also shows that everyone is serious and the general public should not be placed in an awkward situation as a result of a dispute. And that's intent with the Bill, nothing more."

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

77th Legislative Day

11/6/2013

Tracy: "But what I'm asking, though, is we're still showing that the Illinois Cemetery and Funeral Association are opposed, the Illinois Chamber of Commerce is opposed, the NFIB is opposed, Illinois Chamber Employment Law Council, and Illinois Policy Institute still oppose."

Mautino: "And they all attended committee meeting. The groups were there. They chose to file a... a slip of opposition but did not... did not take testimony on it or didn't ask to make any testimony or comments, as they're watching the outcome of the Bill as well. They know the negotiations are going on. They're very close around them."

Tracy: "Is there a special sense of urgency to why we need to pass this before we've really completed the Bill?"

Mautino: "Well, the... the Bill itself, the negotiations are ongoing with... with Bills in the Senate. They... they remain there and they remain alive and we can continue to negotiate on them, in that... in the second chamber and I've always believed that negotiations are best when there's a Bill in the second chamber. That's just me."

Tracy: "Thank you."

Speaker Turner: "Representative Davidsmeyer."

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

Speaker Turner: "Sponsor will yield."

Davidsmeyer: "Does this... this does interject the Comptroller into a labor management dispute, correct?"

Mautino: "Yes, it does."

Davidsmeyer: "Okay. Is... is there any ability for the Department of Labor or the National Labor Relations Board or anybody else to get involved currently in something like this?"

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

77th Legislative Day

11/6/2013

Mautino: "I don't believe so."

Davidsmeyer: "Okay."

Mautino: "They are checking on that, though."

Davidsmeyer: "And why is this... I guess my concern is, why is this under the Comptroller's Office and not under Department of Regulation or something of that sort?"

Mautino: "A couple of years ago, we went through a complete rewrite of... and it was, matter of fact, Representative Brady, the funeral industry, the preneed industry, all did an extensive rewrite on how we regulate cemeteries. And the regula... the regulation of their funds, their burial needs and trusts, were all placed, instead of being with Brent Adams, the regulatory authority for cemeteries is the Comptroller and that was the outcome of a complete rewrite of all sections and it was very, very difficult in negotiations. But that's... that's where they set the... a lot of the financial oversight within that financial office."

Davidsmeyer: "Would there ever be any effort to get it back into the department rather than under..."

Mautino: "It would... Representative Brady has vast experience in that and would be involved in those negotiations. At the end of the day, it was found that... that that is where the regulation would best be set. Any Member can file a Bill to change that."

Davidsmeyer: "At... at what point would this allow the Comptroller to interject into a labor dispute?"

Mautino: "Once they file their license application, and it would be under 225 ILCS 45/3a or if they already have a license and it's determined that the public, the general public is being

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

77th Legislative Day

11/6/2013

harmd through the course of this and that could come in in a couple different ways. It's been presenting itself lately as people coming in under duress, crossing the picket line, meeting the directors who are there, and they have been force-selling, up-charging from current contracts that the families have already bought, and that's when the Comptroller gets called. So, at that point, she would start an investigation. Is this so? Are there high pressure things being placed improperly on these contracts? And then she can review it. If she determines there's a public harm, so this would be rarely used, if the po... if the power was indeed granted, then she could bring in that at any point in the licensure."

Davidsmeyer: "So... so, the Comptroller's given a lot of discretion in this. It's not... it's not a black and white issue. It's..."

Mautino: "Yes. No, no, there's... there's very wide discretion that's given and as a matter of fact, she, herself is at the table, doing the negotiations for this past week."

Davidsmeyer: "Okay."

Mautino: "To try and protect and keep safe the general public who have, by no fault of their own, purchased these contractors that are now walking into picket lines."

Davidsmeyer: "Yeah. And I understand what you're trying to do with this and I appreciate what you're trying to do with this. I... I don't know that, you know, my concern about the government interjecting into a business labor dispute really concerns me. So, I... I appreciate what you're trying to do, but I will be voting 'no'. Thank you."

Speaker Turner: "Representative Mautino to close."



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

77th Legislative Day

11/6/2013

Mautino: "Thank you very much. I would ask that the House supports Senate Bill 1787 in order to continue negotiations. I think that there is a need and the ability to assist the Comptroller in protecting the general public during a very difficult time. So I would ask you for your support. We will continue to negotiate in the Senate. Thank you."

Speaker Turner: "Gentleman moves for the passage of the Senate Bill 1787. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, please record yourself. Representative Senger. Mr. Clerk, please take the record. On a count of 88 voting 'yes', 28 voting 'no', 1 voting 'present', Senate Bill 1787, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on November 06, 2013: recommends be adopted for the floor is Floor Amendment #4 to Senate Bill 1523. Representative Verschoore, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on November 05, 2013: do pass Short Debate is Senate Bill 633, Senate Bill 853."

Speaker Turner: "Representative Evans, for what reason do you seek recognition?"

Evans: "Point of personal... a point of personal privilege."

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

Evans: "Thank you, Mr. Speaker. I'd like to acknowledge in the gallery in the rear, the mayor of the Village of Lynwood.

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

77th Legislative Day

11/6/2013

Lynwood is located within the 33rd District. Would you mind standing and acknowledging the mayor of Lynwood? Stand up, Sir. Give him a round of applause. Thank you."

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

Walsh: "Mr. Speaker, I'd like the record to reflect on SB1448 that I would like to be recorded as a 'yes' vote."

Speaker Turner: "The record will reflect your request. Thank you, Representative. Representative Costello, for what reason do seek recognition?"

Costello: "Yes, Mr. Speaker. Point of personal privilege."

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

Costello: "I would like to introduce Halle Schlemmer. She's here with me today from Waterloo, Illinois, and as many of you can see, she's quite a snazzy dresser."

Speaker Turner: "Welcome to your Capitol, Halle. Thank you. Representative Bost."

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

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

Bost: "Yes. If I can have attention of the Body. Something came to my attention actually, at the very first of the week, and... and with that I then draft a Resolution. But we've done some wonderful modifications here at the Capitol and I think they're wonderful. And I think there's some people that have complained about this particular issue, but... and that would be new doors that are being placed on the Capitol. And I'm not complaining about that. I... my concern is, is while talking with the guards, the way this is set up, it actually endangers our guards because they can't see what people are actually carrying up. And I have a Resolution that just simply advises

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

77th Legislative Day

11/6/2013

and encourages the Secretary of State and others involved to try to figure out some way to put cameras in place that those guards could be kept safe. We have had one incident in the time that I've been here in the General Assembly where things have gone awry like that and for their safety I think this is a Resolution that, if I could get everybody's support on, I'd appreciate that."

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

Lilly: "Point of personal privilege."

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

Lilly: "Thank you. I'd like to acknowledge a young man who came down today to be a Page with us. His name is Mr. Claiborne Wade. Can we give him a round of applause for supporting us during our Veto Session? Thank you."

Speaker Turner: "Welcome to your Capitol. Mr. Clerk, Senate Bill 2352, Representative Cassidy. Please read the Bill."

Clerk Hollman: "Senate Bill 2352, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read Senate Bill 2352."

Clerk Hollman: "Senate Bill 2352, a Bill for an act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker, Members of the House. Sorry. Earlier this year, the Bureau of Justice Statistics of the U.S. Department of Justice released a study that revealed an

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

77th Legislative Day

11/6/2013

outrageously high level of sexual abuse in our state's Department of Juvenile Justice facilities housing young offenders. This Bill is one component of a strategy to address the situation that led to that shocking revelation. Under this Bill, the department will create independent ombudsman office providing juvenile inmates with access to an independent person to report incidents of abuse and to provide recommendations for improving conditions and outcomes for youth in custody. This is not the only response and this alone will not solve the problems in our juvenile facilities. I am thankful to the advocates and to the Department of Juvenile Justice Director Bishop for coming together to craft solutions. It's a relatively low cost component. I have assurance from Director Bishop that this will not come at the expense of frontline staff, training, or programming for the youth in custody. And in a subject matter hearing in the Restorative Justice Committee, we had a very spirited discussion on the need to address the lack of education available to youth in custody. And the director is committed to fixing that problem as well. In the immediate aftermath of the release of the report, the department instituted a hotline where youth could have anonymous access to the telephone to make reports. They're working with DCFS to formalize the hotline... hotline monitoring, and in addition, the department has implemented intensive training programs for staff in conjunction with the Illinois Coalition Against Sexual Assault. And I ask for an 'aye' vote."

Speaker Turner: "Representative Sandack."

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

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

77th Legislative Day

11/6/2013

Speaker Turner: "The Sponsor will yield."

Sandack: "Representative, we had some nice dialogue yesterday in committee and I want to make sure one point is crystal clear because, anecdotally, we have information from that other, unspeakable chamber that maybe we got conflicting information. With respect to this position, it is a budgeted item already, yes?"

Cassidy: "I believe so, yes."

Sandack: "Well, let's... okay. Let's make sure we're clear. On this new position, are new dollars being allocated for the ombudsman position or is it already within the existing budget?"

Cassidy: "They're using existing funds."

Sandack: "Thank you. Appreciate the clarification."

Speaker Turner: "Representative Cassidy to close."

Cassidy: "I simply ask for an 'aye' vote."

Speaker Turner: "The Lady moves for the passage of Senate Bill 2352. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 117 voting 'yes', 0 voting 'no' and 0 voting 'present', Senate Bill 2352, having received a Constitutional Majority, is hereby declared passed. Leader Lang in the Chair."

Speaker Lang: "On page 4 of the Calendar and under the Order of Concurrence appears House Bill 2618, Mr. Brady. Mr. Brady, my understanding is there's is a missing Motion."

Brady: "That's correct."

Speaker Lang: "We'll take it out of the record."

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

77th Legislative Day

11/6/2013

Brady: "Thank you."

Speaker Lang: "Under the Order of Nonconcurrency, Senate Bill 1470, Mr. Bradley. Mr. Bradley."

Bradley: "Hello. This is a Motion to recede Senate... Amendments 1 and 2 on Senate Bill 1470. This is an initiative of the Department of Agriculture. It's necessary to access a pretty good percentage of their budget which comes from federal funds. It was debated ad nauseam at the end of last Session. I think it passed out of committee pretty overwhelmingly. Farm Bureau is for it; the Department of Agriculture is for it. I'd ask for an 'aye' vote."

Speaker Lang: "Chair recognizes Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, the original Bill dealt with underground storage tanks. Is that correct?"

Bradley: "That's out."

Franks: "Okay. So, this was a gut and replace?"

Bradley: "No, this is a different Bill. It may have the same Bill number, but the underground storage tanks got put in with another Bill. That was part of the confusion last year and part of debate over it. There was debate over this piece as well, some confusion. I thought that got cleared up in committee and through the efforts of the Farm Bureau and the Department of Agriculture explaining that this is simply a requirement being put down on us by the Federal Government in order to obtain these moneys to run the Department of Agriculture."

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

77th Legislative Day

11/6/2013

Franks: "This is more of a notice requirement by the Department of Agriculture."

Bradley: "That's my under... that's my understanding. I do not portend to be an expert on this."

Franks: "Okay. And I just... I was a little confused because the analysis indicated the underground storage tank. So you're saying this is a new Bill dealing only with notice requirements?"

Bradley: "I would like to certify that you are a little confused."

Franks: "Thank... I think that would be correct. Now, does this have anything to do with USDA stamps, like prime B for Choice?"

Bradley: "I don't think so."

Franks: "Okay. Thank you. I'm still confused."

Speaker Lang: "Mr. Moffitt."

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

Speaker Lang: "Sponsor yields."

Moffitt: "Representative, would it be correct if failure to adopt this legislation could lead to loss of federal funds?"

Bradley: "About \$13 million, I think."

Moffitt: "Thirteen million lost."

Bradley: "Yeah. Which I'm told is a pretty good portion of the Department of Agriculture's overall budget. They'll have trouble..."

Moffitt: "Right."

Bradley: "...keeping the doors open."

Moffitt: "But adopting this... of course, the objective is to provide the safe food supply, but also, we'd have access to those federal funds."

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

77th Legislative Day

11/6/2013

Bradley: "And my understanding is it's a pass-through."

Moffitt: "Yeah. Real fine. Thank you, appreciate it. Thank you, Mr. Speaker."

Speaker Lang: "Those in favor of the Gentleman's Motion will vote 'yes', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Jefferson. Please take the record. On this question, there are a 117 voting 'yes', 0 voting 'no'. And the House does recede from House Amendments 1 and 2. Let me restate that. The House does recede from House Amendments 1 and 2. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, under Amendatory Veto Motions, there appears House Bill 2454, Mr. Fortner. Out of the record. Under the Order of Resolutions, House Joint Resolution 55, Mr. Thapedi. Please proceed, Sir."

Thapedi: "Thank you, Mr. Speaker. During the gun hearings in the Judiciary Committee this year, we discussed violent crime in Englewood and the East St. Louis area. Today, violent crime in Englewood is at epidemic proportions. In fact, some in... are calling portions of the City of Chicago 'Chi-raq', believe it or not. In my district alone, which covers one third of Englewood, we're averaging two murders per week. At the time of the gun hearings, I should have suggested then what I'm proposing now to this Body and that is House Joint Resolution 55, which creates the Englewood Violent Crime Task Force. The purpose and the charge of the task force is to number one, study and determine the causes of violent crime in Englewood and its surrounding communities. Number two, to develop a



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

77th Legislative Day

11/6/2013

comprehensive, long-term solution. Number three, to recommend a plan of action to substantially reduce the incidence of violent crime. And lastly, to draft any and all necessary legislation and make recommendations for appropriations necessary to bring the plan of action into immediate effect. The Englewood aldermen all support the creation of the task force, as does the mayor of the City of Chicago, the Governor, the Cook County Board President, as well as the National Rifle Association. I'm available to answer any questions."

Speaker Lang: "Gentleman moves for the adoption of the Resolution. Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Beiser, Rita. Please take the record. On this question, there are 117 voting 'yes', '0' voting 'no'. And the Resolution is adopted. Returning to page 3 of the Calendar, under the Order of Senate Bills-Second Reading, there appears... Chair's mistaken. This is on page 4 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 2071, Representative Will Davis. Please proceed, Mr. Clerk."

Clerk Hollman: "Senate Bill 2071, a Bill for an Act concerning local government. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative William Davis, has been approved for consideration."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you... thank you very much, Ladies and Gentlemen. I move to adopt Floor Amendment #2 and this ultimately becomes the Bill. This language is for four communities that are

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

77th Legislative Day

11/6/2013

seeking TIF extensions and they are Germantown, Illinois; Gibson City, Illinois; Washington Park, Illinois; and Harvey, Illinois. Be more than happy to answer any questions."

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

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Hollman: "Senate Bill 2071, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Again, this a TIF extension Bill for four communities throughout the entire State of Illinois. All the necessary requirements to allow them for passage in this legislation have been completed. And I seek your support. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Franks. Please take the record. On this question, there are 113 voting 'yes', 2 voting 'no', 1 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Supplemental Calendar #1, under the Order of Resolutions, appears House Joint Resolution 35, Representative Gordon-Booth."

Gordon-Booth: "Thank you, Mr. Speaker. House Joint Resolution 35 merely names the portion of Interstate 74 just north of Murray Baker Bridge up into Sterling Avenue. This is all encompassed

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

77th Legislative Day

11/6/2013

in East Peoria and Peoria, Illinois. What this... it names this portion of Interstate 74 after former Congressman, former Secretary of State, Ray LaHood. Ray LaHood is one of Peoria's favorite sons. He worked for 14 years in the United State Congress in a very bipartisan fashion. And in an era where we had big problems that need big solutions that require both Parties to come together, Ray LaHood really embodied bipartisanship and this is just a very small way for us to say thank you to him for his service, not only in Congress but to the Department of Transportation at the federal level. I ask for your 'aye' vote."

Speaker Lang: "Lady moves for the adoption of the Resolution. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr... Representative Williams. Representative Williams' button is not working. Mr. Clerk, take the record. This question, there are 116 voting 'yes', 1 voting 'no'. And the Resolution is adopted. House Joint Resolution 44, Mr. Costello."

Costello: "Thank you, Mr. Speaker, Members of the Body. House Joint Resolution 44 designates a section of Illinois Highway 127 as the PFC Wyatt Eisenhower Memorial Highway. PFC Eisenhower was killed in Iraq and I think it would be very fitting to name this section of 127 after him. I ask for your 'aye' vote."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all vote who wish? Have all vote who wish? Have all vote who wish? Berrios. Please take the record. On this question, there are 117 voting

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

77th Legislative Day

11/6/2013

'yes, 0 voting 'no'. And Resolution is adopted. The Chair... Moving on to House Joint Resolution 47, Mr. Brady. Please proceed."

Brady: "Thank you very much, Mr. Speaker. House Joint Resolution 47 seeks to name I-39, a section of I-39, between mile marker 8 to mile marker 6 in memory of Chris Brown, a Bloomington firefighter and Hudson firefighter who was killed in the line of duty on that section of Interstate while trying to assist during an accident back in March... March 5 of this year. I simply ask for your 'yes' vote."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all vote who wish? Have all vote who wish? Have all vote who wish? Costello, Smiddy. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. The Chair recognizes Representative Chapa LaVia."

Chapa LaVia: "Thank you. You look quite handsome today."

Speaker Lang: "Is... is that it? No."

Chapa LaVia: "I'd like to... no, it's not it. Point of personal privilege. I apologize for that."

Speaker Lang: "Please proceed."

Chapa LaVia: "But I'd like everybody to know that of one of our good friends on the House Floor, his birthday is today. It's Mr. Brown over here. If we can congratulate him on... on 25 years on the planet. Happy birthday, Mr. Brown."

Speaker Lang: "Congratulations, Mr. Brown. Chair recognizes Leader Acevedo."

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

Speaker Lang: "Please proceed, Sir."

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

77th Legislative Day

11/6/2013

Acevedo: "I'd like the House... the Members of the House to welcome my son, Alex Acevedo, who's here visiting with us today."

Speaker Lang: "Welcome to the House Floor. Good to have you here. Next Resolution is HJR52, Mr. Meier."

Meier: "Yes, Mr. Speaker. House 2... House Resolution 52 is to honor Captain... Corporal Aaron Ripperda from Marine, who was killed last March 18 in a training accident in Nevada. It designates 143 from Highland to Marine as being named after him. Thank you."

Speaker Lang: "Those in favor of the Resolution will say 'yes'; opposed 'no'. House Joint Resolution 52. Those in favor the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hernandez. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. HJR53, Mr. Meier."

Meier: "53 addresses the death of... of Sergeant Jordan Emrick, who was killed in Afghanistan three years ago and designates the highway between New Minden and Hoyleton 177 in... in honor of him."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davis, Mautino. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. The Chair recognize Representative Greg Harris."

Harris G.: "Well, Ladies and Gentleman, I rise for a point of personal privilege. Since it's been noted it's Mr. Brown's

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

77th Legislative Day

11/6/2013

25th birthday today, I should also acknowledge my seatmate, Jay Hoffman, who has turned 26 today."

Speaker Lang: "The Chair didn't know he was still celebrating birthdays. HJR57, Mr. Rosenthal. Please proceed."

Rosenthal: "Thank you, Mr. Speaker. HJR57 honors the sacrifice of Army Specialist Charles Irby, who gave his life defending America's freedom during the Vietnam War, January 15, 1968. This will designate Illinois Route 16 along School Street from South Main Street to the corner of 22nd Street in Hillsboro as Army Specialist 4 Charles Irby Memorial Highway. I request an 'aye' vote."

Speaker Lang: "Those in favor the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all vote who wish? Flowers. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. HJR58, Mr. Rosenthal. Please proceed."

Rosenthal: "Thank you, Mr. Speaker. HJR58 honors the sacrifice of Lance Corporal Larry D. Claybrook, who gave his life defending America's freedom during the Vietnam War, January 27 1967. It designates Illinois Route 16 from its junction with Illinois 127 at School Street to its junction with Illinois Route 185 in Hillsboro as Marine Lance Corporal Larry D. Claybrook Memorial Highway. I encourage an 'aye' vote."

Speaker Lang: "Those in favor the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? McAuliffe. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'.

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

77th Legislative Day

11/6/2013

And the Resolution is adopted. House Resolution 461, Mr. Sandack. Please proceed."

Sandack: "Thank you, Mr. Speaker. House Resolution 461 seeks to declare August of 2013, yes, three months ago, Pink Heals Tour Month in the State Of Illinois. Those invoked in Pink Heals Tour are firemen and police officers that use old personnel trucks and cars and visit women, primarily, who are battling cancer. It is a great group of people and I urge a 'yes' vote. Thank you, Mr. Speaker."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all vote who wish? Have all vote who wish? Mr. Mautino. Please take the record. On this question, 117 voting 'yes', 0 voting 'no', and the Resolution is adopted. House Resolution 556, Mr. Hoffman. Please proceed."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 556 simply allows the Department of Labor to conduct a study regarding the unem.. the impact of unemployment of the Bill that was passed, I believe in 2010 by Representative Beiser, regarding Illinois preference. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Resolution will vote 'yes' opposed 'no'. The voting is open. Have all vote who wish? Have all vote who wish? Have all vote who wish? Ives, Sullivan. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no', and the Resolution is adopted. House Resolution 614, Mr. Brown."

Brown: "Thank you, Mr. Speaker. House Resolution 614 seeks to make HPP Awareness Day October 30 of 2013. I realize that

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

77th Legislative Day

11/6/2013

date has passed, but HPP is a disease that affects about one in a hundred thousand individuals. However, about one in two hundred individuals are carriers for the disease, so we're trying to raise awareness in the medical community as well as for constituents. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all who voted who wish? Have all who voted who wish? Have all who voted who wish? Acevedo. Please take the record. On this question, 117 voting 'yes', 0 voting 'no', and the Resolution is adopted. SJR43, Representative Osmond. Please proceed."

Osmond: "Thank you, Mr. Speaker. Senate Joint Resolution 43 designates the last week of October in 2013 as Dyslexia Awareness Week in the State of Illinois."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed, 'no'. The voting is open. Have all who voted who wish? Have all who voted who wish? Have all who voted who wish? Ives, Morrison. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no', and the Resolution is adopted. On page 4 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 2365, Mr. Riley. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 2365, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "Senate Bill 2365, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."



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

77th Legislative Day

11/6/2013

Speaker Lang: "Mr. Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. 2365 just adds clarity to the Iliana Expressway Act and it basically all that it says is, is that a prime contractor that's planning on getting one of the RFQs for the... for the project basically can engage their design bill contractor prior to the process of engaging with IDOT. This gives them a lot of flexibility. Some contractors were sort of confused as to whether or not they could do that prior to getting involved, and putting in a bid for the project. It allows them to do that, which gives IDOT a lot of transparency in being able to look at the prime contractor and all of the members of the team that are going to be bidding for the project. Essentially that's what Senate Bill 2365 does. And I'd like your support."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Moylan. Mr. Moylan has an itchy trigger finger. Those in favor of the Bill will vote 'yes'; opposed 'no'. the voting is open. Have all who voted who wish? Have all who voted who wish? Have all who voted who wish? Brady, Drury, Kosel. Mr. Drury. Please take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 1 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Senger."

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

Speaker Lang: "Please proceed."

Senger: "I'd like to introduce my two Pages today Clara Davidson and Charlotte Ives, and their dads, who are up in the gallery. So thanks... thanks for coming to visit here today."

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

77th Legislative Day

11/6/2013

Speaker Lang: "Welcome to the Illinois House. Returning to page 2 of the Calendar, House Bills-Third Reading, there appears House Bill 3656, Mr. Drury. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 3656, Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lang: "Mr. Drury."

Drury: "Thank you, Mr. Speaker. House Bill 3656 eliminates the Lake County board of election commissioners. It's a recently created board. This reduces government in Illinois, will save Lake County hundreds of thousands of dollars each year. I'd like to thank Representative McSweeney for a big.. a big leadership role in this. There's no opposition to the Bill that we know of and it passed out of the Executive Committee unanimously. I ask for your 'aye' vote."

Speaker Lang: "Mr. McSweeney."

McSweeney: "Speaker, to the Bill. The good news is that when this provision was inserted in the legislation 2418, nobody claims responsibility. So we know of no opposition to this measure to save \$465 thousand per year for Lake County taxpayers, \$300 thousand upfront. I strongly urge a 'yes' vote."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "I was listening to the prior speaker. Do we know why this became law earlier? I mean, I think we voted on this and it passed just recently. So, why are we repealing it so quick?"

Drury: "This was part of a... a much bigger elections Bill that was the Bill that allowed for online registration and this was

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

77th Legislative Day

11/6/2013

one part of that Bill. At the time, a lot of people in Lake County didn't want it. There's now a lot of money being spent in litigation to try to prevent this from happening. Lake County doesn't want this Bill, didn't ask for this Bill, and so that's why we're, as Lake County Representatives, we're seeking to eliminate it."

Franks: "Are there other counties that have a board of election commissioners?"

Drury: "There are other counties that have boards of election commissioners, but they're... my understanding is no other board was created legislatively, it was created by referendum, by the counties themselves."

Franks: "Oh, it was?"

Drury: "Yeah."

Franks: "Okay. That's what I was wondering, because I don't... I presume it was put in for a reason. Is there... are there concerns in Lake County for the veracity of the returns or is there an issue in Lake County with voting that needs to be addressed?"

Drury: "You know, as Representative McSweeney stated, it's unclear. No one's taken ownership of the Bill. There are people as in... every place in the country that don't like the current clerk and there are people who do, and I think the democratic process should vet that out. If we want a Board of Elections then we could have a referendum in Lake County and then we could go that way."

Franks: "Well, perhaps, maybe you're bringing a bigger issue up, because I have a problem with clerks because they... I don't think it should be a political position. And you can see

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

77th Legislative Day

11/6/2013

clerks that... who are in charge of the elections are also hyper-partisans who are able... and do endorse candidates. Imagine if you are someone who's brought in front of a... of the board of elections and someone's challenging your petitions, for instance, and one of the people who are sitting on the board is the clerk who has already endorsed your opponent. Perhaps this is what created the necessity for a board of election commissioners in Lake County. I'd like to know more... I mean, I don't know if there's been abuses there and perhaps we may be throwing the baby out with the bathwater here."

Drury: "I understand your point, Jack. I think that with respect to this... this Bill and your issue, if that is a problem, a partisan problem, this Legislator should take that up as a statewide issue. But to do it as a one-off in Lake County doesn't follow the Democratic process. If we want to address that issue, which is a very important issue, I think we should. I don't think the way we went about it was the right way."

Franks: "Okay that makes sense. I'd like to work with you on looking at that and perhaps we should have commissions, maybe regionally, and maybe not simply based on a county level or perhaps we should take away the ability for clerks to be partisans or perhaps they may need to be appointed. But I think right now there is a real concern with the way it's set up. So, I'll support you on this Bill, but I'd like to work with you on revamping it for the entire state."

Drury: "I look forward to working with you, Representative."

Franks: "Thank you."

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

77th Legislative Day

11/6/2013

Speaker Lang: "Leader Turner in the Chair."

Speaker Turner: "Thanks, Reboletti. Representative Osmond."

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

Speaker Turner: "Sponsor will yield."

Osmond: "Representative, do you not agree that this piece of legislation was kind of put in at the last minute into a larger Bill?"

Drury: "You know, I don't know when it was put into the Bill. I know it was a small part of a very big Bill. And I think when looking at it on its own, it was not a good piece of legislation. And that's why we're seeking to eliminate it."

Osmond: "And that is correct. It... it came in without a lot of us in Lake County understanding it or knowing why it existed. One of the issues that I find very difficult to understand is that we have a very excellent process in place in Lake County, that we never asked for this to be added, and to put it in this Bill in the form they did, we felt that that was not following the process. And we have a clerk that has ru... won many, many awards for the way that she handled the Bill and I want to ask our colleagues to support this. If we wanted, in Lake County, a commission, we could go through the proper channels and have it put in place, but it was never our desire to do that. And therefore, I ask our colleagues to join with you and myself in supporting this Bill. Thank you."

Speaker Turner: "Representative Mayfield."

Mayfield: "Thank you, Speaker. To the Bill. I'm asking everyone to vote 'no' on this Bill. I live in Lake County and the last election cycle, the general election, was just a mess in Lake County. The Lake County Clerk's Office did a very poor job in

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

77th Legislative Day

11/6/2013

administering their duties, basically. Individuals were turned away; they were told that they needed two forms of identification. If they were of African American or Latino descent, they were not allowed to vote. Yes, that... I'm telling the truth. We had more provisional ballots in the last election cycle than we've had in the last 10 years. And the effort was to turn as many people away as possible from voting. I believe that the legislation that was current that was previously passed by this Body was a good piece of legislation. I stand behind it. I also understand there is a court case, where they're going to be ruling on November 8. I think that we should let the courts make their decision and not preempt that with this Bill. And again, I'm just going to stand here and I'm going to ask that everyone vote 'no', because the Lake County clerk, despite all of her wonderful awards that she may have received, did not do her job. We should not have had to put election judges at every single precinct within the minority communities. Thank you."

Speaker Turner: "Representative Sullivan."

Sullivan: "I'd like to yield my time to Representative Osmond."

Speaker Turner: "Representative Osmond."

Osmond: "Thank you, again, Mr. Speaker. Contrary to the previous speaker, last election cycle, there were issues, yes. But our clerk handled them fairly. She treated everyone equally. We had the same amount of precinct coverage as anyone else. And if there was any form, any form, of disrespect to the process, it should have been filed. Nothing was filed against this clerk. Nothing was filed against this election and again, I ask you to support this legislation."

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

77th Legislative Day

11/6/2013

Speaker Turner: "Representative Drury to close."

Drury: "Thank you. I just wanted to address a few of the comments.

The... this Bill isn't about an individual clerk, it's about the democratic process. And it's about reducing government in Illinois. If there's an issue with the clerk then, there's a democratic process to... to either elect her or not elect her. She actually stepped down, so that shouldn't be an issue. This Bill is not wanted by Lake County. They had to file a lawsuit because of it costing our county more money. It's going to cost, like I said, about \$800 thousand, this year \$400 thousand a year after that, and that... that's a conservative estimate. I think we should let the democratic process play out. If we want this board, let's have a referendum in Lake County. But I ask for your 'aye' vote on an important piece of legislation for the county that I repre... that I represent in part."

Speaker Turner: "Gentleman moves for the passage of House Bill 3656. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted wish? Representative Jackson, Zalewski. Mr. Clerk, please take the record. On a count of 104 voting 'yes', 13 voting 'no', '0' voting present, House Bill 3656, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Resolution 500. Leader Lang. Please read the Bill."

Lang: "Thank... thank you."

Speaker Turner: "Sorry."

Lang: "Thank you, Mr. Speaker. House Resolution 500 honors the... the organization known as B'nai B'rith, designates October 13

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

77th Legislative Day

11/6/2013

as B'nai B'rith Day in Illinois. This is an organization that has a 100 year record of commitment to cultural diversity, tolerance, and understanding. The international president of B'nai B'rith lives in Lake Forest, Illinois. I ask your support."

Speaker Turner: "Gentleman moves for the adoption of the Resolution. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jones, Reis. Mr. Clerk, please take the record. On a count of 117 voting 'yes', '0' voting 'no', '0' voting 'present', House Resolution 500, having received a Majority, is hereby adopted. Mr. Clerk, on the Order of Senate Bill's on Second Reading on the Supplemental Calendar #2, we have Senate Bill 633, Representative Zalewski. Can you please read the Bill?"

Clerk Hollman: "Senate Bill 633, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Senate Bill 853, Representative Costello. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 853, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Members, we are not about to adjourn, but Mr. Clerk, will you please read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 670, offered by Representative Reis. House Resolution 671, offered by Representative Dunkin. House Resolution 672, offered by



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

77th Legislative Day

11/6/2013

Representative Currie. House Resolution 674, offered by Representative Demmer. House Resolution 676, offered by Representative Chapa LaVia. House Resolution 677, offered by Representative Jones. House Resolution 678, offered by Representative Pihos."

Speaker Turner: "Representative Currie moves that the House adopt... for the adoption of the Agreed Resolutions. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the revolu... and the Resolutions are adopted. Mr. Clerk, on Supplemental Calendar #1 we have Senate Bill 1922. Can you please read the Bill?"

Clerk Bolin: "Senate Bill 1922, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Please hold that Bill on the Order of Second Reading. Representative Arroyo, for what reason do you seek recognition?"

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

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

Arroyo: "We have one of our old colleagues here, Chuck Krezwick. Could everybody welcome him back to... I think he's considering coming back to the General Assembly. Chuck, thank you for being here. We miss you."

Speaker Turner: "Welcome back, Chuck. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on the November 06, 2013: recommends

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

77th Legislative Day

11/6/2013

be adopted Floor Amendment #2 to Senate Bill 635 and Floor Amendment #5 to Senate Bill 2335."

Speaker Turner: "Mr. Clerk, the status of Senate Bill 1523."

Clerk Bolin: "Senate Bill 1523 is on the Order of Senate Bills- Third Reading."

Speaker Turner: "Please move that Bill back to the Order of Second Reading. And read the Bill."

Clerk Bolin: "Senate Bill 1523, a Bill for an Act concerning public employee benefits. The Bill was read for a second time on a previous day. Amendment #2 was adopted in committee. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Speaker Madigan."

Speaker Turner: "Speaker Madigan on Amendment 3."

Madigan: "Mr. Speaker, there are two Amendments. Amendment 3 will become the Bill and I would move for the adoption of Amendment #3 and then debate the Bill on Third Reading."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #3 to Senate Bill 1523. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #4 is offered by Speaker Madigan."

Speaker Turner: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, Amendment #4 is concerned with a jurisdictional question on whether a lawsuit could be filed in the Supreme Court or the Circuit Court and then it also deals with the question of severability, where it provides in one element of the Bill would be severable. And I would move for the adoption of the Amendment."

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

77th Legislative Day

11/6/2013

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #4 to Senate Bill 1523. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Mr. Clerk."

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

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

Clerk Bolin: "Senate Bill 1523, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Turner: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentleman of the House, this Bill is concerned with the Chicago Park District Pension Fund. The Chicago Park District Pension Fund is one of several Illinois pension funds. We've spoken at length and we've debated at length concerning the four state pension systems, but we haven't spent that much time on other pension systems such as the Chicago Park District system. The system was created by State Law. It's a local pension system; it's not a state pension system. There's no state money involved with this pension system. The money that flows into the pension system comes from the employee contributions and from the local real estate taxes which are collected by the Park District and then the Park District pays in the employer share of the pension cost. There are several elements of the Bill and I ask you to bear with me as I work my way through this explanation. As I said before, it changes the Park District Employee Annuity and Benefit Fund. It's the product of negotiations between the Park District, the fund, and the unions representing Park District employees. They've come together to ask the General Assembly to pass legislation that

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

77th Legislative Day

11/6/2013

will significantly reform the fund and help it achieve long-term financial stability. The Bill requires that the employer and the employee gradually make greater contributions to the fund. Currently, the employee contribution is set at 9 percent. The Bill increases contributions to 10 percent in 2015, 11 percent in 2017, and 12 percent in 2019. The contribution remains at 12 percent until the fund reaches 90 percent funding level, at which time it drops to 10.5 percent, so long as the fund remains at or above 90 percent. Currently, the district annually contributes 1.1 times the amount of employee contributions made two years earlier. Under the proposal, the multiplier would increase to 1.7 in 2015, 2.3 in 2017, and 2.9 in 2019. Additionally, the Park District will make supplemental contributions of 12.5 million in 2015, 12.5 million in 2016, and 50 million in 2019. The Bill provides for the following benefit changes: for Tier 1 employees, the minimum retirement age increases from 50 to 58 for those employees younger than 45 on January 1, 2015; for Tier 2 employees, the age for normal retirement decreases from 67 to 65; and for early retirement, it decreases from 62 to 60. Currently, retirees receive an adjustment of a 3 percent simple, 3 percent simple. Effective January 1, 2015, the annual increase in a retiree's annuity is adjusted to the lesser of one half of the CPI or the 3 percent simple. Said differently, the Bill would provide that the Tier 2 COLA would become the Tier 1 COLA. Additionally, the annual increases will be suspended in 2015, 2017, and 2019. The proposal decreases the current duty disability payment from 75 percent of salary to 74 percent in 2015, 73 percent in 2017, and 72

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

77th Legislative Day

11/6/2013

percent in 2019. There are three additional components to the Bill. Number one, if the Park District fails to make its annual payment, the Bill provides the fund may... may file an action to compel the district to make the payment. This funding guarantee is similar to the concept included in Senate Bill 1. The fund is prohibited from subsidizing the cost of health care. The language will ensure that pension funds are used only to pay annuities, not the cost associated with retiree health care. And finally, there's a very interesting concept, which has been placed in this Bill, and it would provide that if the General Assembly, at a later date, passes legislation that provides for a new pension benefit, the new benefit shall not become law unless the General Assembly provides a method for funding the benefit. The state actuary is required to analyze whether adequate funding has been provided for the benefit. If additional funding is not provided, the new benefit will be considered null and void. Again, this is a local pension system. There is no state money involved here and it's a case where this local system has acknowledged that its current funding level is under 50 percent and they stated in testimony before committee this morning that they estimate that the fund will go dry within just a few years. And so, they've taken the initiative to work with interested parties and come here with a plan which will stabilize the financing to the system and put it on a track so that it will be 90 percent funded at a date certain in the future. Mr. Speaker, I would move for the passage of the Bill."

Speaker Turner: "Representative Senger."

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

77th Legislative Day

11/6/2013

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

Speaker Turner: "Sponsor will yield."

Senger: "This analysis, and we... I had a lot of questions in committee today. Is this using the actuarial or ARC funding?"

Madigan: "The answer is no."

Senger: "So, how are they putting together the table of 90 percent funding in the period of time and what is the period of time?"

Madigan: "They worked with their current actuary, the Segal Company, to develop a table that would get them to 90 percent funding in 2049."

Senger: "Okay. Mr. Speaker, if I may, to the Bill. There... again, I...we asked the question over and over again in committee. This is PTELL so it is limited to tax cap, and this is a situation where, in the short period of time I've been able to look at it, you've had two groups get together and try to negotiate a solution to a pension problem through some significant benefit reductions and through some additional savings to be added to shore the system up. And also through employ... additional employee contributions and guarantees and the rest, there's many things in here that I think are positive and good. There's some cautions in here, and my caution is basically has to do with the fact that we are not using a 30-year ARC actuarial table. We're using a different method where we're just saying we will get to the point we need to be funded when we get there. I like the fact that we have an actuary looking at any increased benefits. I had a meeting with the Park District this afternoon. They did share with me that they do go through actuarial studies every three years, which makes me feel more confident that if these tables

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

77th Legislative Day

11/6/2013

do get adjusted, they'll be adjusted accordingly. Again, this is a Bill that I wish we had more time to look at, but given what I understand now, I'm... I think this is a good solution for the City of Chicago Park District. And I will be a vote on... I'll be a 'yes' vote on the Bill."

Speaker Turner: "Representative McSweeney."

McSweeney: "Speaker, to the Bill. I rise to strongly support this legislation. This is model legislation that's agreed upon. We're raising the retirement age; we're also changing the COLA formula. And this is not a property tax increase. I asked many questions; this is covered by PTELL. It's up to the Park District to set the rate. This is going to help stabilize the system. I strongly urge a 'yes' vote on this legislation."

Speaker Turner: "Representative Ives."

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

Speaker Turner: "Sponsor will yield."

Ives: "I'm just wondering, Mr. Madigan, is there anything in this Bill that actually gives absolute local control on the pension system so that they don't have to come back again in a few years if this solution doesn't work out?"

Madigan: "Can I give you a two part answer? Number one, it really is absolute local control because it's a local system that only uses its local real estate taxes and employee contributions for the money going into the fund. On the question would they be coming back here, well, if there were a need for further change they'd be required to come back here because the system was first created by state statute. They don't have the authority to make changes such as are

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

77th Legislative Day

11/6/2013

proposed in this Bill on their own. They'd have to come here and get a Bill passed and signed by the Governor."

Ives: "I agree with you there. I mean... but I'm a proponent of absolute local control so that they can define their benefits and their systems at the local level. So, I think we should try to get out of this in the future, this business. I also wanted to know though, do you feel that the increase in the contribution is going to be enough to offset the raise in how much they're going to receive per year? 'Cause I think it goes from 1.1 to 1.7 percent."

Madigan: "All I can do is to rely upon the work product of the Segal Company, which is their consulting actuary. And Representative Senger indicated that she met with the people from the Park District this afternoon and her review of their proposal and their documents satisfied her as to the accuracy of their actuary."

Ives: "Okay. And it's a good thing for the taxpayers that there's a PTELL limitation here so that they can only increase their levies so much per year. My concern is with the funding guarantee. Will that eat into district operations if these funds, which this is defined benefit type of fund and we know we can't control things such as salary increases, which they do actually control that themselves, but we can't control investment returns, we can't control how long people live. So, do you think that in the future this may infringe on their operations..."

Madigan: "My answer would..."

Ives: "...with the funding guarantee?"



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

77th Legislative Day

11/6/2013

Madigan: "...my answer would repeat their testimony before committee this morning, where I believe they testified that they've already reserved the money for the first two supplemental payments of \$12.5 million each. And then in terms of the \$50 million payment in 20... 2019, that... they have another source of money which might require them to do some short-term borrowing at the time of that payment. But in general terms, this agency is well managed. This is not an agency that overspends."

Ives: "Well, certainly its more well managed than the state funds since it's funding level is significantly higher than ours, so that's a good thing. The other question I had is, in our analysis here, they talk about some collect... collectively bargained provisions that are not included in the statute, such as you can't lay off certain employees for a specified period of time, no district mandated shutdown days. Could you explain what's going on here and what were the negotiation was? 'Cause I'm looking at all the opponents to the Bill, and I... I don't know where the... where their opposition's coming from."

Madigan: "Neither do we. What I can... what I can tell you is that the Park District engaged with its unions and obviously the negotiations went beyond this Bill. There were side items to the Bill and what you're reading would be the items that were agreed to in collective bargaining that don't relate to pensions and they don't relate to legislation before the General Assembly. So for their purposes, they combined items, part of which would be this Bill. And in terms of the support for the Bill, my understanding is that among the unions it's

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

77th Legislative Day

11/6/2013

mixed. Some are for, some are against. You'll generally find that the trade unions support the Bill, the nontrade unions may not. I'm not certain about their position."

Ives: "Okay. Thank you."

Speaker Turner: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. I believe it's a year ago that the Metropolitan Water Reclamation District presented this General Assembly with a proposal to address their pension problems that they were having in a way that suited their needs and that they... and where they had engaged their employees in that discussion. And we as a General Assembly, I think appropriately, adopted that legislation, because it, again, addressed their needs in their way. Here we are with Chicago Park District. I think we're faced with a very similar situation. They've engaged with their employees, with their... with their... and with their labor representatives and have come up with a solution that meets their needs. I have to say, I don't know what the... what the budget situation is with Chicago Park District. I don't know how much they think they can afford. I don't know what, going forward, the tax cap limits them to, but this is what they feel is affordable to make their system sustainable. They testified in committee that if we do nothing, the system will be bankrupt in 2023 and if you're a 60-year-old retiree, I guarantee you that doesn't look like a very good situation. So, I do have some concerns, very similar concerns, that were raised by my colleague from Naperville in that we are not getting to a hundred percent funding in this Bill, we are not using an actuarially required contribution as strictly as

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

77th Legislative Day

11/6/2013

determined by the actuaries. We're setting forth a statutory formula for the contribution, but... and I've wrestled with that because we fought so hard in the state systems, in the debate over the state systems, to adhere to both of those goals, a hundred percent funding in 30 years with an actuarially required contribution. But again, we think that's affordable for the state given the changes that we're going to be making. And if the Chicago Park District thinks that this is as much as they can afford to stabilize their system, I'm willing to take them at their word. So, while I don't think that is an ideal actuarially appropriate solution, it is a solution that works, that is agreed to, and that I think we ought to adopt."

Speaker Turner: "Representative Pritchard."

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

Speaker Turner: "Sponsor will yield."

Pritchard: "Mr. Speaker, it seems in this that we are shooting towards a 90 percent funding level rather than 100. Is there a reason that we're doing that? Is 90 percent sufficient for any of our pension systems?"

Madigan: "Mr. Pritchard, my answer would be that there are several pension systems in Illinois. They're all different from each other. This is one of the several systems, and for this system they've decided to seek a goal of ninety percent rather than one hundred percent. My feeling is that it's not a state system, it's a local system, the local people responsible for managing this system have come here with this proposal. If I made... make a choice, I would say, well, let's exceed to their recommendation, which would be 90 percent

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

77th Legislative Day

11/6/2013

rather than the other choice, which would be a hundred percent."

Pritchard: "So this is..."

Madigan: "Because... because it's their system and those responsible have come here with a proposal to restore the system to fiscal responsibility."

Pritchard: "So, would this be an appropriate consideration, though, for our own state pensions of shooting at 90 percent rather than a hundred?"

Madigan: "There have been some who have been participants to the discussions on changes to the state systems who have argued that we ought to just aim for a goal of 90 percent. I'm not one of those. I support 100 percent funding for the four state pension systems."

Pritchard: "In your comments, you laid out how the district is going to be able to come up with their increased contributions, which as we look at 2019 and beyond is four times the current level of contributions, and another Representative mentioned this was done without a tax increase. How is that possible?"

Madigan: "Mr. Pritchard, I can only repeat their testimony before committee this morning. And I don't remember all of it, but I do remember where they said that relative to the two \$12.5 million payments, they had that money in a reserve already. And in terms of the \$50 million payment, which is in 2019, they felt that they had, first, adequate money available, second, that they might be required to do some short-term borrowing to make that payment and then retire the debt as

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

77th Legislative Day

11/6/2013

they went forward. Their testimony was very positive in terms of their ability to make the payments."

Pritchard: "So, in other words, it does appear they can do this without exceeding their PTELL limitations."

Madigan: "That would be their testimony before the committee."

Pritchard: "Okay. I was very interested in your comments that this was a negotiated settlement with all of the parties to this pension system. Isn't this a good model that we ought to try to use for our state pension problems?"

Madigan: "The answer is yes, and let me state further that there have been multiple attempts to talk, negotiate. I suffered through many of the meetings. I think it's really critical that we move a Bill that affects the state pension systems and I would hope that those that are considered to be interested parties would see the error of their ways."

Pritchard: "Well, I've talked to a number of those parties too and they all indicate a willingness to come together. And it ju..."

Madigan: "Yeah. Then... they're always willing; they're always willing."

Pritchard: "And it just seems like we use this model time and time again of an agreed Bill process. It just confounds me why we haven't been able to use that in the pension discussions."

Madigan: "If you come up with a solution, let us know. We're... we're... we're anxious to know."

Pritchard: "Well, we'll work on that. You also indicate here an urgency that we pass this because they're at risk of... of going bankrupt in their pension fund. Is there some similarity here

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

77th Legislative Day

11/6/2013

to our state pensions? Aren't we at risk of the system imploding if we don't solve the pension crisis soon?"

Madigan: "I would basically agree with your statement. I mean, you know I'm a proponent of changes in the state pension systems also."

Pritchard: "Well, we certainly are interested in working with you in getting this resolution quickly for not only the Chicago Park District but also our state pension systems. Thank you."

Speaker Turner: "Representative Sandack."

Sandack: "Thank you, Mr. Speaker. Will Speaker Madigan yield for a question?"

Speaker Turner: "Yes, he will."

Sandack: "Speaker, I was struck by the last comment in your introduction about a funding mechanism or a requirement on future benefit improvements for this fund. Could you just elaborate a little bit on how that would work?"

Madigan: "Yeah, I think it's very interesting. And it simply would say that, were the General Assembly to pass a Bill in the future that would increase benefits for this system, before that benefit would go into effect, you would need a finding by the state actuary, which is part of the Office of the Auditor General, that there was adequate money to pay for the benefit. And if the finding of the state actuary were negative, the benefit increase would not go into effect."

Sandack: "Speaker, is this something you're looking at doing with respect to other pension plan changes or design changes?"

Madigan: "Not yet, but I... the thought has occurred to me that this is an idea that we ought to think about in the future."

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

77th Legislative Day

11/6/2013

Sandack: "I agree. To the Bill. I stand in support of it. I think... and urge a 'yes' vote. Thank you."

Speaker Turner: "Representative Franks."

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

Speaker Turner: "Yes, he will."

Franks: "Thank you. Speaker, thanks. I appreciate your efforts here 'cause I think your ultimate goal is so that the General Assembly and the citizens of the state of Illinois won't be put on the hook if this thing should go under. So, I appreciate that this is being negotiated. As I'm reading the text of it though, I see there's a severability clause for only a portion of it, only a small portion of the Bill and that severability clause dealt only with the issue of the requirements to the General Assembly passing a new benefit increase being severable. My concern is constitutionally, because I presume we don't have a legal opinion yet. But I see in this that we are suspending the COLAs for three alternate years and also for current retirees, we're also reducing the COLA. So, I'm not sure if that's going to be found constitutional, 'cause I presume that this will be challenged. Whatever we pass is going to be challenged. My question is would it make sense to draft this Bill to have that severable as well so in case that is found to be unconstitutional that the rest of the Bill would then survive."

Madigan: "My attorney advices me that was our preference, but again, the people from the Park District Fund preferred what's in the Bill."

Franks: "Well, I just wonder if we should..."

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

77th Legislative Day

11/6/2013

Madigan: "No, let me add. Our concern on the... the involvement of the state actuary would be unreasonable delegation. That's our concern."

Franks: "I agree. And I understand the concern. I just... I think the only weak link here, because of the negotiated aspect of it and also the reduction in some of the years, I think you could probably argue that it's unconstitutional. This is the one aspect where I think those that are currently retired, I think we could have a problem, so if there's... I don't know if maybe we could think about it when this goes to the Senate that might be something that we may wish to look at that I think it could strengthen the Bill. And I just wanted to point that out. Thank you."

Speaker Turner: "Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. Will Speaker Madigan yield?"

Speaker Turner: "He indicates that he will."

Reboletti: "Mr. Speaker, I'm... as I look at Amendment #4, it says that it removes language providing the retirement board may bring a mandamus action in the Illinois Supreme Court. It says now that it can be taken to the Circuit Court of Cook County. What was the basis of that change?"

Madigan: "Dennis, my lawyer advises me that the Circuit Court is the appropriate place for a fund such as this to file such an action."

Reboletti: "I was... I was hoping that it wasn't to slow the process down if there is... if there is a lawsuit that it was just going to maybe languish in the Circuit Courts where if it was going to go all the way up it would be quicker because especially as we are now looking at reforming our systems, Chicago's



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

77th Legislative Day

11/6/2013

looking to reform it, that if it was expedited to Illinois Supreme Court, if somebody were to sue, that we would have an opinion much quicker than not. This is not meant to slow the process down, right?"

Madigan: "That's correct. And of course, they can always petition the Supreme Court to take the matter immediately."

Reboletti: "And Mr. Speaker, I was not at the committee hearing and I look at the list of opponents. Did any of those testify or were they only... only slip in opposition?"

Madigan: "The only testimony came from the... the officials from the Chicago Park District; the general superintendent, the chief finance officer, and their executive director of the pension system."

Reboletti: "Thank you."

Speaker Turner: "Speaker Madigan to close."

Madigan: "Thank you, Mr. Speaker. I think we've had a very good debate on a topic which is currently on all of our minds. Again, this is a local pension system. This is not a state pension system. There's no state money involved in this, just local money. It's a case where the people responsible for the operation of the pension fund have come to the General Assembly with a plan to restore fiscal responsibility to the fund. I would recommend an 'aye' vote."

Speaker Turner: "Gentleman moves for the adopt... for the passage of Senate Bill 1523. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hernandez, Smith, Thapedi. Mr. Clerk, please take the record. On a count of 87 voting 'yes', 26 voting 'no', and 2 voting

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

77th Legislative Day

11/6/2013

'present', Senate Bill 1523, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcements."

Clerk Hollman: "The following committees will be meeting at 3:15: Insurance is meeting in Room 114 and Judiciary is meeting in Room 118. Those are both meeting at 3:15."

Speaker Turner: "And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House adjourn 'til Thursday, November 7 at the hour of 9:30 a.m., 9:30 a.m., Representatives. Thank you very much. All in favor say 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'aye's have it. And the House is adjourned."

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on November 6, 2013: recommends be adopted is a Motion to Concur with Senate Amendment #1 to House Bill 2618. Representative Nekritz, Chairperson from the Committee on Judiciary reports the following committee action taken on November 6, 2013: recommends be adopted Floor Amendment #5 to Senate Bill 1342. Introduction and First Reading of House Bills. House Bill 3744, offered by Representative Wheeler, a Bill for an Act concerning criminal law. House Bill 3745, offered by Representative Ford, a Bill for an Act concerning education. House Bill 3746, offered by Representative Kelly Burke, a Bill for an Act concerning civil law. House Bill 3747, offered by Representative Mautino, a Bill for an Act concerning government. House Bill 3748, offered by Representative Monique Davis, a Bill for an Act

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

77th Legislative Day

11/6/2013

concerning State government. This is the First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."