

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Clerk Mahoney: "Senate Bill 1716, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "The Chair recognizes the Gentleman from Cook, Representative Harris."

Harris: "Thank you, Ladies and Gentlemen. We have before us today the Illinois Religious Freedom Protection and Civil Unions Act. As our country has evolved over the generations, once in every generation or once in every generation Legislators across the country have a chance to advance the cause of liberty and justice for all as envisioned by the founders of this country. We have a chance today to make Illinois a mer... a more fair state, a more just state, and a state which treats all of its citizens equally under the law. As the Chicago Tribune said in its recent editorial this is a fair step; this is a remarkable step for the State of Illinois. We have a chance here, as leaders have had in previous generations, to correct injustice and to move us down the path toward liberty. I direct your attention to votes that this Body has taken before in previous years. Legislation that gave women the right to vote. Legislation that ended the antimiscegenation laws. Laws that change the tradition and law of this state and allowed interracial marriage. I just want to give you a sample of some of the arguments that were used of the proponents of those laws back then that have since been changed. In 1869 there was a woman in Chicago, Myra Bradwell, she was the first woman in the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

State of Illinois to ever apply for a law license. She passed the Illinois Bar Exam with honors and applied to the Illinois Supreme Court for her law license. They denied her application because she was a woman. This was the language that the court used as their reasoning back then to deny women a right to have an occupation outside the home. 'The civil law, as well as nature itself, has always recognized a wide difference in the respective spheres and the destinies of man and woman. Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex unfits it for many of the occupations of civil life. The constitution of the family organization, which is founded in divine ordinance, as well as in the nature of things, indicates the domestic sphere as that which properly belongs to the domain and functions of womanhood. The harmony, not to say the identity, of interests and views which belong, or should belong, to the family institution is repugnant to the idea of a woman adopting an independent career from that of her husband.' After that Supreme Court issu... opinion was issued, two years later this Body changed the law of Illinois and allowed Miss Bradwell to obtain a law license. Tradition had been changed and law had been changed and progress had been made in this country. I'd like to read you some of the language that define interracial marriage as counter to God's plan. The amalgamation of the races is not only unnatural but is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

always productive of deplorable results. The purity of the public morals, the moral and physical development of both races and the highest advancement of civilization all require that the races should be maintained distinctly separate and the connections and alliances so unnatural should be prohibited by positive law and subject to no evasion. Ladies and Gentleman for many years that had been the tradition of this country and the law of this country, but those traditions and that law changed and I think we all believe they have changed for the better. Those who stood for justice, for fairness, and who cast the votes to change those laws and to change those traditions have been remembered by history as great leaders. They've been remembered by history as being on the right side of justice. Each of us in this chamber today have a chance to be remembered by history as being on the right side of justice. So, let me tell you what this Bill does and let me tell you what it does not do. This Bill creates a separate chapter in the Civil Code entitled civil unions. This law would establish civil unions which would offer the same basic benefits and obligations and responsibilities of marriage under State Law, but specifically protecting the rights of religious institutions to define marriage as they choose and to practice their faith as they choose without interference by the state. The major benefits include hospital visitation, health care decision making, disposition of a deceased loved ones remains, and probate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

rights. As I said, this law explicitly protects the rights of all religious institutions to either recognize or not recognize civil unions based on their faith and tradition. Civil unions would be available to same sex or opposite sex couples. It would be dissolved in the same manner as a divorce. They cannot be entered into or gotten out of lightly. I want to tell you what the Civil Union Act does not do because I think there's been some misinformation that has come around. This law does not create marriage for same sex couples in the State of Illinois. As a matter of fact, the statutes of the State of Illinois clearly define marriage as between being one man and one woman. There is nothing in this law that changes the statutes of Illinois that separate marriage between... that make marriage between one man and one woman. This law does not allow partners to receive benefits under Federal Law such as Social Security benefits or other benefits such as joint... a joint filing of Federal filling of Federal tax returns. The important thing to recognize about this law is that it not only covers gay and lesbian couples but the single largest, and I repeat the single largest group of beneficiaries of this law in this state will probably be heterosexual senior citizens. Many of us spend a lot of time visiting our senior centers, going to community centers, talking to our seniors, hearing about the problems and issues our seniors face in their daily live. And if you raise the issue you will find many seniors in your

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

district where they've been married to the same spouse for 30, 40, 50 years but their original spouse has passed away, they're struggling to survive on a meager pension or Social Security income. Should they meet someone else later in life and wish to remarry, if they were to remarry that person, they would stand to lose those pension benefits or those Social Security benefits that allow them to live their lives in comfort. Taking a civil union would allow people to still enjoy those pension benefits, still enjoy those Social Security benefits, but would also allow them to participate in health care decision makings. It would allow them to share a nursing home room. It would allow them to help make the... be the first in line to make the decisions about the disposition of their partner's remains when he or she dies, and it would allow them rights in probate. Public opinion on this issue has changed substantially over the years. You may have seen the Chicago Tribune polls, the Paul Simon Public Policy Institute polls which have studied where people are in the State of Illinois on this issue over the last several months leading up to the election. An October 2010 poll by the Paul Simon Public Policy Institute of people who were considered likely Illinois voters in the November election showed that 67.5 percent of Illinois voters approved of either same sex marriage or civil unions, 26.5 percent disapproved. An August 2010 Chicago Tribune poll showed that in Chicago and the collar counties 54 percent of the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

voters support civil unions, 32 percent opposed. These are figures that are commensurate with the national trends. These are figures that are commensurate with studies taken in every region of Illinois. The Chicago Tribune, the Chicago Sun-Times, the Daily Herald, the State Journal-Register, the South Townstar, the Oak Park Journal, the Northwest Herald all have urged this Body to do the right thing, to take a right step and pass civil unions. Another question that I've heard, it relates to the cost to state employee benefit systems. If you'll look at the fiscal notes that are attached to this Bill, you'll see that for the health care system CMS says that there will be a negligible cost. A lot of people don't remember back to the early days of the Blagojevich administration, but our previous Governor did extend coverage to the same sex partners of state workers access to our health care benefits as domestic partners. Those people are already on the system. There will not be a substantial increase should civil unions pass. You will also see a fiscal note showing on the Web site that the pension system for the state does not foresee a major impact on our pension cost, because the partners of same sex couples would pay, just as you pay for your spouse, they would pay for their spouse's contribution to the pension program and not the state. Where would Illinois fit within the spectrum of the United States of America on this issue? We would be in the broad middle. Five states and the District of Columbia offer same sex

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

marriage: Connecticut, Massachusetts, Iowa, New Hampshire, and Vermont. Several states recognize marriage of same sex couples performed elsewhere which would be: New York, Maryland, Rhode Island, and New Mexico. Five other states have civil unions such as we are proposing here: California, Nevada, New Jersey, Oregon, and Washington. People also raise the question of can't people obtain these rights contractually by having documents drawn up by lawyers and getting these rights one at a time? And I guess that's possible if you can afford a lawyer. If you can afford a lawyer who understands all the intricacies of relationship law, of probate law. If you can have a document drawn up for every occasion that would be recognized by the appropriate authority and have it on you in the time of need. And there's probably no more poignant case of how this plays out than my predecessor, your late colleague, the late Representative Larry McKeon. And if you remember his testimony on this in committee, after he had retired from this House, he told the story of how his partner of many, many years fell sick in the hospital, went into intensive care. He went to be by his side in his last minutes. The hospital turned Larry away. They said he did not have the proper documentation with him. They did not consider him next of kin. He would have to go home. He would have to go home and find the documents and return to the hospital with them. Ladies and Gentlemen, Larry testified that he did return home. He returned to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

hospital, and he had missed the passing of his life partner by mere minutes, by mere minutes. Should anyone... should anyone have to be absent from the side of the person they most love in life because they don't have access to the proper paperwork at the right time. Should this not be a right that every person in Illinois be granted? Ladies and Gentlemen, I know this is a controversial issue for many of you. For many who are to the left of me in my community they say, why are you sel... settling for second best? Why aren't you demanding that Illinois pass same-sex marriage? I understand that there's not the support for the change of the marriage law right now in the State of Illinois. To the right of me I know there are people who would say we don't believe that lesbian and gay couples should have any rights under the law in this state whatsoever, that they should be estranged from the law because of their sexual orientation. Ladies and Gentlemen, this legislation is a fair, moderate, center. It does not change the definition of marriage. It provides basic legal rights to our citizens. It's a matter of fairness. It's a matter of respect. It's a matter of equality. I hope that each of you will join me today in being on the right side of history and I hope you will vote 'yes' on the Civil Union Bill. I would be happy to hear your comments and take any questions."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Linda Chapa LaVia."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Chapa LaVia: "Thank you, Speaker. I... Should the Bill receive the required amount of votes, I call for a verification of votes."

Speaker Lyons: "So noted. Verification has been requested. The Gentleman from Bond, Representative Ron Stephens."

Stephens: "Thank you, Mr. Speaker. I'd first of all, like to compliment the Sponsor on such a... an eloquent presentation and... and I do sincerely appreciate that. And there are those who would say, well, with everything you said, how could you possibly still be opposed to the Bill? And let me, first of all, suggest that in your remarks you incorporated legislative and Illinois history where we have righted other wrongs and cleverly that puts us in a box that, oh, this must be another wrong that we're... that we're righting. Many of us sincerely believe that that's not true and I would just like for you to understand that I don't believe it's mean-spirited for us to stand here and... and suggest that, you know what, we think... I think that this is a step down the slippery slope that leads me to someday have to explain to my children and grandchildren that no longer in America are we going to give the honor to a man and woman in marriage. Now, I'm not trying to muddy the issue. I know that's not what we're doing here today. But I hope you understand that... that I believe that this is a step in that direction and I believe that, if this should ever pass, the next Bill will be legalizing marriage between like... members of the same sex. And I just think

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

that's wrong. I think it... I do. You might think I'm wrong in thinking that, but I believe that... and just call me an old fashioned traditionalist, but you know, this is not the first time that society has dealt with this issue. We have seen societies come and grow and crumble over and over again. And if you look at the sociological history of a society that has... that has failed, what is... what are some of the commonalities? One of those is that open se... homosexuality becomes accepted in the higher society whether it's in Greek times the Romans or others and here we are at that precipice again. And so I would suggest that for those of us who stand in... in strong opposition that we are, I believe, right-minded. We're doing what's best for our country. What's best for society. What's best for our future. And with that we honorably stand in opposition."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Harry Osterman."

Osterman: "Thank you, Mr. Speaker. I want to commend Representative Harris for his leadership on this issue. I stand before you today to ask for your support for this legislation which will enable gay and lesbian Illinois residents to join in civil unions. This legislation is not marriage, as our state currently prohibits marriage... gay marriage. What this legislation will do though is important... grant important civil recognition and benefits to tens of thousands of gay couples in committed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

relationships around our state, individuals who currently have to seek legal assistance to secure many of the benefits that my wife and I take for granted. These are our neighbors, our friends, our colleagues. They want to live as who they are. They want and deserve to have their relationships recognized by the State of Illinois. Many of my gay and lesbian constituents are in long-term committed relationships with someone who they love, who they want to share the rest of their life with. We, as a state, should allow that relationship to be recognized and along with that afford them the many important benefits, rights and protections. This is a challenging issue for many in this chamber but recognizing these relationships is the right thing to do. One of my constituents Michelle Miller is a Lutheran pastor who together with her partner Julie have been together for 16 years. Together they are raising three children. They're involved in our community. They care about the quality of our schools, the safety of their streets, their property taxes, and many of the issues that their neighbors care about. Together these two women have had to seek legal assistance and help to ensure that their family plan is in order in case one of them becomes ill so their kids and them are taken care of. Why shouldn't these two Illinoisans be granted the same civil benefits that my wife and I have, benefits related to property, pension, taxes, health insurance, and health care decisions. Michelle and Julie want their relationship and their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

commitment to each other recognized by the laws in the State of Illinois. Ladies and Gentlemen, this is the right thing to do for them, their families, and others like them in our state. My wife and I have friends Amanda and Mimi who live down the block from us, who go to our church. Together they are raising two boys. Amanda, like many in our state is battling with illness. She has cancer. And Mimi is there by her side for her ups, for her downs, for her treatments. They're there together for each other to provide love and support for each other and their kids, and to live their life each day together. When they are thinking through medical challenges that they face, they should not have added legal hurtles. If any of us have had to face those decisions, they know they are painful and gut-wrenching, and if there's any peace and solace in those decisions, is that they are made by the people that they love the most and trust in the world. Who amongst us would walk into a hospital and suggest that those suffering and dying, our opinions as to who should accompany them? Whose hand they should hold? Whose opinion matters most in their care? These are not our decisions to make. These are inherent rights of all human beings. They are rights that we, a government of the people, by the people, for the people, are obligated to secure. President Kennedy told us in giving rights to other which belong to them we give rights to ourselves and our country. I ask for you to stand with us today and give these rights and benefits to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

gay and lesbian Illinois residents. Mimi, Amanda, Michelle, Julie, and many others and their neighbors, who live side by side with them, want these relationships recognized and their commitment to each other recognized. This legislation is important to thousands of gay and lesbian residents, but it also is important to us as a state. That we say that we value their relationships and their commitments to each other and support their joining together in civil unions. Ladies and Gentlemen, today I ask you to join with me and others in support of this important piece of legislation. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Debbie Mell."

Mell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is truly an honor to be in this chamber right now. Growing up I never imagined that I would be able to speak on this issue on the House... the floor of the House of Representative. Now, you have heard from some people who do not approve of my relationship with Christin and that's okay. We don't need everyone's blessing, but when discrimination is written in State Law, we are telling people that they are less than... they're not as good, and they're not as important to society as you are. It has harmful dangerous effects on people, families, and it has had harmful effects on me. I love my state. I am proud to live here, but my state does not treat me equally. It will take my money, take my taxes, I could even make laws for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

people, but if God forbid... if God forbid something happens to Christin and she cannot make a decision, by law the doctor cannot ask me anything. I'm not able to speak to her wishes. Under the law, the doctor has to go to her family and I'm not considered family. After six years of building a life together, committing our lives to each other, we have a strong faith in God and family, and after all that, we are still not considered family and I assure you we are a family and we deserve the same rights that you enjoy. Today with your 'yes' vote, Christin and I can become family under the law. I want to thank Representative Harris for putting forward legislation that brings us closer to full equality in Illinois. This man has poured his heart and soul in this legislation. From my family to yours, Greg, thank you so much. I want to thank my colleagues for their thoughtful consideration. I want to thank my colleagues who are both voting 'yes' and 'no' on this. I know this isn't an easy vote and I know that everyone has thought really hard about it. I want to thank all the advocates in the gallery. I want to thank Christin. And I urge everyone to vote 'yes'."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Ken Dunkin."

Dunkin: "Thank you, Mr. Speaker. You know, this is, I guess, one of those moments in history where we all have to not only look at ourselves as elected officials but as men and women who say that we respect other human beings and their

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

choices, their sense of direction, their adulthood, and not question their love for somebody else and how they express themselves as adults. I think this is high time for us to be on the right side of history and do the right thing and not be over judgmental on any particular persons and how they determine what happiness is, but I also think that it's high time that we look at some of the facts. The fact is that in every corner of this state there are homosexuals, lesbians, and so-called heterosexuals. They exist. They exist in our own family. In my family. There are six of us, four boys and two girls, and one of my brothers is openly gay and has been for quite some times. And it took a lot for me to talk about this issue let alone talk about him on the House Floor, someone that I love more than anybody in this room, quite frankly, but because of my love for my brother and my respect for his choice, I'm supporting this Bill. I'm supporting this Bill because I may not be there when his lover has to make a decision on his life. I'm supporting this because my brother by and large has been a responsible adult who has loved me unconditionally and it's okay for me to support his love unconditionally and his decisions. A lot of African Americans in my district, here in this state, tend to be very, very conservative on some issues here. I don't think this is the right issue to be conservative at all. I think this is high time for us to look at what the facts are. This is not some trendy scenario that is enjoying itself

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

with the media or in some states across this country. This is a reality that is before us. It doesn't cost the state any money. It doesn't hurt anybody. It doesn't deplete anybody else's conviction of who they are and what they believe, but it simply gives some of our most vulnerable citizens here, who are in a healthy relationship whether we like it or not, the opportunity to live like me and my wife, and like many of you and your spouse. Let's do the right thing. Let's stay a progressive state. Let's move forward not only as Democrats and Republicans but as decent and respectable human beings who respect others when they make their decisions off of their own volition and their own compassion and their own love. So, for those doubters or naysayers, what would you do if this was your son or your daughter or your brother or your sister or your mother or your father, for that matter, in or out of the closet. We would want to see him or her happy. So, I'll be supporting this legislation for all those reasons that the Sponsor articulated and for how personal this has become for me and doing the right thing. I encourage everyone for an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Lady from Grundy, Representative Careen Gordon."

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

Speaker Lyons: "Sponsor yields."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Gordon, C.: "Representative, just one question. Does this Bill also cover opposite sex couples... does it cover heterosexual couples as well? Could they enter into a civil union?"

Harris: "Yes, Representative. And as I said probably the largest group that would benefit from a civil union at this point in time would be heterosexual senior citizens."

Gordon, C.: "Thank you. To the Bill, Mr. Speaker. Ladies and Gentlemen, in 1967 the United States Supreme Court decided a wonderful, wonderful case called Loving versus Virginia. There was an interracial couple who decided to get married for the simple fact that they fell in love. Interesting, their last name was Loving and they fell in love. People today happen to just fall in love. And they were in their home one night and the police invaded, those were the words that were described, not my words, but the word written in the case, in the facts and they wanted to catch them in the act of sex because not only was an interracial marriage illegal but an interracial couple engaging in the act of sex was also a crime. But they didn't and when they saw that they were sleeping in the same bed together the woman, Mildred, pointed to the marriage certificate on the wall and she said, no, it's okay we're married. But you see, that was illegal in the State of Virginia. Well this case made it all the way to the Supreme Court, and the Supreme Court said, no, not on my watch. And in a 9 to 0 decision the United States Supreme Court, in 1967, decided that these laws were racist and had been enacted to perpetuate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

white supremacy. These are the same arguments today that are being made to keep same-sex couples apart under the Bill that Representative Harris is trying to pass from this Body. Mildred Loving a wonderful, wonderful woman said on June 12, 2007, which was the fortieth anniversary of the decision in Loving versus Virginia, she said, surrounded as I am now by wonderful children and grandchildren, not a day goes by that I don't think of Richard, 'cause her husband had passed away by that time, that I don't think of our love and our right to be together and how much it meant to me to have that freedom. The person precious to me, even if others thought he was the wrong kind of person for me, I believe all Americans no matter their race, no matter their sex, no matter their sexual orientation should have that same freedom. Government has no business imposing some people's religious beliefs over others especially if it denies people's civil rights. I am not a political person, she said, but I am proud that Richard's and my name is on a court case that can help reinforce the love, the commitment, the fairness, and the family that so many people, black or white, young or old, gay or straight, seek in life. I support that freedom for all. That's what Loving, capital L, and loving are all about. Ladies and Gentlemen, to vote 'no' is to continue discrimination, to continue inequality, and to continue injustice. If you don't do anything about discrimination, about inequality, and about injustice, you keep alive in this world

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

discrimination, inequality, and injustice. This is a constitutional issue. The Equal Protection Clause of our Constitution, that I love, demands a 'yes' vote. The Constitution must work for everyone otherwise it can't work for anyone. If you demand equal protection and you keep it from someone today, it will be kept from you tomorrow. Remember that when you press the button and you vote on this Bill. Now, people today have approached me whether it's been a lobbyist, whether it's been an e-mail, whether it's been a discussion on this Bill and its included religious beliefs expressed about this, but let me tell you what else Mildred Loving said in her interview on the fortieth anniversary of this... of this court case. Mildred Loving believed that when she..."

Speaker Lyons: "Representative Gordon, your time has expired. I'll give you another minute."

Gordon, C.: "Mildred Loving was merely a modest homemaker, it said in her obituary, and she never thought that she had done anything extraordinary. She said, it wasn't my doing, this amazing civil rights worker. She said, it was God's work. So, Ladies and Gentlemen, what I'm asking you to do today for Representative Harris and for the people of the State of Illinois is to do God's work. Do God's work today. Vote for justice. Vote for equality. And vote 'yes'. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Sara Feigenholtz."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Feigenholtz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I, too, rise on this very historic and momentous occasion but first want to recognize the incredible work and commitment and strength of my good friend Representative Harris who has poured his soul into this... into the passage of this Bill. I know how hard it is to stand in front of this Body and put your heart on your sleeve and talk about things that are so personal, but you know what, we come here and what really makes a difference in this chamber are things that are personal. Stories and experiences that we have from back home with our constituents. I don't think that there is one piece of legislation that has more impact to real people in the State of Illinois in the 16 years that I've been here than the Bill that we are discussing today. Representative Harris spoke about a former colleague of ours, somebody who I love very much. Somebody who served in the military, he served in the mayor's office... in Mayor Daley's office, he served as a police officer, he was a teacher, his name was Larry McKeon. Greg told you of the story of the... the fateful day that Ray, Larry's longtime partner, lie dying in bed and because Larry had a lot on his mind and walked out of his house without his wallet... his wallet. In his wallet was a piece of paper that he had. His wallet is what ran his life. Every day he walked out of his house thinking I might need this today. He had something extra that many people in this room don't have to have in order

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

to make a decision for somebody that he loved. Somebody that he spent over a decade with. Somebody who proactively acted and wanted him to be the decider on medical decisions and because Larry forgot this one little object, Larry McKeon lost the opportunity to say goodbye to his life partner. Everybody in this room should think very carefully about what that would mean to you if somebody you loved lay dying in bed and you could not get in that room and be with them. The day I met Larry the story of Ray was the first thing he and I spoke about. He had just lost him. Outside of this chamber, I see men and women who have come down to Springfield year after year begging for their rights. Begging so that they don't have to worry about one or two or three extra things so that they could have the same rights as most of the people have in this room. Michael, who is here today as a lobbyist, has been with his partner for 29 years. Michael and I go to the same Synagogue. We sit together for high holiday services. He is the child of survivors of the Holocaust, and like many Jewish people, his family came to America running from discrimination and anti-Semitism in Europe. They came here because this country offered the promise of freedom, the promise of freedom of religious expression, and it is because of that discrimination that the tenets of my faith... the tenets of Judaism instruct me to pursue justice and to fight discrimination. Me, as a woman and a Jew, I am prohibited from doing anything but vote..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Speaker Lyons: "Sara your time expired we'll give you another minute."

Feigenholtz: "...yes' on this Bill. Ladies and Gentlemen of the House, let's think about Larry, let's think about Laura and Heidi, let's think about Bernie and Daniel, and Julia and Nancy, and Rick and Ernie, and all of the people who might forget their wallets. Let's vote on the side of the angels today. Let's vote for justice. Stand with me on this historic day and vote 'aye'. Thank you."

Speaker Lyons: "The Gentleman from Cook, Representative Will Burns."

Burns: "Thank you very much, Mr. Speaker. I, too, like to commend... would like to commend Representative Harris for his fine presentation and his hard work on behalf of this Bill. I asked Representative Harris earlier today what he would like me to say in support of this Bill... in support of this legislation, and he told me to speak from the heart. And, you know, this building, these chambers, the House and the Senate are places of great theater and sometimes are tremendous in authenticity, but this issue compels me to talk a little bit about who I am and where I come from. I'm a straight man. I've been happily married for eight years. I love my wife. I don't have any openly gay relatives, but I grew up an outsider, not quite black enough for black people in my neighborhood, too black for white kids I went to school with. And so, I understand what it's like to be outside... left out and as a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

consequence, me and the people that I was friends with were other people who were outsiders, who were picked on, who were messed with, who weren't included, who were looked down upon. And as a consequence of those experiences of being bullied, of being, you know, left out of other experiences with other young people, I've always determined that I would stand up for those who were left out, who were treated unfairly because anything that diminishes a fellow human being diminishes me. I stand in support of this Bill because it's a simple matter of civil rights. It is a matter of same-sex couples having the right to have a civil union, to protect their resources, their assets, and to have the state recognize their right as members of this polity to be treated the same as anyone else. I can offer no better reason than to vote for this Bill. I encourage everyone to vote 'aye'."

Speaker Lyons: "The Gentleman from Cook, Leader Lou Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in support of the Gentleman's Bill and in doing so, let me add to the chorus of congratulations for the hard work by Representative Harris. No one has, in my 23 years here, has worked harder on a Bill and has put more of him or herself into a Bill as Representative Harris has on this one. The stories we hear here are compelling. The story that Greg has told. The story that we've heard about the late Representative McKeon and the trials and tribulations of his life. The compelling story that Representative Mell

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

tells us about her life and her family and her future. And we heard Representative Feigenholtz talk about civil rights. Well, of course, that's what this Bill is all about. This Bill is about giving people the dignity and respect they deserve in their daily lives to allow them to live their life the way they want to live it, and live it in a way that doesn't impact on any other people. I heard someone, who was opposed to this Bill, talk about how it takes away from the dignity and the respect of marriage and removes it from the high pedestal marriage is on. There's nothing in this Bill that does that. In fact, this Bill talks about how important it is for people to be respected in their relationships. It seems to me they had a bliss marriage. It takes married people who have taken that step and have sanctified their lives in that way and has... it says to them, you are on that pedestal. You do get that respect. You do get what you deserve. Ladies and Gentlemen, there's nothing in this Bill that takes anything away from anyone. Now, I know there'll be people who will vote against this on religious grounds even though the Bill says not... specifically prohibits using this in any way that impacts on religion. I know there will be people who vote on this on political grounds. They'll simply say, well, I can't be for this. But let's be honest with what the Bill does and what the Bill doesn't do. What it does is allow two people who care deeply about each other to have rights within that relationship. And who does that hurt? The

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

story about Representative McKeon not being able to see the person he loved is... is one that's hard to turn away from. If any of us, gay or straight, were prohibited from seeing a family member or someone we cared deeply about because of some law it would be... it's appalling. It's appalling that anybody would think that that's okay. It's not okay. It's not an acceptable practice for us to take the position that because we don't live that life we have a right to tell them how to live their life. And I would also say that we have more than just the responsibility to benignly look at this. We have a responsibility to uplift it. We have a responsibility to help keep people together. In a society where married people are getting divorced now at over 50 percent rate, to have two people who love each other who want to be together is something we ought to encourage. I'm not talking about encouraging a lifestyle. We can have that debate some other day. I'm talking about encouraging the love and respect and commitment and loyalty and dreams that two people may share together. What right do any of us have to do anything to tear that down? Our responsibility is to uplift. Our responsibility is to help and to encourage people to be together, to care about each other. And whether the family is straight or whether the family is gay we should be encouraging love, we should be encouraging commitment, we should be encouraging family togetherness and anyone that would want to tear that apart is actually tearing at the fabric of what the State of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Illinois ought to be about. This isn't about marriage. It's about commitment. It's about respect. Respect for relationships. Respect for the people who live in the State of Illinois, and accordingly you should be voting 'aye'."

Speaker Lyons: "The Chair recognizes the Lady from Champaign, Representative Naomi Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of this Bill. I have many, many constituents who have contacted me over the years from following Representative Harris's work on this asking me to support this Bill, to vote for this Bill, and of course, many of them knew that I am a supporter of it. I have many constituents who... some are gay, some are lesbians, some are single, some are in relationships, some are together raising children so the children have two moms or they have two dads. They're wonderful families. And they should be able to be treated as a family wherever they go and whe... whatever decisions they are trying to make, decisions about their own lives. When my own daughter came out, I was glad that she came to me and she came to my husband and she was able to do that and actually, it was when she came out that I even grew stronger in my commitment to people who are gay or lesbian. She's in a relationship. She's a grown-up. But if she were in a position that she couldn't make her own medical decision, I would have to do that for her not her life partner. That does not seem like the fair way to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

treat anybody. This Bill is about nondiscrimination. This Bill is about equal rights and civil rights. And I'm truly honored to have gotten to know Representative Harris, working on this Bill so diligently. I'm honored to be in this chamber to be able to urge an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Jasper, Representative David Reis."

Reis: "Thank you, Mr. Speaker. To the Bill. I appreciate the Representative's very low key and cordial and civil debate tonight. I think this is an issue that deserves that and sometimes we get a little rowdy here and a lot of the Members in the audience don't listen and I appreciate your setting the tone for tonight's debate and I know that the vast majority of people on both sides of this issue have made up their minds. I'd say probably 100 people have made up their minds long ago. So, I'd like to bring into what I feel is the real context to this and maybe it's a collateral piece of damage, maybe it's not. But people have talked about individual rights and hospital visitation, civil rights, equal rights but what happens after this Bill passes that goes beyond that. When Connecticut passed their Civil Unions Act, it wasn't long after that that proponents of same-sex marriage simply went to the courts and sued for same-sex marriage. They went to the... all the way to the Connecticut Supreme Court and because of the Equal Protection Clause they won not a single vote was cast by the General Assembly. You can say

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

you're for civil unions, but I'm not ready for... for same-sex marriage, but the courts did it in Connecticut. The Sponsor also talked about polls and things like that and states that have already passed it. Let's talk about the other states, there's 31 sta... or 30 states, excuse me, that now have Defense of Marriage Amendments in their Constitutions specifically denying same-sex marriages. That's a powerful statement. Iowa, I think, just voted to try to... a nonbinding referendum in their November election to overturn their court issued same-sex marriage law. So, I ask you... I ask you to ask yourself tonight, the people that are undecided, are you ready for gay marriage 'cause that very well could be what comes out of this, by no vote of the General Assembly, maybe. We have precedent in the United States already formed through the Equal Protection Clause that very well may... make that happen. And it won't take long for your people back home to know that your vote tonight, while for civil unions and individual rights and hospital visitation, was really a vote for same-sex marriage here in Illinois. I don't think we're ready for this. I don't think the people of Illinois want this just yet. And I would encourage a 'no' vote."

Speaker Lyons: "The Gentleman from Morgan, Representative Watson."

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

Speaker Lyons: "Sponsor yields."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Watson: "Representative, first of all, I just congratulate you and applaud you with the dignity and civility in which you've handled an obviously complicated and somewhat controversial issue, rightly or wrongly and I mean that, we've had discussions before. The one question I have which it... it's probably not to the heart of the issue of why you're... why we're here and why you were... have presented this Bill is more opposite sex civil unions. I'm just thinking forward. These are tough questions that are not easy to ask, but somebody's at least got to be thinking about this, should this pass and you move forward, and that is what is the time frame or how long do... would those two individuals have to be together to be able to form this union and be able to... to take advantage of the benefits for example that that they may be entitled to should this pass?"

Harris: "Well, Representative, let me ask you. When you married your wife, how long did it take you to complete that marriage process?"

Watson: "Yeah. So, it's just as soon as... I guess my question is... is for this to happen and I'm talking look at it from an opposite sex couple. Is all they have to do is say we are... the only thing... the criteria are what is here which is basically it has to be approved by the clerk. I just..."

Harris: "We're trying to hold couples in a civil union to no higher nor no lower standard than you would have when you and your wife decided to become married."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Watson: "So, then the argument that we can all look at or the... not argument, but this position we're in is if... if same-sex couples were allowed to get married, then we would not be looking at the civil union issue."

Harris: "However, Illinois law specifically prohibits same-sex couples from being married. That's in statute. We cannot..."

Watson: "No, I understand."

Harris: "As much as I might want that..."

Watson: "Right."

Harris: "...that is not the law. And I think other speakers may have brought up a slippery slope or some other such thing, but that will always be the law in this state until this General Assembly, sitting in this room, at some point in the future, cast its votes to change that law."

Watson: "All right. Thank you."

Speaker Lyons: "I'd like to recognize the Governor of the State of Illinois, Governor Pat Quinn. We do have further debate. Ladies and Gentlemen, I'd ask you to please keep the decorum that we've had over the past hour. And the next speaker is Representative Mark Beaubien, the Gentleman from Lake."

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

Speaker Lyons: "Sponsor yields."

Beaubien: "Just a brief statement from this side of the aisle. I don't think this is a partisan issue. I respect everybody's opinion on this and their beliefs. My only

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

statement is there comes a time and for those of you who are on the fence, now is the time to support this Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black. Representative, you no longer seek recig... Representative Bill Black."

Black: "Excuse me, Mr. Speaker, I was just digesting Representative Beaubien's remarks. Ladies and Gentlemen of the House, I'm in my seventh decade of life. People my age, as the Tribune poll pointed out, have difficulty with this. Younger people do not. For many of us in public life this is an issue that quite frankly if we can speak honestly we wish it would go away. It isn't going to go away. I've lived... I was born before World War II started. I've seen things that many of you haven't seen that are only in news reels. I've lived through the civil rights issue. In my office in Danville, there is a framed cover of the Newsweek magazine of the Oklahoma City bombing, when the firefighter carried out that little baby. That's what hatred can do. It's isn't a partisan issue. There would have been no Civil Rights Act in 1964 if it hadn't been for that great Senator from Illinois Everett McKinley Dirksen who convinced some of the Republicans to vote for Lyndon Johnson's Civil Rights Act. Now, I know there are people who never forgave him for that, but that's the kind of leadership we had back then. Everett McKinley Dirksen was a leader and a statesman and he realized that civil rights legislation was past due. We had to pass a Constitutional

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Amendment to give women the right to vote. It took an Act of Congress to make Native Americans citizens of the United States. I agree with what my friend Mark Beaubien said. This is not a partisan issue. If I may paraphrase what Everett Dirksen said in my memory excuse me if I'm wrong. But after the historic civil rights legislation the press was all over Everett McKinley Dirksen. And they said, Senator Dirksen, Senator Dirksen how do you explain this. You've never voted for a piece of civil rights legislation in your long career. And as I recall, Everett Dirksen, in that mellifluous voice of his, looked at the cameras and said, there is a time when I'd rather be right than consistent. I intend to vote 'aye'."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative David Miller."

Miller: "Thank you. I support this legislation. I've heard lots of comments today in terms of discrimination, and in fairness, which I believe and are deep down in all of our hearts here that we all support. But it's one thing to say that we support it and it's another thing to actually take an action to support it. There's one thing to say that you can accept those who may not have the same religious belief or those who may not have the same views of life or sexual orientation, but it's another thing to act upon it. Today we have an obligation, I believe, to the citizens of the State of Illinois to move our state and eventually move our country forward. What this Bill does is give a legal

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

contract to those who could and have been and may be discriminated in protection. As Bill Black had mentioned in history Constitutional Amendments had to be passed to correct some of the problems that we've had socially in our country. There's also that Lyndon... Lyndon Johnson signed legislation that prevented states from charging a poll tax that prevented the majority of African Americans and people of color in southern states from voting. And so, discrimination is not just blunt. It's not just something that you see every day. It's just not apparent when you look at an individual. You don't know if that person is Jewish or Muslim or Christian or whatever faith they may have. You don't know if they're gay, straight, or whatever their sexual orientation is. And I look at this legislation as being the umbrella for all of it to making sure that whatever you feel about somebody, whatever their view is, and whoever they are that all of us deserve equal protection under the law. Please vote 'yes'."

Speaker Lyons: "Representative Greg Harris to close."

Harris: "Ladies and Gentlemen, and excuse me for getting a little emotional. I want to thank the speakers on both sides of this issue for being civil and thoughtful as we've talked about this today. Even though I've not been in the House as long as Representative Black, I think we've seen the better part of ourselves today in discussing this issue, and so I thank you for that. There were many comments made about how I deserve thanks for something that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

may or may not happen here today, but it is not me that deserves those thanks. There are tens... tens of thousands of people across the State of Illinois in each of our 102 counties who for years have worked in their campuses, in their churches, their Synagogues, in their Mosques, who have gone door to door, who have passed petitions, who have given their all, in the help of this issue and the hope that we can take another step toward fulfilling the American dream. It is the thousands of people who have done this work who are gay and lesbian, who are straight. It is the thousands of parents who may have a gay child and a straight child who only wish... who only wish that their child who happens to be a gay or lesbian citizen will be treated with the same dignity and the same respect as their straight child. They want them to be safe. They want them to be protected. They want them to be loved. And they want justice for them under the law. These are the people who should be thanked today, not me. It just happens to be my honor and my privilege to have introduced this Bill into this chamber. It is their work that has brought us to this point. And I don't think that, when we approve this today, society will be hurt and there was reference to, you know, other countries and other times of the world, but we're here in America. We're here in the United States. We're here in the greatest country on the face of the Earth. We're here among one of the greatest democracies that our world has ever seen. And America has become great because

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

we have worked not to tear down but to build up. We have worked not to pull people apart but to bring people together. Sometimes these are tough and difficult decisions. They may be tough or difficult today; they may be tough or difficult tomorrow, but as we... as history judges us, each and every one of these decisions that makes our country a better place for those who come after us will seem to be the right decision. Martin Luther King said that the arc of the moral universe is long but bends toward justice. Ladies and Gentlemen, please vote 'aye' and please take one more step, one more remarkable step for our state for justice. Thank you."

Speaker Lyons: "Ladies and Gentlemen, there has been a request for verification, so everyone is asked to please vote their own switch. The question is, 'Should Senate Bill 1716 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Reitz. Mr. Clerk, take the record. Ladies and Gentlemen, as we know there's been a request for verification. I'm going to ask everyone to please be in their seats. I'm going to ask staff to please go to the back of the chamber or leave the House Floor. Governor, you can stay anywhere you want, but staff, please, go to the back of the chamber. And I'll ask the... Representative Chapa LaVia, do you wish to pursue your verification?"

Chapa LaVia: "No. That's fine. Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

FIRST DRAFT

Subject to correction -
this document may
contain errors

152nd Legislative Day

11/30/2010

Speaker Lyons: "61 Members voting 'yes', 52 Members voting 'no', 2 Members voting 'present', 3 Members not voting this Bill is declared passed."