

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

106th Legislative Day

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Speaker Lang: "The House will be in order. Members will be in their chairs. Members will be in their chairs. We shall be led in prayer today by Reverend Troy Benton who is with Christ United Methodist Church in Fairview Heights. Reverend Benton is the guest of Representative Costello. Members and guests are asked to refrain from starting their laptops, turn off cell phones and rise for the invocation and the Pledge of Allegiance. Reverend Benton."

Reverend Benton: "Let us pray. Oh Thou, who art and is and will come, who guides and gives grace and governs all that is, we give thanks for this moment and this Session. Guide these who give leadership to our state with great strength. Give them compassion and passion, peace and togetherness in a way that will guide and rule us for the journey of excellence that You've called us into. Give them a sense of Your will and a sense of Your way. And we give You thanks for all that will be done for the common good of all of us. We pray this in Your will and in Your name, Amen."

Speaker Lang: "We'll be led in the Pledge today by Representative Moylan."

Moylan - 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 Lang: "Roll Call for Attendance. Leader Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Arroyo is excused today."

Speaker Lang: "Leader Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Pihos and Pritchard are excused today."

Speaker Lang: "Mr. Clerk, please take the record. There are 113 Members present, we do have a quorum. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Verschoore, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on March 19, 2014: do pass Short Debate is House Bill 4329, House Bill 4410, House Bill 4502, House Bill 4663; do pass as amended Short Debate is House Bill 5514; recommends be adopted is Floor Amendment #1 to House Bill 4226, Floor Amendment #2 to House Bill 5464, House Joint Resolution 78, House Resolution 869. Representative Beiser, Chairperson from the Committee on Transportation: Regulation, Roads & Bridges reports the following committee action taken on March 19, 2014: recommends be adopted is House Joint Resolution 74 and Senate Joint Resolution #46. Representative McAsey, Chairperson from the Committee on Environment reports the following committee action taken on March 19, 2014: do pass Short Debate is House Bill 4227, House Bill 5648, House Bill 5845. Representative Hernandez, Chairperson from the Committee on Consumer Protection reports the following committee action taken on March 19, 2014: do pass Short Debate is House Bill 4759, House Bill 5657, House Bill 5868; do pass as amended Short Debate is House Bill 5891. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on March 20, 2014: do pass Short Debate is House Bill 3777, House Bill 4616, House Bill 5283, House Bill 5288, House Bill 5333, House

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Bill 5431, House Bill 5537, House Bill 5588, House Bill 5707; do pass as amended Short Debate is House Bill 3163, House Bill 3695, House Bill 3937, House Bill 4865, House Bill 5330, House Bill 5397; recommends be adopted is Floor Amendment #2 to House Bill 3724, Floor Amendment #3 to House Bill 3724, House Joint Resolution 83, and House Resolution 850. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on March 20, 2014: do pass Short Debate is House Bill 5522, House Bill 5968; do pass as amended Short Debate is House Bill 2544, House Bill 3765, House Bill 4495, House Bill 4652, House Bill 4773, House Bill 5307, House Bill 5682, House Bill 5925; recommends be adopted is House Joint Resolution 85, House Resolution 418, House Resolution 419, House Resolution 760, House Resolution 793, House Resolution 860. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety reports the following committee action taken on March 20, 2014: do pass Short Debate is House Bill 4561, House Bill 4679, House Bill 4795, House Bill 5325, House Bill 5326, House Bill 5475, House Bill 5504, House Bill 5662, House Bill 5692, House Bill 5872. Representative Zalewski, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on March 20, 2014: do pass Short Debate is House Bill 5704. Representative Nekritz, Chairperson from the Committee on the Judiciary reports the following committee action taken on March 20, 2014: do pass Short Debate is House Bill 3224, House Bill 4204, House Bill 4216, House Bill 4290, House Bill 4442, House Bill 4482, House Bill 4653, House Bill 4782, House Bill 4783,

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House Bill 4784, House Bill 5858, House Joint Resolution Constitutional Amendment #39; do pass as amended Short Debate is House Bill 4320, House Bill 4496, House Bill 5322; recommends be adopted is Floor Amendment #3 to House Bill 2378, Floor Amendment #1 to House Bill 5278, and House Resolution 883. Introduction of Resolutions. House Resolution 921, offered by Representative Bellock. House Resolution 922, offered by Representative Sommer. And House Resolution 928, offered by Representative McSweeney is referred to the Rules Committee."

Speaker Lang: "Mr. Martwick."

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

Speaker Lang: "Please proceed, but let's quiet the chamber down first. Ladies and Gentlemen, let's pay attention to Mr. Martwick. Please proceed."

Martwick: "Thank you. Thank you. Ladies and Gentlemen of the House, I would... joining us up in the gallery, standing up behind there is an often underappreciated and overworked part of our educational system. They've come here to Springfield to talk about the good work that they do. Would you please give me a hand in welcoming the Illinois Association for College Admissions Counselors to the Capitol? Thank you for coming to your Capitol."

Speaker Lang: "Welcome to Springfield. We're happy you're here. Ladies and Gentlemen, on page 5 of the Calendar, under the Order of House Bills-Third Reading, there appears House Bill 2946, Mr. Drury. Please read the Bill."

Clerk Hollman: "House Bill 2946, a Bill for an Act concerning finance. Third Reading of this House Bill."

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Speaker Lang: "Mr. Drury."

Drury: "Thank you, Mr. Speaker."

Speaker Lang: "Wait. Mr. Drury, please suspend your comments.

Ladies and Gentlemen, we have Bills on Third Reading. One of these Bills might be yours. Why don't we keep the noise down and let Mr. Drury proceed? Apparently, no one heard me. Ladies and Gentlemen, why don't we hold the noise down so we can hear Mr. Drury? Mr. Drury, please proceed."

Drury: "Thank you, Mr. Speaker. House Bill 2946 is a very important Bill that I'm presenting to the Members of the House. In a year where we're going to be talking about tax policy, whether we should raise taxes, lower taxes, House Bill 2946 deals with the other end of the equation, paying our bills. House Bill 2946 requires the state to pay its bills within two months of the fiscal year ending. Report after report shows that one of Illinois's biggest problems is putting off its bills until next year and it makes it impossible for Illinois... for Illinois to know what its budget actually is and to... and to appropriate the proper amount of bills. I ask for your strong support of House Bill 2946 and send a strong message to the State of Illinois, to the Governor of Illinois, that Illinois needs to pay its bills and pay them on time."

Speaker Lang: "Gentleman moves for the passage of the Bill. Before we proceed, there's two introductions. First, a former Member of the Illinois House, Gary Hannig, Gary Hannig. And he brought a personal friend along with him, the Governor of the State of Illinois, Pat Quinn. Mr. Sandack on the Bill."

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

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Speaker Lang: "Sponsor yields."

Sandack: "...for a couple questions? Representative, I think many on our side agree fully with sentiment. Help me out with Medicaid bills because that may be problematic within that two-month period. How we going to address tho... that situation?"

Drury: "Representative Sandack, I looked into that. There... there's a couple of things. One, all House Bill 2946 does is put Illinois back to where it was about 10 years ago before all the Amendments and Illinois was paying its Medicaid bills on time. So, I think that that would be the first step that we need to address. If for some reason we can't do that, then we would... we would... there's provisions in the Federal Law that allow Illinois to take longer to pay its Medicaid bills."

Sandack: "Mr. Speaker, I... I can't hear the answers. I know you've been vigilant. Maybe a few more slams, your hands raised."

Speaker Lang: "Well, there's only a few more slams left in this, Sir, but we'll try it."

Sandack: "Maybe throw it."

Speaker Lang: "Ladies and Gentlemen, Ladies and Gentlemen, could we move all private conversation to the rear of the chamber? Let's get through a few Bills. Let's get some work done today, please. Mr. Sandack, please proceed."

Sandack: "Thank you. Representative, I couldn't hear the second part of your answer. I apologize. If you could..."

Drury: "Absolutely."

Sandack: "...throw it out there one more time."

Drury: "Sure. First of all, I just want to make clear that what House Bill 2946 does is it just brings Illinois law back to

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where it originated with Section 25 of the State Finance Act, which it always said that Illinois should pay its bills within two months of the fiscal year ending. Over a long period of time, through budget gimmicks and to try to pretend that we're balancing our budget when we, in fact, weren't, we added on and added on and added on. This just brings it back to where it was and I... Illinois could go back to the old way of paying its bills, paying them on time. To the extent that we find that that's not working, Federal Law allows for extensions of the time to pay Medicaid bills and we could address that at a later date, but I don't anticipate that we'll have that need."

Sandack: "Representative, I couldn't agree with you more about going back in time in many instances, but help me out with something. The Comptroller, right now, reports that in fiscal year '13, 76.2 million in Medicaid bills came in after August and that would be a theoretical lapse in a two-month period. What happens if they just don't have the money?"

Drury: "If Illinois doesn't have the money, the process is already laid out. It's always been there. If the budget ends and Illinois is broke and we didn't budget appropriately, which has historically been our problem, then vendors are going to have to go to the Court of Claims, get a judgment, present it... and present that judgment and then we become a judgment debtor just like any deadbeat and Illinois would have to pay up."

Sandack: "But if they don't have the bills to pay in the first instance, going to court and getting an order, isn't it futile? I mean, Representative, if... just... all that did is ask

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throw another year time period in. Again, I'm with you in spirit and sentiment. I just think the practicalities have some adjustments and some things that we need to be cognizant of because going to the Court of Claims is going to jam up the Court of Claims. And if the state doesn't have the money, it still doesn't have the money."

Drury: "Right. So, I... I think, first of all, I agree with the sentiment of there's a problem here. And Illinois has been punting the problem, and punting the problem and punting the problem instead of addressing the problem. Instead of saying it's futile, we're not going to pay our bills, we need this to be part of the conversation. There needs to be a checkmark in place that says, Illinois, you need to pay your bills 'cause we don't want to overwhelm the Court of Claims. This is a critical part of the formula to talk about tax policy without talking about how much revenue we need or how much we need to cut. It's going to make a lot of debate futile, to use your word."

Sandack: "To the Bill. I agree with the sentiment. I'm going to vote in favor. I just think we better be cog... careful of what we wish for because we may have additional problems, but I certainly agree that we need to send a message to pay our bills. So, I'll be voting 'yes'. Thank you, Mr. Speaker."

Speaker Lang: "Ladies and Gentlemen, we still have six speakers on this Bill. I would ask the speakers to be as brief as they can and I would ask the Members to quiet down. Representative Bellock."

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

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Speaker Lang: "Gentleman yields."

Bellock: "Thank you very much. Again, what the other Representative was saying regarding this Bill, I think it sounds like a good idea as far as the two-month lapse period, but in practicality, we have tried to address this issue when we worked on the Smart Act with the Section 25 or Section 15 was it? And so, in this respect, I think that we are trying to address that issue over a couple of year period, my concern about your Bill, Representative, even though I think it's a great idea looking at it, is that a lot of providers who were trying to help out will end up having to go to court and incur a lot of legal costs after a two-month period. So, that's my concern why I think that this is too narrow at this time, when we're trying to help pay the Medicaid bills, help pay them down. That's why we address Section 25, 'cause that was a huge problem and still is. But in this case, my concern is putting that legal expense on providers who don't meet this lapse period. Thank you."

Speaker Lang: "Mr. Dunkin."

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

Speaker Lang: "Gentleman yields."

Dunkin: "Representative, you brought this Bill here for what reason?"

Drury: "So that Illinois can become fiscally responsible and start paying its bills on time."

Dunkin: "Okay. So, what if we don't have the money in our coffers at the time? I know it sounds good, but what if we don't... simply just don't have the cash?"

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Drury: "I think that that's approaching the Bill from the wrong direction. Everyone keeps saying that we don't have the money, we don't have the money, the reality has been we don't have the money because we keep punting it off so we never try to find the money and it prolongs the problem. This Bill empowers vendors. It sends a strong message to the people of the State of Illinois that Illinois is serious about its budget problems and as we're talking in a year about tax revenue, we can have a real discussion about how much revenue we really need to make sure that our vendors get paid and get paid timely."

Dunkin: "Representative, have you ever tried to get blood from a turnip?"

Drury: "I have not personally, no."

Dunkin: "Okay. If the money is not there and we know about this issue, and with you and others in the chamber here being clear that money's been coming in at a very slow and stagnated rate, how does this help the vendor or the provider or us as a government to give them their money if we simply do not have the money on hand?"

Drury: "I think you raise a good point, Representative, and.. and the problem that we have is that if we're conning vendors into working for us when we know we can't pay them, we have to fix that. And so, to say.. to say that we don't have.. to say we don't have the money isn't a solution. What we need to do is be responsible. We shouldn't have vendors saying I'm never getting paid but I'm going to keep coming back to you for more. This Bill is a step in the right direction towards solving the problem instead of kicking the can down the road."

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Dunkin: "Again, Representative, this sounds good. It's a great sounding philosophy, but we don't have the money. So, here's a question for you. Tell me why our Governor's Office is opposed to this?"

Drury: "I... I'm at a loss. You'd have to ask the Governor that. Everyone should be in favor of the state saying it's going to pay its bills. That's all this... it's all it's asking for. Pay your bills within two... not even pay your bills on time."

Dunkin: "He's here. Should... should we ask him? He's... he's right here."

Drury: "I don't want to put him on the spot."

Dunkin: "Well..."

Drury: "But... but my point is, I think he'll be here on Wed... next Wednesday and certainly, hopefully, this will be addressed. But for us as a state to say that we cannot pay our bills and we will never pay our bills and therefore, that's a reason to not pass legislation that requires us to pay our bills, that sends the saddest message to everybody. To our kids, who we're trying to teach to be responsible with money to say but we can't be responsible with your money and we can't pay our bills on time. We need to end this. We need to have the discussion and this is the perfect time, the perfect year to start having it."

Dunkin: "Okay. Representative, I certainly understand your... your ideology, your philosophy, and every Member here wants to see us be responsible fiscally. The fact is, if we don't have the money and we take another step to go to the Court of Claims, does that make it better for the provider or does it expedite their money faster?"

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Drury: "I believe this Bill, in the end, is going to get vendors paid faster, yes."

Dunkin: "What precedent... you're an attorney, right?"

Drury: "I am."

Dunkin: "I heard you're... you're an attorney."

Drury: "I'm an attorney."

Dunkin: "Tell me what precedent or case law in this state or other places where going to, instead of waiting a little bit past 60 days, compared to going through the Court of Claims, would expedite your money or your payment as a provider?"

Drury: "The precedent I have is... is just economic precedent. When people have requirements to pay their bills, they tend to pay them faster when they don't have requirements. Right now, Illinois doesn't have the requirement, so why would we pay our bills? If you're a vendor and you're coming to the State of Illinois saying please don't pass a bill that requires me to get paid, why would the Governor, whoever the Governor is, say I'm going to pay you on time? You're never going to get paid because you've been victimized. We've been victimizing our vendors for over a decade now. It's time to empower them and give them legislation, give them a reason to have hope that someday we're going to get them paid."

Dunkin: "So..."

Drury: "And this Bill is going to do that."

Dunkin: "So..."

Speaker Lang: "Mr. Dunkin, there's still seven speakers."

Dunkin: "I know."

Speaker Lang: "I did not use the timer, but if you could bring your remarks to a close, Sir."

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Dunkin: "Thank you, Mr. Speaker. Given you're an attorney, what's the time period it takes to file to the Court of Claims and actually get a hearing and actually after that get a claim? What's the process and the time line with that?"

Drury: "Representative, I've never been to the Court of Claims, but in a case like this where it's going to be uncontested, because I don't think Illinois is going to further victimize the vendors by challenging the claim, I think it would be relatively expedited."

Dunkin: "No. Re... To the Bill. Ladies and Gentlemen, this Bill, although it sounds good politically, it makes no sense. If you don't have the money to pay... And by the way, our state has caught up in a good portion of its bills 'cause we put in fiscal reform and we've cut state spending over the last several years. This Bill simply adds to the elongated process or an extended process of being paid as a provider. This does not help vendors expedited. The Sponsor, with all of his good intentions, does not have a precedent where folk's moneys or provider's moneys are expedited or paid faster. It's a simple question of do you have the money or don't you have the money? Is the money coming or do we go to court just for the sake of going to... going to court? Having a provider have... go through an extra step of going to court makes no sense. That's why the Governor's Office is opposed. That's why the Department of Human Services Office is opposed and Family Services because those providers, one, will have to wait an unnecessarily long time if they're going to the Court of Claims and this would actually hurt providers. This... this Bill, although it has good intentions and it sounds wonderful,

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it simply doesn't make sense and it would actually hurt our providers by stretching out their payment because they'll be going through the court process. Thank you. And I encourage a 'no' vote."

Speaker Lang: "Ladies and Gentlemen, there are 10 additional speakers on this Bill. I would like you to try to curtail your remarks. I'm going to use the two-minute timer, but first we'll recognize, without the timer, Leader Durkin."

Durkin: "Thank you, Mr. Speaker. It's not often that I agree with the previous Gentleman who made his comments. We have similar names, sound the same, but we're not going to get into that, but I think his comments are... are on mark. The Sponsor's well-intentioned with this Bill, but what everybody has said, I think this is going to cause more havoc with our providers and put these cases in the Court of Claims where interest will accrue. Well, thank you. Thank you, Representative. I'm going to echo what a lot of the other people have stated that this is a well-intentioned Bill, we want, you know, keep our finances in check, but what goes on with our providers is a little bit different. And I'm afraid that if this Bill passes, it's going to do a disservice to people who are struggling right now with the State of Illinois in getting their bills paid. When you go into the Court of Claims, interest accrues and that comes out of the state as well. So, again, as I said, I know the Sponsor is well-intentioned, but I cannot support this Bill. I think this is not the right direction we should go at this point in the state at this time."

Speaker Lang: "Mr. Bost for two minutes."

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

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Speaker Lang: "Sponsor yields."

Bost: "Understand that... I don't... do you think there's anybody on this floor or are that is actually an elected official in this state that doesn't want to pay our bills on time?"

Drury: "We will see when... when the board lights up."

Bost: "No, no, no, I don't think that's a fair answer, Representative, and the reason I'm saying that is, is because there's many of us that might not agree with this for a completely different reason and the reasons have been explained. That by doing this, you're actually costing those people who we owe money more, because now they're going to have to... to hire attorneys to go to the Court of Claims and... and then use that that way. Now, and... and I could go down a path of saying, well, since you're an attorney, it doesn't provide for your friends so that they can get paid to do this, but really, is there a time, for instance... for instance, I'll give you an example of a constituent. If a constituent starts to play claim bankruptcy, why don't we just put a Bill in place that says, no, they have to play their bills?"

Drury: "Representative..."

Bost: "Should we do that? Should we do that?"

Drury: "...you raise a few good points. I'll answer them all. With respect to bankruptcy, there's actually a procedure where people can force someone into bankruptcy to get paid on the private side. Illinois, as a state, cannot be forced into bankruptcy, so what we've done, is we've victimized our vendors and made them force creditors when they don't want to be. I also think it's important to say we're all approaching this from the wrong direction. We're all saying that

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everyone's going to get in line and go to the Court of Claims because we can never pay them. That it's a sad statement about our state. We should look at this as this Bill should help us find a way to pay our vendors instead of admitting defeat and telling everyone in Illinois there is no way that we're ever going to pay our bills and therefore, this is disastrous. This is a hopeful Bill, not... not a pessimistic Bill."

Bost: "Mr... Mr. Speaker. To the Bill, Mr. Speaker, if I can. My time was just kind of used up. If you just give me a few more min... seconds. Lady... Ladies and Gentlemen..."

Speaker Lang: "Ladies... Mr. Bost, I'll give you a little extra time. Ladies and Gentlemen, really. Let's hold the noise down in here, please, please. We've got Bills to run. Are we just going to do one today? Let's do more than one. Mr. Bost."

Bost: "Thank... thank you, Mr. Speaker. Ladies and Gentlemen, there's a reason why so many are speaking on this. Though... though all of us believe that we should pay our bills on time, there's a saying that is in the rural area that says, basically, you can't get blood out of a turnip. And the reality is, if we're broke... if we're broke, all we can do here is we're going to force those people who we owe a debt to, to go through a greater procedure that will cost them more money if the state doesn't have money. That doesn't mean we don't want the state to pay its bills, it means that there is a commonsense way to handle this. Putting in statutes that we have to pay a bill when we don't have money makes no sense. It only hurts our constituents; it doesn't help. I guess politically it's a great thing to say, but the reality is, is

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the reason why there's so many people speaking on this is it...
is because... because this doesn't make sense."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Sponsor yields."

Reis: "Representative, is this just for Medicaid bills or is this
for all bills?"

Drury: "This is for all bills, which is a good point because the
problem we have is as we've been trying to get our Medicaid
bills paid, it's like whack-a-mole. As that number goes down,
health care costs have not been... been paid on time and... and
other programs. So, this... this says our bills need to be paid
by August 30 of each year."

Reis: "Okay. I know you've been asked several times, but you have
a checkbook that's got a hundred million dollars in it and
you got two hundred million dollars-worth of bills to pay,
how are you, as an individual, going to pay those bills when
you don't have enough cash?"

Drury: "I think, as an individual, I'm going to either get another
job so I have more revenue, I'm going to cut my spending, but
I'm certainly not going to continue to be irresponsible and
either go into bankruptcy or force people to be my force
creditors."

Reis: "Well, I agree with you on your last part of your comments,
there. Ladies and Gentlemen of the House, to the Bill.
Democrats have run this state into the ground for 12 years
and you're going to point your fingers over at us if we vote
'no' on this Bill and say we don't want our bills paid on
time. That is as far from the truth as you can get. What we

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should be saying is why are we even bringing this Bill up? You've been in charge for 12 years and we still can't pay our bills on time. Just remember when you're pointing over at us, you've got three fingers pointing back at yourself."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Thank you. Scott, I... I think we're all inclined to think that the intent of this Bill is... is pretty good, but I think there's some... some simple truths or facts that we have to recognize here, and I would ask you to consider this before you continue running this Bill. First of all, four years ago in a lame duck Session, we passed one of the highest taxes increases in this nation in this Assembly. People who are never accountable passed the highest tax increase in the nation for a state. It brought in about \$27 billion and we're still broke. It brought in \$27 billion, which approximately 10 years ago, 11 years ago, was the budget of this state. So, my question is this. How do you... how do you reasonably think that we can do what you're asking us to do? Mr. Speaker, I cannot hear an answer."

Speaker Lang: "So, Mr. Kay, you see me trying up here, don't you?"

Kay: "Well, you're doing an exemplary job."

Speaker Lang: "Exemplary."

Kay: "Exemplary."

Speaker Lang: "Ladies and Gentlemen, I only have one gavel, if I break it, I don't have another. Can we please hold down the noise in the chamber? It can't be the Governor making all

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this noise. Please, hold down the noise in the chamber. We want to hear Mr. Kay. Mr. Kay, please proceed."

Kay: "Okay. Thank... thank you, Mr. Speaker. So my... my question is, and I don't know that you heard it, Scott, or not, but we had a tremendous influx of money and that money came in within the last four years and yet we have made zero progress, zero progress. In fact, some would say, from an accounting standpoint, we're worse off today than we were four years ago. How do we do what you want us to do?"

Drury: "So, I... I think that's a great question, Representative, and I think the way we do that is we don't just deal with tax policy on one side of the equation. We also need to deal with what is the revenue for. It's to pay our bills. We forgot to do that when we... when we implemented the tax increase. As we're going into a season of talking about tax policy, it would be ludicrous to not to have this be part of the conversation. This is not a political argument. This isn't about being on the right or being on the left. This is about what the people in Illinois want from all of us and it's about fiscal responsibility, which is, I think, something we should strive for. I think it sends a horrible message that a lot of the comments are admitting defeat that we will never pay our bills and therefore, we will never pay our bills. We got to get out of that rut and we got to do something. We need a kick-start and this Bill is the kick-start we need."

Kay: "Well, let me... let me just... and you're right. It is a horrible message, that we sent that message 12 years ago, maybe longer. In fact, it started in 1999, if you want to look at it historically. But let me ask you this."

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Speaker Lang: "Mr. Kay, your time is expired."

Kay: "As a practical mat..."

Speaker Lang: "Can you bring your remarks to a close, Sir?"

Kay: "I... I will try, Speaker. Thank you."

Speaker Lang: "Thank you."

Kay: "I was... I was having a hard time projecting earlier. As a practical matter, Representative, would you not say that if we vote 'yes' for this Bill, we're also voting 'yes' for a tax increase?"

Drury: "I think Illinois will have to take a long look at its real finances and see where the numbers are. Right now, all the data I get from COGFA, no one knows what our budget really is, and until we pass a Bill like this and know what our budget is, we can't really talk about tax policy."

Kay: "Let me ask the question one more time. If, indeed, you vote 'yes' for this tax, regardless of what the Governor's done, regardless of what COGFA says, we're actually voting for a tax increase. Is that not correct?"

Drury: "I can't agree with that 'cause I don't know the actual numbers because the budget right now is a mystery."

Kay: "I would agree with that. On more comment and I'll close, Speaker. I saw Representative Reis rise and he asked you about whether or not this was to pay all our bills and you said it was. And I saw the Department of Health Care and Family Services was opposed to your proposition. And I would say this, if you really want to dig in and work hard, you can find enough waste and mismanagement in that agency in and of itself to start doing what you want, but until we do that, this is a flawed thought. It's a good thought from your

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vantage point or trying project a different image, but as a practical matter, you simply can't do it because we have agencies that are out of control, run by middle managers, and that's a shame. I... to the Bill. Mr. Speaker, I would... I would encourage... encourage anyone who's looked at the numbers for the State of Illinois not to vote for this Bill unless you're prepared to vote for a huge substantial tax increase. Thank you very much."

Speaker Lang: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Bill. First of all, I believe the department is still opposed to the Bill. And if the Sponsor would indicate yes or no simply with a nod of his head, is the department opposed to the Bill?"

Drury: "They still are."

Harris, D.: "The department is opposed to the Bill. You know, the... the Sponsor made a good point. Maybe we're looking at this from the wrong angle and we may very well be. The difficulty is not so much money that we have left at the end, but rather what do we appropriate? And if we spend more than what we appropriate, we're not going to have the money to pay the bills that we have to pay. And that's what this state did for a whole bunch of years. We spent much more than what... what we appropriated and therefore, we didn't have the money to pay the bills that we have to pay. Now, we've gotten that under control a little bit, but the problem with Medicaid is this; we... we can appropriate x number of dollars to Medicaid, but we can't control what our bills are because Medicaid is an entitlement. So, if we appropriate 15 billion, the bills

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may come in at 16 billion. And what happens to a Medicaid provider if after two months they don't get paid and it goes to the Court of Claims? The one Legislator answered.. asked the right question. How long does it take to go through the Court of Claims? Guess what? It's not expedited. It's going to be 12 or 13 months before that provider gets paid. A great intention on this Bill, perhaps, but I think in reality it does more harm potentially to those people, to those vendors that are owed dollars, it does more harm than what the Sponsor intends. And I would urge a 'no' vote."

Speaker Lang: "Mr. Hays."

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

Speaker Lang: "Sponsor yields."

Hays: "Representative, what happens from a pragmatic standpoint when the bill that's been incurred by a citizen is caught up in some kind of a dispute, so it's not a clean bill. So now there's a back and forth between HFS and the provider, perhaps there's a dispute over who is the primary and who is the secondary insurer. These are examples that are very, very commonplace, unfortunately, in the health care world. How does your Bill impact that dynamic that's kind of a day-to-day exercise for providers and HFS?"

Drury: "The... the Bill is very straightforward, Representative. Illinois can pay bills throughout the fiscal year and we actually give you 14 months, you have until August 30 to pay the bills. Illinois, if it wants and if it's responsible, can have a reserve fund for these conflicts that come up. Right now, we don't because we don't have a reason to build up any reserves because we just don't pay our bills. That's how we

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choose to make the vendor the reservist. So, all this does is make us more responsible for when those claims come up and then we could actually pay the bills on time and anticipate these disputes and not be putting out fires day after day like we currently are."

Hays: "Thank you. To the Bill. As many other speakers have stated, as Representative Harris very eloquently laid out just a moment ago, I am totally in favor of this concept. I think it is a very positive step towards getting our fiscal house in order. I think it's a step that every household and business, large and small, take on a day to day basis. But I do have some concerns about the practicality of, particularly with our health care providers in the Medicaid system, some of those items that do take place on a day-to-day basis that's going to make it much more onerous on the provider, who's already, in some cases, in a wrestling match with HFS and others to get paid. This could make it even worse, requiring them to go to court to get paid. So, I do want to register those concerns and I look forward to listening to the rest of... of the debate. Thank you."

Speaker Lang: "Mr. Davidsmeyer."

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

Speaker Lang: "Sponsor yields."

Davidsmeyer: "I'm looking at this, and I joined you as a cosponsor of this because I agree... I agree with the concept. The state should be paying our bills. My concern is that we're pushing off the burden of us not paying our bills, we're pushing that on to private citizens, not-for-profits, things of that sort who are not going to be getting paid. If we don't have the

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money, we're not going to be getting paid. It's going to be going to the Court of Claims. So, we're encouraging them to take on additional costs that frankly, right now, not-for-profits cannot afford. How... how are we going to do this to them?"

Drury: "So, again, you know, I... I disagree with the approach that we're taking, which is Illinois is never going to get its act together and is never going to pay its bills. The purpose of this Bill is to put Illinois on the path towards fiscal responsibility. There's a COGFA report that just came out that says Illinois's financial problems were created over decades of fiscal mismanagement. And it's because we can't track our budget. It says our... we have convoluted accounting practices and we use budget maneuvers such as putting bills off until the following year to obscure the truth. This Bill stops that practice of obscuring the truth, allows us to be honest with our vendors, be honest with our state and pay our bills and pay our vendors and ultimately get them paid on time, as we should be doing. Right now, the debate on the floor and... and I think it's a good one, it's upside down. We should all want to pay our bills and we should all say how can we do it? If we don't have legislation that requires us to pay the bills, we're never going to do it. History has shown us that. The time is now."

Davidsmeyer: "Yeah, I think... I think everybody on the floor here wants to pay our bills, but there's realities involved. Earlier you spoke of a, you know, a fund to throw extra money into just in case, you know, for the cases of Medicaid issues where, you know, the... the first insurer, second insurer,

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things of that sort. How do we create that fund when we can't pay the bills we already have?"

Drury: "We need to implement methods of fiscal responsibility. Right now, we're out there floating at sea without a sail, without an oar. We have reports that are coming out that say that putting off bills is obscuring the truth. We cannot start building a Rainy Day Fund, we cannot start being responsible until we have transparency in our budget. It's published. We don't have it. This Bill will give us the transparency we need to start paying our bills and put Illinois on the path where we all want to go. For people to say this isn't the right time, if not now, when?"

Davidsmeyer: "I... I don't know that we're necessarily obscuring the truth. I mean, we can look... we can go to the Comptroller, we can see how many... how many billions of dollars of unpaid bills we have on the books. So, I don't know that we're obscuring the truth. Mr. Speaker, to the Bill. I am a cosponsor of this in concept, as I said earlier, but this is not fiscally responsible for the state. It's pushing additional burdens on to private citizens for the mistakes that we have made here in Springfield. We need to make sure to pass commonsense legislation that reforms how we spend, not put additional burden on... on the citizens. Thank you."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker, will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Reboletti: "Representative, did you vote for the budget last year?"

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Drury: "I passed two major budget Bills last year and was on appropriation..."

Reboletti: "No. Did you vote for the actual budget to run the State of Illinois last year?"

Drury: "I voted for parts of it."

Reboletti: "You voted for parts of it?"

Drury: "Parts of it."

Reboletti: "So, did you vote for the... the additional \$2 billion in spending that didn't go to pay for Medicaid bills? Do you remember that portion, Representative?"

Drury: "There was one portion early on in the year that I actually voted against, the supplemental spending Bill. I don't know if that's what you're speaking of."

Reboletti: "That's not the one. It's the budget at the very end. So, earlier today, you were talking about, in Judiciary, that you were concerned about overburdening the courts with a... some civil remedies. Are you concerned that there may be some issues with overburdening the Court of Claims when thousands of people have to go there for relief because of the lapse issue?"

Drury: "I believe that the state will be responsible and we're not going to have those problems except for maybe one year. And if, in fact, we're so concerned that there are so many vendors that don't get paid that it's going to overburden our courts, that is the best argument in favor of doing this Bill, so that stops."

Reboletti: "And so, what happens if... if it doesn't make the two-month lapse period? What happens then? Explain to me what happens to the bill itself."

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Drury: "The vendor is going to have to go to the Court of Claims and get a judgment against the State of Illinois because Illinois is a deadbeat, nonpayer."

Reboletti: "It's a deadbeat, nonpayer and so then we'll pay interest from the two-month period, correct?"

Drury: "Yeah, we're paying interest anyway."

Reboletti: "Right..."

Drury: "And..."

Reboletti: "...but in six months. So, the fact of the matter is, is this... Where's the money going to come from? Are you voting for the progressive income tax or an income tax hike? Have you made that decision yet to pay the bills?"

Drury: "I haven't seen any specific Bill on that, so I can't tell you what I'm voting for."

Reboletti: "Do you support a tax increase? Do you support the progressive income tax?"

Drury: "I support paying our bills."

Reboletti: "I'll take that as a nonanswer, which would mean you're not for that, you're not for the additional revenue. Mr. Speaker... Mr. Speaker, I'd ask for a verified Roll Call if this Bill were to sustain a Constitutional Majority."

Speaker Lang: "Mr. Reboletti requests a verification and that request is honored. Representative Ives."

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

Speaker Lang: "Sponsor yields."

Ives: "Mr. Drury, is this Bill even possible? I've been... I was talking with Representative Bellock and she seems to think with the Medicaid expansion and Obamacare expansion, that

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we're not even... it's not even possible to actually enact this legislation."

Drury: "It's very possible. We just need 60 votes."

Ives: "The other thing I was wondering about is we understand that providers hold bills to do what they need to do, our agency itself holds bills. What's the average duration that they hold the bills prior to paying it?"

Drury: "You'd have to check with the Comptroller. I don't have that exact data."

Ives: "So, if our agency is actually holding bills so that they can maybe possibly detect fraud, but of course, we know that there's no fraud in our Medicaid system, right?"

Drury: "I always hear everyone say there's waste, fraud and abuse and if it's there, then we should be going after it."

Ives: "Sure. So, we know that there's actually a lot of fraud in our Medicaid system. So, is it possible that they're holding these bills at the agency past two months to maybe detect some of that fraud?"

Drury: "I don't know what they're doing. I know that we don't have the money to pay the bills. If they're coming up with reasons for holding bills, that's fine, but I also know even if they weren't, we're kicking off bills by statute 6 months... or 12 months and it's unacceptable. The time is now to stop that practice."

Ives: "I absolutely agree with you. So, what happens if a bill comes in on the last day, like June 29 and it just... it can't get through the process in time? It has to be paid by the end of August?"

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Drury: "It's got to be paid by August 30. And I want to remind you that this is what the law in Illinois was before we started tinkering with the budget when we got in trouble. Section 25 used to be a very short thing. The fiscal year ends June 30, pay your bills by August 30. That was... that was the Bill. It's now 20 pages long with all these exceptions to it. We're just bringing it back to where it was and the state, at some point, was functioning and we were paying our bills and the Courts of Claims weren't filled with claims. So it's possible. It's... it's happened. We've become so backwards that we now think that we can't do what every other citizen in the State of Illinois is required to do, which is to timely pay their bills."

Ives: "I understand and I think this is... you have really good intentions with this Bill and I absolutely appreciate that. I would be interested in knowing how many... how much of the Medicaid... how much of the problem with the back bills is Medicaid and whether or not you took into account, as Representative Bellock spoke, about the Medicaid expansion. Do we know how much that is really going to cost us? Did you run across any of those numbers in your research?"

Drury: "I know that Medicaid is getting better because we addressed it through the Smart Act. But what the problem was, is as we addressed Medicaid, we started putting off bills for health insurance and for some of the... some of the other social service providers. So, as we try to make one thing better, we make one thing worse and that's why we need strong legislation that tells the state you can't do that. You got to pay your bills and you can't just keep putting it off to some other

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place where no one's going to see it until they do. Otherwise, we're in a perpetual... we're a rat in a cage."

Ives: "Okay. Just one last question. This deals with providers. Did you... did any providers actually come to you and say that they think potentially this would put them out of business because they don't get paid already and they just don't foresee being able to stay in business and go to the Court of Claims to... to recoup that money? Has any provider come to you and said stuff like that?"

Drury: "I've had providers come to me with concerns and we've had the same debate. And what I've been telling provider after provider, I said it is a sad state of affairs when there's legislation geared towards getting them paid timely and they've been so victimized for so long that they're scared to get out of that relationship."

Ives: "Okay."

Drury: "And no one..."

Ives: "Yeah."

Drury: "...no one has told me, though, that they would go out of business. They said they have concerns about it, though, yes."

Ives: "Okay. Thank you very much."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, this Bill, which committee did it come through?"

Drury: "State Government."

Franks: "And how was it received in that committee?"

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Drury: "The Bill was well-received. A bunch of chief cosponsors, including some of the people who've spoken against it today, were added on at the time of the committee hearing."

Franks: "I was in... I was interesting to hear that some of these arguments from people who are sponsoring the Bill. I don't understand how that's changed."

Drury: "I think..."

Franks: "Let me ask you this. Do we have a requirement under our Constitution to have a balanced budget?"

Drury: "We do."

Franks: "Okay. But I know we're supposed to get a... the government's... the Governor's supposed to give a Budget Address next week and when he gave the State of the State last month, he was almost giddy about the fact that we were only \$8 billion behind in bills or \$6 billion behind instead of the \$10 billion behind. Do you recall that?"

Drury: "I recall that."

Franks: "So, it was almost like he was asking us to codify through his budget that we were going to be breaking the Constitution by continuing to deficit spend. Would you agree? That's... that's how I took it anyway."

Drury: "Well, I would in part. I mean, the balanced budget in Illinois is a tricky thing. It just says your expenses need to meet your anticipated revenue. And as a professor told me, who talks about the budget in Illinois, he said the first day of class, he tells his students this story. I'm going to teach you all how to be millionaires. On day one of the year put a million dollars on the balanced side and spend and see how you are at the end of the year. And if you're in the hole,

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just say I didn't meet my anticipated revenue and then you would be the State of Illinois."

Franks: "Only on steroids, because change those millions to billions and it's not just one it's many billions. We're... we're the worst funded state in the nation, aren't we?"

Drury: "I think so."

Franks: "We are the lowest credit rating in the entire nation. Isn't that true?"

Drury: "I think that's right."

Franks: "We have the worst funded pension system in the entire nation. Isn't that correct?"

Drury: "I think it's getting better."

Franks: "We have the second worst unemployment in the entire nation. Isn't that correct?"

Drury: "I recently read that."

Franks: "Yes. No, we're second. We... I think we overtook Nevada. So, we have all these terrible things happening fiscally and you come forward with a Bill to say, listen, we have our bills and we have to pay them. We have to pay them. That's what the Bill says, right?"

Drury: "That's what the Bill says."

Franks: "So, we're saying we're going to pay the people who provide services in the State of Illinois, correct?"

Drury: "That's the hope."

Franks: "And we're requiring now, instead of having people give the state basically an interest-free loan, we're going to hope that we pay them in a timely basis so they don't go out of business. So, we change... so, we're not going to be sending more businesses out of this state."

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Drury: "I'm hoping they'll use the money that they have to invest in their businesses and maybe hire more workers."

Franks: "Also, wouldn't this have an ancillary benefit in that we will lower the amount of interest penalties that we are paying, which is in the hundreds of millions of dollars right now, because when we don't pay our vendors, we have to pay them one percent interest penalty per month?"

Drury: "Correct."

Franks: "So, this could save the state an additional two to three hundred million dollars a year."

Drury: "That would be the long-term benefit."

Franks: "I don't understand the opposition to this. It may... you may not like the fact that we have to pay some dough, but the fact is, we need to be fiscally responsible. We need to pay our bills. We need to cut our interest expense. Everybody should be voting for this Bill. If you don't like the revenue side, that's a different issue. If you want to vote for a progressive income tax, be my guest. I'm not going to do that. But this is not about revenue, this is about paying our bills. We have a fiscal responsibility to our providers to pay them. We also have a fiscal responsibility to the citizens to stop running up huge deficits. We have to stop what we're doing. This Bill is a first start towards that. Forget the revenue issue, that's a different Bill. This is about paying our obligations. A vote 'no' is an irresponsible vote. You need to vote 'yes' on this Bill."

Speaker Lang: "Mr. Dunkin, your name was not used in debate. You've spoken on this Bill, previously."

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Dunkin: "That is correct. I just want to ask a point of clarification. Was there a verification asked on this here?"

Speaker Lang: "Yes, Sir."

Dunkin: "Thank you."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. As a lot of Representatives have said, this idea sounds good. Representative Franks just enumerated on that. But what I have said, and you know how much a lot of us have worked on Medicaid reform and paying our bills down, I've devoted the last two years to that issue and to scrubbing the rolls and making sure that there was no waste and fraud in the system so we could pay our Medicaid bills and take care of the people who need this poverty... the low-income group who needs the security of the health care to... so that our system wouldn't implode. In this case, in the Smart Act, we addressed the loophole in the Section 25 so that no bills could be pushed into the next year. If you implement this Bill along with what was already implemented, it can't work. And the people who will be hurt the most in this issue will be the providers. Take a look at it. You are limiting... everybody in this room probably has a hospital bill, a doctor bill or a nursing home bill that is over a 60-day payment because it wasn't a clean bill. In your Bill, if that bill is not paid within 60 days, those people, those providers or HFS, the State of Illinois, will have to incur the cost of legal action and go to the Court of Claims. That is the point on why there's a concern on this Bill. Because with that loophole being closed and with your Bill, that will push providers who have suffered

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for the last five years in not getting paid, it will put another legal expense on them and incur more costs to people who are providing the services to the Medicaid population that most deserve those services. Thank you."

Speaker Lang: "Mr. Drury to close."

Drury: "Thank you, Mr. Speaker. I've heard a lot of arguments for the Bill and against the Bill. The arguments against it are stunning to me. They are self-serving, trying to protect... We were talking, well, we may need to raise taxes, we may need to raise revenue. Those are arguments to protect us here in the General Assembly. House Bill 2946 is a Bill to protect the people of Illinois, to let them know that we are on the right track. To hear comments, and I wrote some down, your Bill, to require Illinois to pay the bills is not a step in the right direction. How could it not be a step in the right direction to have Illinois pay its bills? I heard... we all believe we should pay the bills on time, but it's impossible. Illinois can't do it. Well, if that's the case, what are we doing here? What are we doing here? I heard I'm in favor of the concept. The concept is simple. Pay your bills. This is our prime opportunity to show the public that we care, that we're responsible, that we're going to take care of both sides of the equation. We're not just going to look at revenue this year, but we're going to look at where that revenue needs to go, because everyone keeps saying we had the highest tax increase in the history of Illinois and our bills didn't go down. Well, this part of the equation will stop that from happening. A vote 'yes' for this Bill is a vote for fiscal responsibility. The plain truth is, a vote 'no' is a vote for

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Illinois to continue on its path of destruction and is a vote against the people of Illinois. I ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. Mr. Reboletti has asked for a verification. Members will be in their chairs. Those in favor of the Bill who... 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? Bost, Evans, Kay, Reis. Please record yourselves. Mr. Bost, Mr. Reis. Please take the record. On this question, there are 50 voting 'yes', 58 voting 'no' and 3 voting 'present'. Mr. Reboletti, do you persist in your request? Mr. Reboletti withdraws his request. Mr. Drury."

Drury: "I'd like to Postpone Consideration of this, Mr. Speaker."

Speaker Lang: "The Bill will be placed on the Order of Postponed Consideration. Next Bill is House Bill 3635, Mr. Davis. Please read the Bill. Excuse me, Mr. Clerk, before you do that, I made a couple of commitments up here. The Chair recognizes Mr. Ford."

Ford: "Thank you, Mr. Speaker. Order of... point of personal privilege, please."

Speaker Lang: "Please proceed."

Ford: "Mr. Speaker and Members of the House, I would like to recognize an organization that does so much for society. I believe we all have organizations in our community that we probably couldn't live without. And so, we have the West Cook Y here and Welch and Lily, we would like to welcome them. We have Dave, the Chief Operating Officer; we have Stacy, the Director of Resource Management. And we also have Roberto,

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he's the board member. So, please join me in welcoming the West Cook Y. Thank you for coming to Springfield."

Speaker Lang: "Thank you for being here. Thank you for joining us. Chair recognizes Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker. And a brief point of personal privilege."

Speaker Lang: "Proceed."

Harris, D.: "Thank you. Ladies and Gentlemen of the House, if you'd join me in welcoming the John Hersey High School debate team. They took second in the state last... last week and this week, they're at the University of Illinois, Springfield, to compete in the international, excuse me, individual competition, from Arlington Heights. And thank you for being here."

Speaker Lang: "Happy you're with us. You can probably show us a thing or two down here. Mr. Thapedi. Mr. Dunkin."

Dunkin: "Point of... point of personal privilege."

Speaker Lang: "Proceed please, Sir."

Dunkin: "Ladies and Gentlemen, if you could put your hands together and give a warm welcome and round of applause to the American Congress of Obstetricians and Gynecologists, the Illinois section. They're here visiting us. They are... stand up, don't be shy. I think they're behind me. But let's welcome... give them a warm Springfield welcome. Thank you."

Speaker Lang: "Thank you, Mr. Dunkin. And now Mr. Clerk, House Bill 36... excuse me, 3635, Mr. Davis. Please read the Bill."

Clerk Hollman: "House Bill 3635, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Mr. Davis."

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Davis, W.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, House Bill 3635 is a Bill that we've been negotiating, for a little over a year, with members of the utility industry. What we're attempting... trying to do is, to create a collaborative process for assisting utilities to achieve their voluntary supplier diversity goals. This Bill does not in any way impose on them or their comp... or impose on the company or... or invest the commission with greater regulatory... regular... regulatory authority, excuse me, over the utilities. Instead, it requires the commission to establish an annual workshop, which is open to the public, where utilities, advocates and experts can discuss the state of supplier diversity and work to find solutions to the barriers that keep the numbers lower than all parties would like. The current report is two years old and currently, law only requires utilities to report their actual spend, in both dollars and terms... in dollar terms and in percentage terms. This law expands and clarifies what is to be included in the report with provisions, such as an explanation of the plan for the next year to increase participation, an explanation of the plan to increase their goals, the areas of procurement each company shall actively seek more participation in the coming year, an outline of the plan to alert and encourage potential vendors in the area to seek business from... from the company, an explanation of the challenges faced in finding potential vendors, a list of certifications the company will recognize, the point-of-contact for any potential vendor who wishes to do business with the company. These provisions show the purpose of the Bill. Again, we recognize that supplier

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diversity can be difficult. We encourage those utilities who already run some of the nation's best voluntary supplier diversity programs, and we aim to help keep them successful. So, that is essentially the gist of the Bill. Be more than happy to answer any questions."

Speaker Lang: "Gentlemen moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Cavaletto, Ives, Kay, Zalewski. Mr. Zalewski. Please take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3721, Representative Osmond. Please read the Bill."

Clerk Hollman: "House Bill 3721, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 3721 deals with having a ski flag on your boat, and when you raise the ski flag when a skier or anyone is being towed in the water. I know of no opposition. And my Amendment cleared up the request of the Department of Natural Resources."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Hays, Smiddy. Mr. Smiddy. Please take the record. On this question, there are 109 voting 'yes', 4 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3754, Representative Chapa LaVia. Please read the Bill."

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Clerk Hollman: "House Bill 3754, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speakers and Members of the General Assembly. This would initially take the Charter School Commission and put it back underneath the responsibility of the State Board of Education. I'll take any questions."

Speaker Lang: "Lady moved for the passage of the Bill. The Chair recognizes Mr. Sandack."

Sandack: "Representative, can you help me out with the... the rationale and logic behind this movement?"

Chapa LaVia: "There is no logic. No, I'm joking. So, a lot of stuff that happen to do with Charter School Commission, you know, the forming of that, and I voted for the original Bill. I think there was a lot of stuff that was left out of the committee itself. There's a lot of issues with where the funding's coming from. There is no... no legislative oversight. I've been working and talking with the Commission and the chairperson. There's possi... I'm sure there's room on the other chamber to start some negotiations, where maybe we don't have to do this, but we have to do this in order to get people to a table to talk about what it should look like. But right now, the Commission itself is made up of members that are all procharter. There is not one person on there that has to deal with anything with ELL, special ed. There's no Legislators. So, in this last year they've written, as we would say, legislation in statute, how to reauthorize Charter Commissions. There's dollar issues, where we don't even know what money comes in from non-profits, and this is a board

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that we've given a lot of power to with no oversight. If somebody... if a charter is denied by them, they can't even appeal at ISBE. So, even if they want a charter, they can't even appeal at ISBE. So, there's a lot of issues that we need to get back under the dome so we can help see how we can... we can go forward to make sure we have phenomenal charter schools. 'Cause we have great charter schools, we have some great charter schools, but we have some issues with the way the board is formatted. So, at this time, this is what we're dealing with. So, we're going to take it and kick it over to the Senate and work with Senator Lightford, maybe and maybe something will come back in Concurrence looking a little different. But at this point, this is the only vehicle we have dealing with this issue at this time."

Sandack: "All right. That was a very elaborative and extended answer and I am thrilled with it. But here's what I'm really going to ask, Representative. What exactly is driving this? Because you talked about some problems, some lack of oversight, and some other vagaries, but isn't that something you can work with those folks on, rather than getting rid of the... the board?"

Chapa LaVia: "Well, right now, not at this point, not at this point. Like I said, we're... where we are in the system, this is the Bill we have going and if the future looks like something different, it looks like something different. ISBE... it, you know, with this Commission, like I said, there... there is no oversight by us. So, they could be doing... we don't even know what they're doing. Okay, right now, Representative. So, we need to get it back under the House. We're in charge of

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educating the kids in the State of Illinois. That's our responsibility to ISBE. I used to be the Appropriation Chair for Elementary & Secondary, now I'm the Policy Chair. The State of Illinois is responsible for educating its kids, so we need to make sure that that committee falls under somewhere in the scope of us so we make sure we're doing what we need to do. Okay. So, that's why we're at where we're at."

Sandack: "To the Bill, Mr. Speaker. With all due respect in deference to the passion of the Sponsor, I think this a horrific de... idea. I'm asking people to vote 'no' on this. The fact of the matter is, there was a very genuine moment in the elaborative response to the first question, which was there are a lot of great charter schools. That didn't happen in a vacuum, but under the current structure and paradigm. And it seems to me that this notion of this is the best we have, this is the vehicle we have, we ought to do something, we'll send it to the Senate, maybe come back, is everything that's wrong with legislating. Let's... let's utilize good process. We're still early in the Session. This is a 'no' vote, and an easy 'no' vote, and I'm asking my colleagues to take that 'no' vote. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Sponsor yields."

Sullivan: "Representative, on your Amendment, on page 8, you talk about standards and procedures of the Commission in effect on the effective date of this Amendatory Act shall be deemed standards and procedures with the state board and remain in effect... and this is where I want you to... to answer... remain in

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effect until amended or repealed by the state board. Can you further elaborate what that would mean in regard to this Commission and the duties and responsibilities of the Commission once it goes to the state board?"

Chapa LaVia: "It's... it's just putting the powers back under the state board, Representative Sullivan. That's what it does. And just so you know, difference to my last colleague, those charters were doing fine before this Commission was put together. They only approved two that they actually get dollars from in that Commission. And we don't even know how that's working out because we're not in control of that. So, Representative Sullivan, what we're doing is making sure that we go back to where we were, where the State Board of Education did allow those charters to exist. So, it's just giving all the powers back to the State Board of Education, who is the main department in the State of Illinois for educating children, in the State of Illinois. So, we're just doing it..."

Sullivan: "So, Repre... so, Repre..."

Chapa LaVia: "...back. We're just giving it back to where it was."

Sullivan: "So, this Charter Commission has made policies and standards on how to work the charters, what they should be doing. Under your Bill, now, when it goes back to the state board, the state board now has authority to change those policies and procedures established by the Commission prior to it coming back to the state board. That's... that's what's going to happen."

Chapa LaVia: "Correct."

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Sullivan: "Okay. Second question, going down your Bill, all the resources dedicated to this state charter, where are the moneys that are part of the state charter going to go to?"

Chapa LaVia: "The Special Purpose Fund under ISBE."

Sullivan: "Can you elaborate what the Special Purpose Fund is for?"

Chapa LaVia: "It... special purposes, no. I mean, well it... they use it for clerical. They use it for... because this doesn't fall under the traditional schools they by... you know, I don't know. We don't have a clear..."

Sullivan: "So, would... it's possible that the Special Purpose Fund could be used..."

Chapa LaVia: "We can get that information for you."

Sullivan: "...for things other than charter initiatives."

Chapa LaVia: "No, that wouldn't be my intent. If they received those dollars, those dollars, we would, you know, we would... the intent is, if that money's coming from the school district to provide resources for that charter that they decide to authorize, then we are expecting those dollars to be used appropriately."

Sullivan: "You're... you're expecting those dollars to be used appropriately. Okay. Thank you. To the Bill, first of all, Mr. Chairman, should this receive the requisite votes, I would like to verify the Roll Call."

Speaker Lang: "Your request is acknowledged, Sir."

Sullivan: "Thank you. Ladies and Gentleman, this is the dema... we're trying, in essence, through this Bill, to dismantle charters and the Charter Commission. By sending this to the state board, they now will have the authority to change the

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laws, change what they've been doing to push charters forward. We're going to entrust that the moneys that's supposed to follow the charters are going to stay with them, but it's going into an unknown Special Purpose Fund. And so, I think that moneys are going to be swept, be used for other things, and we're not going to have a true charter system in Illinois. Please vote 'no'."

Speaker Lang: "Representative Williams."

Williams: "Thank you. To the Bill. I'm going to vote in support of this Bill. And although Chicago Public Schools does it a bit differently with regard to charters, I think there's a couple important things to do and to keep in mind here. We always legislate piecemeal, whether it's on education or a lot of other issues, but I think, with regard to charter schools, it's important to look at charter schools, our neighborhood schools, our local public schools, under one roof in a consistent, efficient manner rather than separating out charter schools. We hear the arguments all the time. These are just public schools. Well, there is a place for charters, but I think we need to reevaluate charters and... and look at charters, and how charters are approved in the context of public education generally, not as a separate category. And again, I know this a little bit different than what we do in Chicago, but in Chicago, charter schools have really evolved in terms of what they are. They're not necessarily how we originally felt, originally created charters to be. So, because of that, I am in strong support of the Lady's Bill and would urge you to do the same."

Speaker Lang: "Mr. Mitchell."

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Mitchell, C.: "Thank you, Mr. Speaker. To the Bill. So, look, I understand that there is concern about our school system more broadly. I certainly understand the Sponsor's intention, but it's important to remember here how this Bill came to be. It was passed with overwhelming support and in part, it was to avoid a situation where, for political reasons, there were high quality charter applications that were denied at the local level because of fear of reprisal from certain interest groups. And the idea was we needed an overhead hammer that would say if indeed things are denied for political reasons, high quality applications that actually offer choice to kids, that there should be something that would say you can't do that, you can't circumvent the system. That's the whole point of this Commission, which, once again, was passed with broad, bipartisan support and I think not a single 'no' vote. So, it's my concern that the same interest groups are pushing for the same reason and we ought to consider that ultimately, this is all about kids. It's all about high quality options for kids, whether they're charter or traditional neighborhood schools. I would urge that people consider that and vote 'no'. Thank you."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. I rise in strong support of this Bill today. This is not a question of whether we are procharter or anticharter. This is about whether we, in our communities, should have the ability to determine what the best way to educate our children is. When my kids don't like the answer they get, they don't get to go to their other parent. This is local communities that want to determine the

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direction that their educational system should take, should be able to do so. In most of these communities, it's an elected school board. If there are... if people don't like the direction the school board is going, they get to elect a different school board. I... I believe that this is timely, it is appropriate, it is the right vote. And I strongly urge a 'yes' vote."

Speaker Lang: "Mr. McSweeney."

McSweeney: "Thank you. With all due respect to the Sponsor, this is a bad idea. This is an attempt to kill charter schools. The current Charter School Commission is working fine. Let's support charter schools. I urge a 'no' vote on this legislation."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Mr. Speaker. So, with all due respect, I'd like to ask the Sponsor a question. So, Representative, I unfortunately had stepped out to talk to some constituents and saw there is an Amendment on the Bill and just wanted to be sure that I understood what the... is this the Amendment we're considering? That is..."

Chapa LaVia: "Sure, what it does... a couple years ago we created a Charter School Commission that's comprised mostly... almost all, except for one person, they're all procharter. The issue is over the last two years, there's been a lot of complications as far as lawsuits against charter schools that don't serve ELL and special needs community children because there's not a lot of... we didn't put a lot of meat on the bones for them when... when we started charter schools. So, now the Charter Commission comes in and they're allowed to do certain..."

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different things that our traditional schools don't, okay. So, what I'm trying to achieve here is to put this back under the responsibility of the Board of Education, which is the body and us, that are responsible for educating the kids in the State of Illinois."

Harris, G.: "So, in essence, Representative, what you're doing is... yeah... we created a process that tried to get the maximum amount of local control to our local school entities and now, you know, we've created an additional bureaucracy that supersedes that in some cases. And you know, this seems to me to be an unnecessary step, and as we're looking to cut the cost of State Government, to eliminate unnecessary bureaucracies..."

Chapa LaVia: "Right."

Harris, G.: "...to save all the money we need and to return control of these decisions back to the communities where they most belong. Is... is this what you're trying to do?"

Chapa LaVia: "Yeah, basically, that's exactly what it is."

Harris, G.: "Well, Ladies and Gentlemen, I can't see what's wrong with this. Is... you know, we... we are trying to slim down our government to eliminate unnecessary bureaucracy. We're trying to return control to the local level, so that parents and school districts can make appropriate and good decision for their kids. And this seems to be a very good piece of legislation to help do that. I would suggest an 'aye' vote. Thank you."

Chapa LaVia: "Thank you."

Speaker Lang: "Mr. Ford."

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

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Speaker Lang: "Sponsor yields."

Ford: "Representative Chapa LaVia, are you the chair of Education?"

Chapa LaVia: "I am the chair of Education for Elementary & Secondary Ed."

Ford: "And you have a great committee."

Chapa LaVia: "I do. Thank you."

Ford: "Can I ask you if you support charter schools?"

Chapa LaVia: "I do support charter schools."

Ford: "All charter schools?"

Chapa LaVia: "Most of them that are doing a phenomenal job with their kids in the State of Illinois. The other ones, we have no idea because we don't have the ability to dissect some... certain data. But I've worked with Kip Kolkmeier in the charter school network in... especially in Chicago, and we've had some really amazing charters come to the table, show us what they're doing, show our numbers and Chicago has done a great job with this. We just want to make sure that we're providing this for all children throughout the State of Illinois and we're doing it in a way that it's equitable."

Ford: "And I've heard some talk and I've read somewhere, where there is lawsuits and concern about special ed students."

Chapa LaVia: "Right. So, the more I... you know, that I'm getting involved in education, especially in Chicago, there have been situations where charters have not given service to ELL or special ed community children but yet are getting dollars from the state to fill those holes. And there are a few lawsuits against some of the charters, not all of them, there's a handful from special ed parents, that their children

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are not being treated equally in that situation. Now, this kind of precipitated what we're doing with this Commission because of the fact that there are nobody on the Commission that sits there that has any expertise whatsoever at ELL, English second language or special ed community. Yeah, they hire a lot of consultants, but it's... it's just not reflective yet within those school districts. So, we want to make sure that all kids have the ability to go to great charter schools, just like all traditional schools. But we don't have that latitude with this Commission at this point."

Ford: "And so, the final question is what would be your hope for the outcome if this Bill is passed, and if it's signed by the Governor?"

Chapa LaVia: "I would hope that with the responsibility of educating children going back underneath ISBE, especially for charters, that we're allowed to put a bit more uniformity underneath that, especially for the kids that fall under those communities."

Ford: "Thank you. Thank you, Speaker."

Speaker Lang: "Representative Monique Davis."

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

Speaker Lang: "Sponsor yields."

Davis, M.: "Representative, Madam Chairman, Chapa LaVia."

Chapa LaVia: "Yes, Ma'am."

Davis, M.: "How many boards do we have for higher ed... for higher education?"

Chapa LaVia: "Just one."

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Davis, M.: "We have one board. So, your Bill will make sure we have one board for elementary secondary education."

Chapa LaVia: "Correct, Ma'am."

Davis, M.: "Who are the Commission members responsible to?"

Chapa LaVia: "No one, not in the statute. No one."

Davis, M.: "Absolutely no one?"

Chapa LaVia: "Absolutely no one."

Davis, M.: "So, we... we accidentally, mistakenly established a board with equal authority to our State Board of Education and we... we realize it's an error."

Chapa LaVia: "Right."

Davis, M.: "They should not be in... the higher education folks, the colleges, they report to one board, and that is the Board of Higher Ed. And it should be the very same with the Illinois State Board of Education. So, I commend you for bringing this legislation forward. Our Constitution requires a State Board of Education. It does not require another commission to be accountable for our school system. So, thank you, and I urge a 'yes' vote."

Chapa LaVia: "Correct. And on top of that, Representative Davis, they receive taxpayers' dollars, and they're not an elected board. They're not an elected board. They're appointed. They're not elected, but they do receive dollars and..."

Davis, M.: "So, we're paying two boards. We're paying the State Board of Education with our tax dollars and we're paying the Commission with our tax dollars. So, I mean, it's... it's just not good for the taxpayers or the accountability... the accountability that's required. So, I commend you."

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Chapa LaVia: "And I don't remember, if you remember, last year I asked their executive director to give me a list of all the money that was coming in and where it was at, and she had no clue."

Davis, M.: "And you got no reply."

Chapa LaVia: "And I still haven't gotten a reply. So..."

Davis, M.: "Because they don't feel they're responsible or response... have to be responsive to elected officials. It's a danger. It's a danger. It's a precedent that is very dangerous. I urge an 'aye' vote."

Speaker Lang: "The last speaker, Representative Hernandez."

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

Speaker Lang: "Sponsor yields."

Hernandez: "Representative, for a point of clarification. I just, kind of, want to understand how this process works. So, if... if there is interest to open a charter school, does that... do they apply to the school board, or do they ca... do they go before the state board, or do they go before the Commission."

Chapa LaVia: "No, it goes to the Commission."

Hernandez: "It goes to the Commission..."

Chapa LaVia: "Wait, wait. First, it goes to the school board. Okay. Then the school board, if they ratify that they... they deny it, then it goes to the Commission."

Hernandez: "Okay."

Chapa LaVia: "So, if in Aurora a charter came in, they would go to the school board first. But if they're denied, they can go to this Commission, and the Commission can actually override the locals' decision on not wanting that charter in their school district."

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Hernandez: "Okay. So, I have a particular situation. So, if in a suburban area, that would mean that those of interest for the charter school would have to be... become... or come before the school board, and then that school board, whether they... if they deny it or approve it. If they deny it, let's say, okay, they deny it, then it would go to the Commission, not to ISBE."

Chapa LaVia: "If it's denied, it goes to the Commission."

Hernandez: "It goes to the Commission."

Chapa LaVia: "Yes. If the local school board denies it, it goes to the Commission and when it gets to the Commission, they're the final say."

Hernandez: "Okay."

Chapa LaVia: "They're the ultimate say. The... the school board, then, doesn't need to go to us, but they're also... if they're... if they're de... if they're denied by the school district, go to the Commission, the Commission approves it, then the money comes out of the school district and they don't want it. So, there's a lot of complication. I mean, that's why we can't have a Commission out there doing this without any of our oversight. The head of the Commission is the national authorized for all charters. I mean, the people that are involved in the Commission, even though, whatever, you know, great pedigree, but it's all about charter school, charter schools, right?"

Hernandez: "So, sometimes... yes."

Chapa LaVia: "We need some oversight too, because local control... local control is very important in this state..."

Hernandez: "Sure."

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Chapa LaVia: "...and when a charter comes into a school district, is denied by the elected members of a school district, by a Commission that's appointed, and supersede local control and taxpayers, they have no recourse. They have no recourse."

Hernandez: "So, if your... your Bill... So, in... in my case, if there is a suburban interest for a charter school, they go before the school board, that means whether they deny it... okay, say they deny it, again..."

Chapa LaVia: "Then they deny it. Then it goes to Commission, Commission can override or concur."

Hernandez: "With your Bill... Yeah, with your Bill that means it would go to the state board."

Chapa LaVia: "It just goes back to the state board, right."

Hernandez: "However, the state board can decide to go against the denial?"

Chapa LaVia: "Yes, the state board can authorize it, go against the denial."

Hernandez: "Okay. Thank you very much. Thank you."

Chapa LaVia: "You're welcome."

Speaker Lang: "Representative Chapa LaVia to close."

Chapa LaVia: "I... I just want... want you to understand, what I want in the State of Illinois is education that's equitable for every child and I want to make sure that every taxpayer that pays into that system understands that we are accountable for every dollar that they give us to educate their child. So, what this does, it just puts it back under ISBE, where it was originally, the decision to deny or accept charters. And I really hope we... you have the ability to support this Bill. This year is going to be very interesting with a lot of

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different charter Bills that come before us, but that's be... because there was a moratorium prior to this year on charters. So, we could see how things were going, so we could put in some meat on the bones. This is one avenue that we opened up, we started... at this point have to retract and please vote 'aye'."

Speaker Lang: "Lady has moved for the passage of the Bill. The Members are reminded that Mr. Sullivan has asked for a verification. Members will be at their seats and vote their own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Rita, Tracy. Rita. Please take the record. On this question, there are 78 voting 'yes', 33 voting 'no', and 1 voting 'present'. Mr. Sullivan, do you persist?"

Sullivan: "Yes. I'll remove my verification."

Speaker Lang: "Gentleman withdraws his verification. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Thapedi. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 924, offered by Representative Stewart. House Resolution 925, offered by Representative Stewart. House Resolution 926, offered by Representative Stewart. House Resolution 927, offered by Representative Stewart. House Resolution 929, offered by Representative William Davis. House Resolution 930, offered by Representative William Davis. And House Resolution 931, offered by Representative Sullivan."

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Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements, please."

Clerk Hollman: "The following committee was canceled for this afternoon. Tourism & Conventions was canceled. Meeting at 2:30 is Business & Occupational Licenses in Room 115, Labor & Commerce in Room 413, State Government Administration in 118. Meeting at 4:00 is Appropriations-General Services in D-1, Appropriations-Public Safety in 114, Energy in 115, Higher Education in C-1, International Trade & Commerce in 413."

Speaker Lang: "Ladies and Gentlemen, an announcement for all Members. Upon adjournment, both Parties will caucus: the Republicans in Room 118, the Democrats in Room 114. We do anticipate caucuses will be completed in time for the 2:30 committees to meet on time. Now, allowing perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned until Friday, March 21 at the hour of 11:30 a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned 'til Friday, March 21 at the hour of 11:30 a.m."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Joint Resolution Constitutional Amendment #51, offered by Speaker Madigan.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption

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of this resolution a proposition to add Section 11 to Article IX of the Illinois Constitution as follows:

ARTICLE IX

REVENUE

SECTION 11. TAX FOR EDUCATION

Notwithstanding subsection (a) of Section 3 of this Article, and in addition to any other tax, a tax shall be imposed on individuals in an amount equal to 3% of income greater than \$1,000,000 for the taxable year. All revenue collected pursuant to this Section shall be distributed to school districts solely on a per pupil basis. The General Assembly by law shall provide for the implementation and enforcement of this Section.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act and applies to taxable years beginning on or after January 1, 2014. This was the First Reading in full of House Joint Resolution Constitutional Amendment #51. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 20, 2014: recommends be adopted, referred to the floor is Floor Amendment #2 to House Bill 4377, Floor Amendment #3 to House Bill 5856. Introduction and First Reading of Senate Bills. Senate Bill 2944, offered by Representative Hoffman, a Bill for an Act concerning safety. Senate Bill 2998, offered by Representative Andrade, a Bill for an Act concerning regulation. Senate Bill 3029, offered by Representative

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Beiser, a Bill for an Act concerning regulation. These are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."