

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Clerk Hollman: "House Perfunctory Session will come to order. Committee Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on February 28, 2018: recommends be adopted, referred to the floor is Floor Amendment #1 to House Bill 1665. There being no further business, the House Perfunctory Session will stand adjourned."

Speaker Turner: "Members are asked to be in their seats. We shall be led in prayer today by Rajan Zed, who is the President of Universal Society of Hinduism located in Reno, Nevada. Mr. Zed is the guest of Representative Turner. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and Pledge of Allegiance."

Mr. Zed: "Starting with Gayatri mantra, considered the most sacred method of Hinduism, I shall be reading from the ancient Hindu scriptures Vedic Brahmanism Bhagavad Gita, some as old as 1500 B.C.E. After reading in Sanskrit, I shall then interpret in English.

Om

bhur bhuvah svah

tat Savitur varenyam

bhargo devasya dhimahi

dhiyo you nah prachodayat

We meditate on the transcendental glory of the deity supreme, who is inside the heart of the earth, inside the life of the sky and inside the soul of the heaven. May He stimulate and illuminate our minds.

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Asato ma sad gamaya

Tamaso ma jyotir gamaya

Mrityor mamrtam gamaya

Lead us from the unreal to the real. Lead us from darkness to light. Lead us from death to immortality.

tasmadasaktah satatam karyam karma samacara

asakto hyacarankarma paramapnoti purusah

karmanaiva hi samsiddhimasthita janakadayah

lokasangrahamevapi sampasyankartumarhasi

Strive constantly to serve the welfare of the world; by devotion to selfless one attains the supreme goal of life. Do your work with the welfare of others always in mind.

Om saha naavavatu

Saha nau bhunaktu

Saha viiryan karavaavahai

Tejasvi naavadhiitamastu

Maa vidhvisshhaavahai

May we be protected together. May we be nourished together. May we work together with great vigor. May our study be enlightening. May no obstacle arise between us.

samani va akutih

samana hridayani vah

samanam astu vo mano

yatha vah susahasti

United your resolve, united your hearts, may your spirits be at one, that you may long together dwell in unity and concord!

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Om Shanti, Shanti, Shanti. Peace, Peace, Peace be unto all.
Om. Thank you."

Speaker Turner: "We shall be led in the Pledge of Allegiance today
by Representative Smith

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

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

Currie: "Thank you, Speaker. Please let the record show that there
are no absences... there are no excused absences among House
Democrats today."

Speaker Turner: "Representative Wheeler."

Wheeler, K.: "Thank you, Mr. Speaker. Please let the record
reflect that Representatives Spain and Phillips are excused
today."

Speaker Turner: "With 115 Members present, a quorum is
established. Representative Carroll for what reason do you
seek recognition?"

Carroll: "Point of personal privilege."

Speaker Turner: "Please proceed, Sir."

Carroll: "I'd like to welcome a group of folks here today. I'm
going to hold up their shirt. They are up in the gallery.
They are Moms Demand Action. I, myself, am a proud member of
Moms Demand Action and they are a phenomenal organization.
They grew from one mom with a Facebook page and they are for
Second Amendment rights, but for responsible Second Amendment
rights. And again, they might hear a little bit about that
today, just guessing. And I want to thank them for coming

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

down to Springfield and showing their support, and all the work that they do. And like I said, myself and my wife, Katrina, are both very proud members of Moms Demand Action and thank you again for all that you do."

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

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

Speaker Turner: "Please proceed, Representative."

Bryant: "Thank you. I have two Pages here today. If I could draw attention to the two individuals down here. First is Nathan Herman. Nathan is 13 years old. He goes to Trinity Christian School and his parents are Karen and Matthew Herman. They're in the gallery right behind me. And then my second Page, is actually a constituent of Representative Phelps Finnie and her parents are good friends as is her brother. And we're joined in the gallery today by her mom and dad, Sonya and Jeff, and grandma, Kay Peppersack. And Allison Dennison is 12 years old and in seventh grade at Harrisburg Middle School. And I'd appreciate it if we could give them a great round of applause."

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

Jimenez: "Point of personal privilege... point of personal privilege, Mr. Speaker."

Speaker Turner: "Please proceed Representative."

Jimenez: "Thank you very much. I'd also like the Body to welcome my student advisory group to the Capitol today. They're right

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

here behind me in the gallery. Give a wave. These kids represent generally high school juniors for each of the high schools in the 99th District. So, please give them a warm welcome."

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

Hurley: "Point of personal privilege."

Speaker Turner: "Please proceed."

Hurley: "I would... I would like to say a happy birthday to a Legislator who demands action. My seatmate and the youngest in the row, La Shawn Ford. So, everybody wish happy birthday to La Shawn."

Speaker Turner: "Happy birthday, Representative. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie Chairperson for the Committee on Rules reports the following committee action taken on February 28, 2018: recommends be adopted and referred to the floor, Floor Amendment #2 for House Bill 1465, and Floor Amendment #2 for House Bill 1469. Representative Mitchell, C Chairperson from the Committee on Economic Opportunity reports the following committee action taken on February 27, 2018: do pass Short Debate for House Bill 4081. Representative Fine, Chairperson from the Committee on Insurance: Health & Life reports the following committee action taken on February 27, 2018: do pass Short Debate for House Bill 4516. Representative Turner, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on February 27, 2018: recommends be adopted Floor Amendment #1 to House Bill

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

1465, Floor Amendment #1 to House Bill 1467, Floor Amendment #1 to House Bill 1468, Floor Amendment #1 to House Bill 1469, and Floor Amendment #1 to House Bill 1664. Representative Sente, Chairperson from the Committee on Environment reports the following committee action taken on February 27, 2018: do pass as amended Short Debate for House Bill 4569. Representative Ford, Chairperson from the Committee on Financial Institutions reports the following committee action taken on February 27, 2018: do pass Short Debate for House Bill 4541. Representative DeLuca, Chairperson from the Committee on Cities & Villages reports the following committee action taken on February 27, 2018: do pass Short Debate for House Bill 4573. Representative Mayfield, Chairperson from the Committee on Elementary & Secondary Education: Licensing Administration & Oversight reports the following committee action taken on February 28, 2018: do pass Short Debate for House Bill 4409, House Bill 4514, and House Bill 4789. Representative Gabel, Chairperson from the Committee on Human Services reports the following committee action taken on February 28, 2018: do pass Short Debate for House Bill 2617, House Bill 4383, and House Bill 4440; and do pass Standard Debate for House Bill 4900. Representative Burke, D., Chairperson from the Committee on Executive reports the following committee action taken on February 28, 2018: do pass as Amended Short Debate for House Bill 5498. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles & Safety, reports the following committee action taken on February 28, 2018: do pass Short Debate for House Bill 4312, House Bill 4377, House Bill 4401,

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

House Bill 4554, and House Bill 4576. Representative Turner, Chairperson from the Committee on Judiciary - Criminal reports the following committee action taken on February 28, 2018: do pass Short Debate for House Bill 4725."

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

Halbrook: "A point of personal privilege, please."

Speaker Turner: "Please proceed."

Halbrook: "Thank you, Mr. Speaker. And Ladies and Gentlemen of the House, I would like to introduce my Pages for the day. On my right is Maria Steiling and on my left is Lexi Jones. They are eighth-grade students in Meridian Middle School. They're also joined by their history teacher, Shawn Conlin, up here to my left. And so let's give them a warm Springfield welcome to the Illinois State Capitol. Thank you."

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

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

Speaker Turner: "Please proceed, Sir."

Olsen: "Thank you very much. I wanted to stand today to recognize Rare Disease Day. Today is Rare Disease Day at the Capitol, and Representative Harper and myself are the House Members on the Rare Disease Commission.. newly formed. So many Members around the Capitol are wearing these stickers, which represent Rare Disease Day. And I would just encourage everyone to speak with the families and the advocates that are here at the Capitol. Thank them for coming, very

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

appreciative. And I want to recognize today, Rare Disease Day. Thank you."

Speaker Turner: "Thank you very much, Representative. Representative David Harris, for what reason do you seek recognition?"

Harris, D.: "Thank you, Mr... Thank you, Chair. And I'd like... or Mr. Speaker. I'd like a moment... Point of personal privilege, please."

Speaker Turner: "Please proceed, Sir."

Harris, D.: "Thank you. Ladies and Gentlemen of the House, many of you know that I was the former Adjutant General of the Illinois National Guard and I want to give you some good news about the National Guard today. Now, this gets a little bit down in the weeds, but the amount of soldiers that the Illinois National Guard is authorized is governed by the National Guard Bureau and the Department of Defense. And those agencies assigned to Illinois units and those units are given what are called an MTOE. And for those of us old Army folks, that stands for Modified Table of Organization and Equipment. And it tells us how many soldiers we are authorized. For many years, Illinois has been able to recruit more soldiers than what we've been authorized and this has caused both personnel problems, as well as promotion problems within the ranks. But for example, as an example, in 2017 we had over 9800 soldiers in the Illinois Army National Guard, the National Guard Bureau and the Department of Defense had given us slots for only 9100. The good news is this. National Guard Bureau and DOD have finally realized that Illinois has truly committed and dedicated soldiers and we can be assigned more units. And

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

that's what they did. They gave us more units. We now have spots for 9550 soldiers, and we can still maintain a force of nearly 9900. Now, what does that mean for your districts? Well, in Galesburg. It's a little.."

Speaker Turner: "Excuse me, Representative."

Harris, D.: "That's all right, Mr. Speaker. Nobody wants to listen to me anyway. In Galesburg, the 2 of the 123 field artillery is returning to its home, and 38 soldiers and 1 full-timer is coming back to Galesburg. Milan will see 59 more soldiers. Fifty more soldiers in Beardstown... Beardstown with a full-timer. East St. Louis, 69 more soldiers. North Riverside, 43 more soldiers and 1 full-timer. Machesney Park, 81 more soldiers in Machesney Park. Peoria, an increase of 7 full-timers. Urbana, 45 soldiers and 2 full-timers. Bartonville, 78 soldiers and 3 full-timers. You know, our armories across the state, and the units that they house, provide economic stability and impact for our communities in which they are located. So its great news that NGB and DOD have recognized the ability of Illinois to support a greater Army National Guard force. A big salute to our National Guard for expanding its force across the state... state. Thank you very much for the good news."

Speaker Turner: "That's great news. Thank you, Representative. Representative Martwick, for what reason do you seek recognition?"

Martwick: "A point of personal privilege..."

Speaker Turner: "Excuse me... excuse me Representative. Representative Martwick."

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

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "Please proceed, Sir."

Martwick: "Thank you. Ladies and Gentlemen of the House, I'm joined by some special Pages today and visitors. I have over here, please stand up, Natalie Newman. She's with the Sierra Club and she's visiting today. And I have Tamara Callaghan, who's a student from Ireland who's visiting today. They are my Pages for the day. I'm also joined on the floor by my... my dad, Bob Martwick, my mom, Gloria Martwick, and my wife, Sharon, Martwick, and my son, Bobby, who's sleeping. So clap quietly. Thank you."

Speaker Turner: "Thank you, and welcome to your Capitol. Mr. Clerk, Agreed Resolutions"

Clerk Bolin: "Agreed Resolutions. House Resolution 869, offered by Representative Martwick. House Resolution 878, offered by Representative Evans. House Resolution 879, offered by Representative Evans. And House Resolution 882, offered by Speaker Madigan."

Speaker Turner: "Leader Currie moves that we adopt the Agreed Resolutions. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Leader Currie in the Chair."

Speaker Currie: "Representative Currie in the Chair. Representative Turner, for what reason do you rise?"

Turner: "Point of personal privilege, please."

Speaker Currie: "State your point."

Turner: "Thank you. Today is the final day of Black History Month and I'd like to talk to you about Alexander Lane. Alexander Lane was born in pre-Civil War Mississippi. His mother, a slave, sent him north with a Union Army Colonel, with a

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

promise of an education. He was raised on a farm in southern Illinois and in 1876, became the first African- American male at what was then called Southern Illinois Normal University. Lane became an educator, serving as the first principal of Carbondale's East Side School for Negroes, which later became Attucks School. He moved to Chicago, where he graduated from Rush Medical College in 1895 and was appointed as the Cook County Assistant Physician. In 1906, he was elected to the Illinois House of Representatives making him just the ninth African American elected to the State Legislature. He was reelected in 1908. And Lane died on November 13, 1911 and is buried in Carbondale. With me today, I have some interns that are part of the Andrew (sic-Alexander) Lane Scholarship Program, and they're in the gallery. Can they please stand for me? We have Joshua McCray. He's working on the Senate Democratic staff policy and budget from St. Charles, Illinois. Michael Smith, a Gene Callahan Intern from Chicago, who works on House Issues staff. And Darrin Reinhardt, also a Gene Callahan intern from Alhambra. Thank you very much."

Speaker Currie: "Thank you, Representative. Representative Swanson, for what reason do you rise?"

Swanson: "Madam Speaker, point of personal privilege."

Speaker Currie: "State your point."

Swanson: "Thank you, Madam. With me today is a family from my district, who I'd like to introduce and they're very special. With me is the mother... and they're behind me if you'd like to take a look and view this lovely family... the little girl in the wheelchair, her name is Lily. She's with her mother, Tracy, her grandmother, Lisa Trego, and also Kris Peterson,

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

a nurse from our local hospital. Lily has Spinal Muscular Atrophy, a disease that was discovered at 16 months. In the near future, Senate Bill 0... Senate Bill 546 will be coming over here to the House to help Lily with her SMA. It will allow testing of children at birth to identify this terrible disease. Lily is under care taking Spinraza and through the 18 months of Spinraza, she's gone from rolling across the floor in their house to, just this past Saturday, pulling herself up on the couch. Just an amazing story of this little three year old. So, when the Bill comes to vote, Senate Bill 0546, please remember Lily when we cast our 'yes' votes. Thank you very much, and welcome to Springfield."

Speaker Currie: "Thank you, Representative. Representative Guzzardi, for what reason do you rise?"

Guzzardi: "On a point of personal privilege."

Speaker Currie: "State your point."

Guzzardi: "On the order of birthdays, Representative Ford was already honored. I have to honor my seatmate who's here with his newborn son and his wonderful family. A great colleague, a mentor of mine since I've been down here. I'm proud to call him a friend. Representative Rob Martwick, let's give him a round of applause for his 22nd birthday, today."

Speaker Currie: "And happy birthday, Rob. Representative Hurley, for what reason do you rise?"

Hurley: "Point of personal privilege."

Speaker Currie: "State your point."

Hurley: "One more, if I may. I'd like to introduce my Page for a day. It is Adam Sundquist and I'm going to read a little because he's so accomplished. He is a junior at the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Agricultural Finance and Economics Career Pathway Program at the Chicago High School for Ag Sciences. He has served as a class FFA officer for the past two years. This past October he participated in a foreign exchange program and he is going to Korea for school in June, and he is also part of the largest FFA contingent in the whole State of Illinois, which is in my district. So, welcome, Adam. Thank you."

Speaker Currie: "Welcome, indeed. Representative Gabel, for what reason do you rise?"

Gabel: "Thank you, Madam Speaker. Point of personal privilege."

Speaker Currie: "State your point."

Gabel: "I would just like to announce that we are having the Green Caucus meeting this afternoon at 4:00 in Room 100. Please, everyone's invited. Come on down. Thank you."

Speaker Currie: "Clerk, we have the status of Senate Bill 1573."

Clerk Hollman: "Senate Bill 1573 is on Second Reading."

Speaker Currie: "Are there Amendments filed?"

Clerk Hollman: "Senate Bill 1573, a Bill for an Act concerning public aid. This Bill was read a second time on a previous day. Amendment 1 was adopted in committee. Floor Amendment #2, offered by Representative Greg Harris has been approved for consideration."

Speaker Currie: "Representative Greg Harris."

Harris, G.: "Madam Speaker, I'd like to adopt the Amendment then discuss the Bill on Third Reading."

Speaker Currie: "Representative Harris moves for the adoption of Amendment 2 to Senate Bill 1573. All in favor say 'aye'; opposed 'no', the 'ayes' have it. The Motion is adopted. Any further Amendments?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

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

Speaker Currie: "Third Reading. Clerk, read the Bill."

Clerk Hollman: "Senate Bill 1573, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Currie: "Representative Harris."

Harris, G.: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This is the first of a two- Bill package that comprises the modernization of the Hospital Assessment Program. You're going to hear two Bills today. This Bill deals with the reforms of the Medicaid program and the Medicaid Managed Care program that are associated with the Hospital Assessment. The next Bill you'll hear is Senate Bill 1773, is the Hospital Assessment itself. I will point out, and this is very important to note, that both of these Bills must pass and must be signed into law, or neither of them passes and neither of them is effective. So, it is imperative that both Senate Bills 1573 and 1773 pass. But before I begin, and... Madam Chair, can I have just a little bit of order in the chamber?"

Speaker Currie: "Could we have some order in the chamber please?"

Harris, G.: "So before I begin, Ladies and Gentlemen, with this substance to the Bills, I just wanted to comment a little bit about the process. And the process over the last six months that we've gone through on this legislation, has really been a model of what can happen when people on both sides of the aisle, Republicans and Democrats, and both chambers, House and Senate, work together with a common goal on behalf of the people of the State of Illinois and preserving Three and a half billion dollars for our health care system. I

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

particularly would like to thank the Members from this chamber who participated all these months on our working group: Leader Patti Bellock, Tom Demmer, Representative Spain, Representative Feigenholtz, Stratton, Gabel, Lily, and I think I got everyone on our side. And in the Senate, the Senate Democrats, Heather Steans, Emil Jones, Donne Trotter. And among the Senate Republicans, Dave Syverson, and Dale Righter, and of course, you know, the Illinois Hospital Association, who did the heavy lifting and the work and I noticed that many of their folks are up in the Speaker's Gallery today. Senate Bill 17... #1573 as amended is the changes to the Medicaid program and reforms to the Medicaid MCOs. Working very closely with the department with the IHA and with the Illinois Association of Medicaid Health Plans, we've agreed on changes that will be very important for monitoring these billions of dollars going forward for the next six years, the life of this program. The things that are called for, as part of the reforms, are increased transparency and accountability with respect to claims, particularly claims, rejections and denials, delays in payment, delays in prior authorization, and MCO denial and rejection rates. The legislation will require HFS to post an analysis of MCO claims processing and payment performance on its website every six months, and it will also require public posting of an analysis to include a representative sample of hospital claims rejected and denied and the top five reasons for those claim's denials, and rejections. Also included that will be available to us and to the public are metrics on denials pending claims, claims adjudication timeliness, rejections and reasons. This

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

legislation would also require that any future procurements for MCOs under the MCO contracting system be done through regular procurement channels and not through purchase of care as the... as we saw in this last year. It also provides that MCO encounter guidelines and provider fee schedules must be regularly posted and updated. And it provides provisions that should there be any problem at the federal level, with the assessment, that there's appropriate measures in place for recoupments or clawbacks. I'd be happy to answer any questions."

Speaker Currie: "Thank you. Representative Harris has moved for the passage of Senate Bill 1573. And on that Motion, is there any discussion? Representative Bellock."

Bellock: "Thank you very much, Madam Speaker. Just to the Bill. I want to thank Representative Harris for all his leadership in moving forward with this process; it's been over five months. This Bill... he thanked everybody, I want to thank everybody also. He mentioned everybody, but this, in the 20 years that I've been here, was one of the best processes of a legislative working group bicameral that I have ever worked with that focused specifically on the issue of bringing back close to \$4 billion to the hospitals in Illinois. This Bill alone addresses several of the issues of the Managed Care Organizations, which were very important to get into the Hospital Assessment, through the Manage Care process that we ventured into... into Illinois. Representative Harris just mentioned several of those issues that we addressed. And I want to thank them and the Hospital Association for working so closely together with Felicia Norwood and the HFS, the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

department, to move what I think is one of the most important Bills in the last 10 years to help the most fragile populations in Illinois to receive better access and quality health care and the hospitals which are the backbone of our economy, and provide that access and in health care to everybody in the State of Illinois. Thank you very much, Madam Speaker."

Speaker Currie: "Further discussion? Representative Demmer."

Demmer: "Thank you, Madam Speaker. To the Bill. I'd like to echo my colleagues and their remarks about the productive discussions that the working group had over the course of several months. We worked in good faith with Members of both Parties, both chambers, many different interested groups and associations representing providers, representing people in every step of the health care process across the State of Illinois. I felt we came to a very good negotiated Bill and that's what you see before you today. I'd like to... as Representative Harris mentioned, this is part one of two. This Bill really focuses on many of the issues that we heard about from both providers and Managed Care Organizations, who both are interested, as we as Legislators are. Both are interested in ensuring the state's Medicaid program is efficiently run, that we all are speaking the same language when we're talking about the issues, that we have efficient systems in place for tracking claims that go from the point of care, where the care is actually delivered, all the way through to getting those bills ultimately paid for. And everybody has a role to play in that. And so I'm encouraged by what we see in this Bill today, which adds a number of

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

areas of transparency that were negotiated and agreed to by Managed Care Organizations, the Hospital Association, the Department of Healthcare and Family Services, and I think that shows what can happen when we work together in good faith. I'd encourage all those groups, and I think we have an agreement from those groups, to continue to work to share information about how rates are developed by the Department of Healthcare and Family Services, agreed to by Managed Care Organizations. I believe we need to continue to have productive, good faith discussions so everyone understands and knows how the rates were set, what those are, and agrees that those are... those are appropriate and reasonable. So I think we can take some lesson from this and know that when we sit down at a table, we work together knowing that we have a shared aim of improving the state's Medicaid system and we can actually get something productive accomplished. So again, I thank my colleagues who were part of this work together, all the associations that came to the table and I look forward to continuing to work to get us towards our shared goal. Thank you."

Speaker Currie: "Further discussion? Leader Durkin."

Durkin: "Thank you, Madam Chair. I'd like to speak about process with this Bill. This has been a seven month collaboration between the four caucuses, designees working on a very, very important issue. And I just want people to know, and particularly my friends on the other side of the aisle, when you want to engage the Minority Party, the Republicans, we're willing to do it on every issue; and when we do it, we can get a good product, like today. Now we're going to take up

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

some very emotional Bills, shortly, this afternoon, Republicans were not brought into the loop on that. I would ask you, after today, that we continue to work together on all the important issues that we're going to be seeing in front of us over the many months ahead. We've done it before in education, we've done it on public safety in the past. Let's continue to do that after today. This should be the model for us to continue working together in a collaborative manner. I ask you to engage Republicans on these major issues, even the ones that we take up today, later this afternoon. But I just want to say thank you for all the Members who were involved in this, particularly in my caucus, Patti Bellock, Tom Demmer, Ryan Spain, and also our staffer Pat Besler, who put a great deal of time and effort into it. And I congratulate you too, Representative Harris, for the fine job you've done. Thank you."

Speaker Currie: "Further discussion? Representative Lilly."

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

Speaker Currie: "The Sponsor will."

Lilly: "Representative Harris, I've got a couple questions. Can you explain a little bit the Medicaid program for us?"

Harris, G.: "The Medicaid program is a federal program, Representative, that provides health care for persons with disabilities, for seniors with certainly high Medicaid needs. It also provides care for persons below a certain income threshold as a percentage of the federal poverty level."

Lilly: "I just think it's important that we all understand the programs that we are speaking to on today because it is a program that is designed to help the poor and the most

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

vulnerable population and the work that the committee has done addresses that. So I really wanted to make sure that was on record, what that program is about. Thank you."

Speaker Currie: "Representative Harris moves for passage of the Senate Bill 1573. All in favor vote 'aye'; opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this measure, there are 110 voting 'yes', 0 'no', 1 voting present. And this Bill, having reached.. received the appropriate Constitutional Majority, is hereby declared passed. Representative Martwick, I know it's your birthday, but for what reason do you rise?"

Martwick: "Yes. Thank you, Madam Chair. If I could have the House's attention, I believe that we recently passed a Resolution here in the House.. I can't read 'cause I don't have my glasses on... Resolution 869, I believe. Could I indulge the Clerk to read the Resolution?"

Speaker Currie: "Clerk, please read the Resolution."

Clerk Hollman: "House Resolution 869.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Robert F. Martwick on his 50 years of community service and we recognize his role as Norwood Park Township Democratic Committeeman.

Speaker Currie: "Representative Martwick."

Martwick: "Thank you, Madam Chair. Ladies and Gentlemen of the House, 50 years ago my father stood for election for Illinois State Representative. A race that he... he ultimately did not succeed in, but it spurred him into 50 years of service in

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

politics to... and if there's one hallmark of my father's career, it's that he helped people. He found good people and he helped them, he helped them run for office, win office, serve in office, and that... that first race in 1968 I was two years old and I was... I have a picture where I'm sitting on his lap on his first campaign piece. And from a very early age, I was inspired to... to public service because of the good work that my dad did. And I'm so proud to be here, 50 years later, standing for election myself in the same House that my dad once sought. I'm proud to hold a role as a Democratic Committeeman, as he once held. He's been my inspiration; he's been my role model. I am as a person what my family has taught me to be, my dad, my mom. I'm joined by my entire family up in the gallery. Dad, if you want to look, everybody's up there. And I'm so proud to acknowledge him for his 50 years of great service. So, thank you everyone for giving your attention. And if you get a chance, come by and congratulate the old guy."

Speaker Currie: "Representative Lang on the Resolution."

Lang: "Thank you, Madam Speaker. I, too, am proud to be here to speak for my good friend Bob Martwick. He's been a wonderful community servant. He's got the highest calling, of course; he's a Democratic Committeeman in Cook County, so that puts him ahead of the class, much more important than what we do here. He's been a mentor to many in government and in politics and within the confines of the Cook County Democratic Party. You don't run for public office in Cook County without coming to see Bob. And he gives great advice, he's been a... great for all of us and we hope he's around to give us mentorship and

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

advice for a lot longer, even though he would probably like to retire from that. So I salute you, Sir. My good friend and thank you for joining us on the House Floor today."

Speaker Currie: "Representative Feigenholtz on the Resolution."

Feigenholtz: "Thank you, Madam Chair. I, too, would like to congratulate this man for the 50 years of service that he has provided. For those of us involved in policy and government on the northwest side of Chicago, he is the oracle that people go to for the good word. I met him when his young son was active, and probably still is, with the Polish lawyers, the advocates. And the only correction I want to make is when Representative Martwick talked about the hallmark of his father's career, I think the hallmark of his father's career is you. You are the gift that he has left all of us who really respect the work you do here, and you are his most wonderful legacy. So, congratulations to the Martwick family for all they contribute to public service. Thank you."

Speaker Currie: "Congratulations, indeed. Representative Sente for a Motion."

Sente: "Thank you. I have spoken to the Chairman and the Minority Spokesperson of the Mental Health Committee and requested that House Bill 4341, that we waive the posting requirements."

Speaker Currie: "Representative Sente moves to waive the posting requirements on House Bill 4341 so it may be heard tomorrow in the Mental Health Committee. Is there any... any objection? There is no objection. The Motion is adopted. And now, back to the order of Medicaid assessments. Clerk, what is the status of Senate Bill 1773?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Clerk Hollman: "Senate Bill 1773, a Bill for an Act concerning public aid. This Bill was read a previous time on a previous day. Amendment 3 was adopted in committee. Floor Amendments 8 and 9 have been approved for consideration. Floor Amendment #8 is offered by Representative Greg Harris."

Speaker Currie: "Representative Harris."

Harris, G.: "Thank you, Madam Speaker. This will, along with the page and line Amendment that we will consider next, become the Bill. I'd like to pass these and then debate them on Third Reading."

Speaker Currie: "Representative Harris moves adoption of Amendment 8 to Senate Bill 1773. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk Hollman: "Floor Amendment #9, offered by Representative Greg Harris has been approved for consideration."

Speaker Currie: "Mr. Harris."

Harris, G.: "I'd like to have this page and line Amendment also included. And we can discuss it on Third Reading."

Speaker Currie: "Representative Harris moves adoption of Amendment 9 to Senate Bill 1773. All in favor say 'aye', opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Third Reading. Clerk, read the Bill."

Clerk Hollman: "Senate Bill 1773, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Currie: "Representative Harris."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Harris, G.: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is the Hospital Assessment Bill. It is required that we do this major modernization of the Bill for the first time in a decade, because the current hospital assessment that is in effect... in effect in the State of Illinois will sunset on the 30th of June of this year. Should that sunset occur without a new program in place, the State of Illinois and its Medicaid program and the hospital industry, that would affect every hospital across the state, would lose \$3.5 billion. So this assessment program would reauthorize and modernize the 2008 hospital assessment program and some subsequent changes and additions have been made to it. It modernizes the data collection, it updates the standards of care that we are funding, it provides support for each and every one of the hospitals in every community across the state. And as... and I'm going to use his name in debate hopefully luring him into speaking again, but Mr. Demmer, on the other side of the aisle, in his remarks mentioned... Excuse me. Could we get just a little bit of quiet?"

Speaker Currie: "Let's have a little order, please."

Harris, G.: "Okay. Sorry about that. As Mr. Demmer mentioned, this is not the conclusion of this process. Our working group is going to be moving forward discussing further issues that were raised during the discussion of the hospital assessment, including additional transparency on rate development and you know, claims reporting on issues related to Medicaid managed care and the long-term care industry on hospital transformation and on changes and additions to behavioral

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

health. What this Bill does is it allocates \$3.5 billion based on current data-driven standards, based on the most available data and the most complete data. Because health care utilization changes on a regular basis, since this is a six-year program, every two years the data will be reset so that the program and the payments are based on the most currently available data. It was a goal among everyone, on both sides of the aisle, to be sure that the funds available through this program targeted those hospitals which served the neediest populations. Particularly those in rural critical access communities and in inner city Safety- Net Hospitals. So among the \$3.5 billion that we are allocating in this program, 58 percent... and I'll just say that number again, 58 percent of the new money that is available in this program is being allocated to Safety- Net Hospitals and rural critical access hospitals. But every hospital in the State of Illinois will see rate increases. Inpatient rate increases will amount to 10 percent, and 23 percent of increases will go to outpatient rates. Additionally, in phase one of this program, \$600 million will go into what are called live rates. And this is different than the way we have done things before in this state. This is \$600 million that will be in rates where the money follows the person as opposed to just static rates, paid automatically to hospitals on a monthly basis. We're changing this because it is good public policy, but we're also changing it because for the last several years, the Federal Government has changed its rules and regulations and will no longer approve assessment programs based on a static payment system. I'd like to also point out some of the public

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

policy priority areas that the working group, the IHA, and the other stakeholders have identified for additional funding that reflect needs in the modern health care system. Behavioral health will receive another \$85 million increase through this assessment program, high cost drugs and devices will receive a \$27.4 million increase, perinatal services will increase by 49.3 percent, outpatient services will increase by \$79 million. And I'm sorry I said a percent before, I meant million dollars.. Alzheimer's care will get a \$10 million increase, hospital transformation will receive \$262 million, and graduate medical education will receive \$105 million. So, again, this is a brief summary of a very complicated Bill with many pieces. I'd be happy to answer any questions. And again, I'd point out that for this to pass and take effect, both this Bill must become law and Senate Bill 1573 must become law."

Currie: "Representative Harris has moved passage of Senate Bill 1773. And on that Motion is there any discussion? Representative Bellock."

Bellock: "Thank you very much, Madam Speaker. And again, Representative Harris did a wonderful job in outlining the Bill. I just want to speak briefly to what the main focus of this Bill is and it's about the hospitals in Illinois. And I think all of us take for granted the hospitals that are really the backbone of our communities. They take care of our most fragile populations, they take care of all populations, they hire thousands and thousands of people throughout our communities, and they're there in the middle of the night at 3:00 in the morning when you have a child that's fallen off

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

a horse or anything that happens, somebody is there to welcome you at the door of the emergency room. This Bill today, we have worked on, as Representative Durkin said for close to six to seven months to make sure that what we send to Washington, D.C. is thorough, it's transparent, it's accountable, and has included everyone that should have been included in this discussion. Representative Harris talked about... think about \$3.5 billion coming back to your hospitals. Every one of your hospitals in the State of Illinois is going to receive money. The Managed Care Organizations are going to work through the populations on Medicaid to make sure that everybody receives services, everybody in the State of Illinois will receive good access and excellent quality of care. They're included in this Bill besides the money is the bridge. If there is to be a problem in Washington, we have addressed the issue of the bridge so that there will be no gap in the payment for the hospitals that need the services so diligently. There will be a transformation pull of money for hospitals that may have to address other issues and realign their services to what the needs of their communities are. We spent a lot of time talking about safety nets and critical access hospitals so that we would make sure that they would continue to serve the most fragile populations in the State of Illinois. There will be a Transformation Committee made up of Legislators that will be able to represent their communities and make those decisions as to who will receive this money. So there were thousands of issues, we tried to address all of them, and the legislative committee, the staff, the hospitals, the MCOs, and HFS all

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

took part in this. And I think that we, as the Legislators in Illinois, can be proud of what we have tried to do today to send an assessment that has a redesign that we hope the Federal Government CMS will look at and improve within a short period of time and make us whole for what we need to do in the State of Illinois to address the issues of our constituents who rely on us to keep this system going for every person in the State of Illinois. Thank you very much."

Speaker Currie: "Further discussion? Representative Demmer."

Demmer: "Thank you, Madam Speaker. My name was used in debate. To the Bill. Again, I want to thank Representative Harris for his leadership, and note that I'm sure he's as excited as I am that the working group will continue to meet regularly, exhaustively. This is a... this is a good Bill. It's a result of months of compromise from various stakeholders. I just want to point out two items that I think are important in this very comprehensive Bill. The first, as Representative Harris mentioned, is that this Bill puts more than \$600 million into improving Medicaid rates. And those Medicaid rates are what helps to empower individual... individuals across the State of Illinois to choose where they receive their services and to bring with them a little bit better Medicaid rate to help pay for those services. That connection between a patient who's empowered to choose and us making sure that the rates that are paid are affordable, are realistic, and are reasonable for providers, I think is an important combination. It's good public policy and it helps us ensure that we're making choices that are in the best interest of the patients. The second thing that I'd point out

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

is that this Bill creates a Hospital Transformation Committee that's specifically tasked with looking at hospitals across the State of Illinois who are struggling to make ends meet right now, and to encourage them to really look in their communities for what the community health needs are in their area, to help them to identify a path they can take that is more responsive to what their community needs today, instead of being based on what decisions of years or decades ago have led their organizations to look like today. So, again, this is an important thing that's forward looking that encourages every hospital in the state to continually be diligent about surveying the needs that their community has and looking at themselves and their organizations to see how they can best meet those needs. The Hospital Transformation Committee will be an important part of that and I think the outcome will be a health care delivery system that's more aligned with the needs of people in every neighborhood across the State of Illinois. Again, thank you for all the work that all of my colleagues and I... we've done together on this Bill. And I encourage a 'yes' vote. Thank you."

Speaker Currie: "For further discussion, Representative Thapedi."

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

Speaker Currie: "Sponsor will yield."

Thapedi: "Greg, I want to commend you for a job well done on this very complicated issue. But there are a couple of matters that I'd like to get clarified with respect to legislative intent. Would you define for me the term Safety-Net Hospital? And the... and the reason, Greg, why I ask that question is because often times large teaching institutions... teaching

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

hospitals are actually grouped in with community hospitals that are serving very poor and vulnerable communities. It's also my understanding that under the Bill, that the current definition for Safety- Net Hospital is going to be changed, and that definition... at least that's what the analysis says, that it's going to be changed. It'll be changed up until I believe until June 30, 2020. Is that accurate?"

Harris, G.: "So, you had two questions, Representative. The first is..."

Thapedi: "I did and I apologize for the compound question."

Harris, G.: "... what is..."

Thapedi: "I apologize."

Harris, G.: "No, I'm just going to answer them in order. So the first question is to what is a safety net? That is defined in statute and it is based on either a percentage of Medicaid business that a hospital does or a percentage of Medicaid business plus how much charity care they are given. So, there are two standards that are in statute and they are evaluated based on numbers that come from the hospitals. For the purposes of this Bill, we were able to use 2017 MIUR, Medicaid Inpatient Utilization Rate data."

Thapedi: "Well, what does... what does that mean?"

Harris, G.: "Medicaid Inpatient Utilization Rate data..."

Thapedi: "Okay."

Harris, G.: "...which just shows the number of Medicaid people who are in the hospital, which gave us 21 Safety - Net Hospitals which are, for the last several years, has been a fairly consistent group of hospitals. The same hospitals have stayed on it fairly consistently. One of the charges of the Hospital

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Transformation Committee, over the next two years, is to reevaluate the standards for you know, what constitutes a Safety - Net hospital and what constitutes a children's hospital, under current statues to see if any changes are required as we see how this new model of payment may affect positively or negatively, different hospital results."

Thapedi: "Thanks. Now, I notice that your counsel was shaking her head no about the definition change. Is the definition of a safety net hospital..."

Harris, G.: "Yeah, I think she was shaking her head no at Mr. Brown."

Thapedi: "Okay. So we are changing the definition of a Safety - Net Hospital being changed or not?"

Harris, G.: "No. No, we are not."

Thapedi: "We're not?"

Harris, G.: "We're... in the trans... hospital transformation process, for years down the road, there is a discussion of whether or not a change should be needed. But right now, the definition of a safety net for the next two years stays exactly the same."

Thapedi: "And what is the composition of this committee that you're referring to, this Transformation Committee?"

Harris, G.: "It will be appointed three members by each of the Leaders, so each of the four caucus leaders and the Governor will have two appointments."

Thapedi: "Okay. Now, I want to ask you specifically about two hospitals, specifically. The first one is St. Bernard Hospital, which is in the Englewood community, and the only hospital in the Englewood community in Chicago."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Harris, G.: "Are you saying St. Bernard 'cause it's very hard to hear you?"

Thapedi: "St... I apologize, St. Bernard..

Harris, G.: "St. Bernard."

Thapedi: "St. Bernard Hospital on 63rd Street in Chicago. The other hospital I'd like to ask you specifically about is Holy Cross Hospital in Chicago in the Chicago Lawn community, which is the only hospital in the Chicago Lawn community in Chicago. With respect to St. Bernard Hospital, what financial ramifications will this Bill have on the viability of that hospital?"

Harris, G.: "Our understanding is the results that those hospitals got are favorably viewed by those hospitals."

Thapedi: "What does that mean?"

Harris, G.: "As to what their actual dollar numbers are?"

Thapedi: "Yes. I mean are they... are they going to win or are they going to lose under this proposed piece of legislation? Yes, upon the advice of counsel, let me move on to another area. Now, with respect to emergency rulemaking, which I understand that this Bill allows, correct?"

Harris, G.: "This Bill allows emergency rulemaking. The intent is for two reasons. One is to... once the Federal Government authorizes a program, whatever process federal CMS does, we have 30 days to implement the program in the State of Illinois. So it would allow emergency rulemaking for the initial implementation according to statute, then as was mentioned earlier in debate, we have a contingency portion in this legislation called the bridge portion that should..."

Thapedi: "What does that mean?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Harris, G.: "It's a ... so, should federal CMS not approve this new assessment program prior to the June 30, 2018, sunset date of the current program, we have asked federal CMS to extend the existing program for the amount of time it takes them to finish their review and authorize the new program. This would preserve the flow of funding to the hospitals so that there would not be a cliff where we lose several billion dollars on June 30 and to implement that bridge program there may be emergency rulemaking authority needed. So that would be the other time. Otherwise, it would be regular rulemaking that was required."

Thapedi: "All right. And I thank you for that explanation. Are those the only scenarios in which you would anticipate or in which the intent of the legislation is to grant emergency rulemaking authority? And the only reason why I ask that question, Greg, is you as am I are... we are Members of JCAR..."

Harris, G.: "Sure. Yeah."

Thapedi: "...and I want to ensure that we're not going to have a challenge down the road with renegade rules that are being promulgated by HFS that are... have a huge and a deleterious impact on the poor and the vulnerable communities. So, I want to make sure that I understand exactly what the legislative intent is with respect to granting HFS or any other agency that pretends they could fall under that bridge with the emergency rulemaking authority."

Harris, G.: "Right. And maybe, you know, as a lawyer you would probably tell me don't go beyond the questions you have been asked when you answer them, but I'm going to a little bit here. I'm going to say that, yes, you're right that those are

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

the two items where we intend emergency rulemaking to be used. But there's an additional protection for some of these programs that requires a supermajority threshold of agreement by the Hospital Transformation Committee before rule could even be sent to JCAR for consideration. Because it is... it was the clear view of both chambers and all four caucuses that all changes be bipartisan in nature that nothing could be slipped through by one political party or another, or one Governor or another without a bipartisan agreement between all four caucuses."

Thapedi: "Thank you. Thank you, Madam Speaker."

Speaker Currie: "Further discussion? Representative Lilly."

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

Speaker Currie: "Sponsor will yield."

Lilly: "Thank you. As you've just stated, Representative Harris, early on, that the Medicaid program is to provide access to health care services for the poor and the most vulnerable populations in here in Illinois. I appreciate that explanation. A couple questions. Will the model continue to protect Safety- Net Hospitals that reside and serve the underserved communities here in the State of Illinois for the next six to ten years?"

Harris, G.: "Representative, as you know from being a Member of the committee that 58 percent of the resources of new money in this model go to safety nets and rural critical access hospitals."

Lilly: "And with that, the safety net hospitals that are in the underserved area, they will be protected under this model?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Harris, G.: "Representative, in this model we are trying to protect safety nets hospitals and rural critical access hospitals as a class. Within those that class of hospitals, there are some who do more successfully than others, and I think there are a couple where they were disappointed with their results, but you know, I think people are also working with them through other publically available programs to, you know, augment services that they provide through, you know, existing programs that they might be able to take advantage of."

Lilly: "Thank you. I have another question. Will the model improve health disparities in the State of Illinois? As you've heard in the media, and we all are getting all kinds of calls from our hospitals about the life vein of the hospital, which I appreciate the call, but the disparities in health services and access of health services is an issue as well. One of the pieces that we hear over and over again is that the life expectancy of persons who living in one part of the state.. or one part of the city, is different from the life expectancy in another part of the city. Will this model improve the health disparities that are happening in our state.. city and in, our state?"

Harris, G.: "And you know, that's a very good question Representative. You know, I just wanted to say you and I have had this discussion about the social determinants of health and I think, you know, we often talk about the issues of providing stable, affordable housing, access to, you know, nutritional.. nutritious, fresh food, and some of those things. You know, clearly a hospital program isn't going to

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

address a lot of those needs, but what this program will do is provide resources to those hospitals so they can begin to expand services, if that's what they so choose, to better provide for behavioral health and substance abuse treatment. It will be able to provide, you know, high quality drugs and devices that, you know, otherwise might have been inaccessible. The transformation money will help hospitals change from a model that may have served the community in the past, but update itself so they can offer more holistic, innovative services for the future. So, you know, there are a lot of elements in here that I think will begin to help hospitals evolve and serve their communities better."

Lilly: "And will the model improve the payment cycle and the denial rates for safety net hospitals and all hospitals in the State of Illinois, and particular to the safety net hospitals in the underserved areas where the poor and the most vulnerable live. Will the model improve the payment cycle and the denial rates?"

Harris, G.: "Representative, the Bill we did before this, Senate Bill 1573, which included the Medicaid transparency, the encounter rate date information, that's the one that.. a lot of what you're talking about is in that Bill 'cause it's... you sat in the committee meetings, whether we heard from individual standalone hospitals, whether we heard from big systems, whether we heard from southern Illinois, or central, or suburbs, you know, all the hospitals were saying there are these problems with transparency, with claims denials and rejections, and the timing of the.. of their payments. So, there are a lot of measuring tools in there to hold everyone

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

in the system, whether it's the hospital, the MCO, or the state, accountable to make those payments flow more smoothly."

Lilly: "Thank you, Chairman. To the Bill. It is..."

Speaker Currie: "To the Bill."

Lilly: "...important that I ask these questions because some of the questions were not clearly answered. I do believe the committee and the task force worked on all these questions to the best of their ability. I do believe the chairman went to this proj... took this project on with concern for all citizens who are needing health care. I am most concerned about the poor and the most vulnerable populations that live in certain parts of our communities, in the State of Illinois, the underserved communities where there's nothing left. When we begin to have models that don't really clearly state if health care would be available to these communities, I am concerned. I just want to thank Representative Harris and the task force, which I had the opportunity to participate on. However, with all due to respect to the work that has been done, there are still questions and there's still concerns with the measure. So, I'm not able to vote for it at this time. Thank you."

Speaker Currie: "Further discussion? Representative Feigenholtz."

Feigenholtz: "Thank you, Madam Chair. I rise in strong support of this effort and want to commend Leader Harris for the herculean job of working on getting this Bill on track. This assessment money, this is the fourth time we're doing this in the state, it is the mother's milk of the hospital system in our state, in our ever-changing system. I have lost a hospital in my district and there is no worse feeling than losing a

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

hospital. So, some of the previous speakers have made some very, very, clear messaging about how we have to... how these are the bedrocks. Hospitals are the bedrocks of our community. But the face of health care changes and it shifts and these are the kinds of changes and things we have to go through. I look forward to the continued discussion on this as we move forward and on some of the work issues that remain out there, the rate transparency issue, things that are critical to make this assessment successful that are still hanging out there. So, I commend you and the Republican House and Senate caucus, the Republican and the Democrats in the Senate for working on this, and the great staff work we've had with these endless meetings and encourage an 'aye' vote."

Speaker Currie: "Further discussion? Representative Stratton."

Stratton: "Thank you, Madam Chair. And will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Stratton: "To the Bill. I'd also like to thank Representative Harris and the Members of the working group for the hard work to build consensus and present this Bill for consideration. But I also want to specifically acknowledge the employees of the safety net hospitals who provide critical services to the field, as well as the activists and community organizers who made sure that we kept the importance of safety net hospitals at the forefront of our discussions. Safety net hospitals are vital to so many communities, especially low-income communities, as are rural critical access hospitals. Yes, safety net hospitals provide quality health care to communities which suffer tremendous health disparities. But safety net hospitals are also community anchors and major

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

employers throughout the state. They provide critical care to Medicaid patients without receiving a subsidy through private insurance. And many of these facilities take almost entirely patients covered by Medicaid. They are treating our most vulnerable residents in the state and because of this important Bill, this assessment in providing 58 percent of the funding to safety net hospitals, will help these hospitals survive, will help employees maintain their jobs and will ensure that vulnerable people, who often have nowhere else to go, will get much needed care. In essence, this Bill helps to ensure that we will not create health care deserts. We absolutely don't want this deadline to pass and jeopardize this important health care funding. I look forward to continuing the work of the working group and I strongly urge an 'aye' vote."

Speaker Currie: "Further discussion? Representative Arroyo."

Arroyo: "Thank you, Madam Chair. Will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Arroyo: "Chairman Harris, I raise in support of this Bill. I think that it's a wonderful Bill and the job you're doing is wonderful. I want to tell you thank you for helping the safety net hospitals. We have one in Norwegian Hospital, who is dear to me, in the heart of the Latino community. And it's not easy; it's not easy dealing with health care and all our health care problems are going all over the place, but I tell you, Greg, you did a wonderful job and you keep doing the wonderful job you're doing. But I have one question for you, and you might have answered this, I wasn't here when you started the Bill. But I want to ask you about Roseland

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Hospital. I understand that there was some kind of negotiation happening and you told us in committee that there was negotiation ongoing. Did that get solved?"

Harris, G.: "So, Representative Arroyo, let me just first of all, say about Norwegian Hospital that you were addressing, Norwegian American Hospital, that I really salute the work that they did. And for Members of the Body who are not familiar with Norwegian American Hospital, out in Humboldt Park, when the hurricanes hit Puerto Rico and there was no electricity, there was no hospitals, there was no health care available, it was Jose Sanchez, and the doctors and the nurses from Norwegian who took their medical supplies, they went out to O'Hare airport, they flew over to Puerto Rico right away and set up temporary hospital services to provide care and treatment for, you know, people who had absolutely nothing and were really struggling during that time. So again, safety net hospitals not only provide great services in the community. When there are struggles elsewhere, they really stand up and just with their own devices, their own money, and their own time, went and did that. And you know, every hospital, I think in reference to your question, we understand provides great opportunities there, not only their community, but even further beyond. And as I had said before to Representative Lilly, you know, there.. there are different groups and existing programs that work, you know, above and beyond, just what's in this one Bill to help those facilities."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Arroyo: "Chairman, you're a champion in my community, brother. Thank you very much, keep up the good work. And I'm going to be a 'yes' on this Bill. Thank you."

Speaker Currie: "Representative Harris to close."

Harris, G.: "Thank you, Madam Speaker. Thank you everyone for the comments and thank you for voting for this Bill and preserving the health and... health and hospital system in the State of Illinois for the next six years. I would ask for an 'aye' vote."

Speaker Currie: "Representative Harris has moved passage of Senate Bill 1773. All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this measure, there are 107 voting 'aye', 7 voting 'no', 0 voting 'present'. And this Bill, having reached a Constitutional Majority, is hereby declared passed. Clerk, what is the status of House Bill 1467?"

Clerk Hollman: "House Bill 1467, a Bill for an Act concerning criminal law. This Bill was read a second time a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Moylan, has been approved for consideration."

Speaker Currie: "Representative Moylan on the Amendment."

Moylan: "Thank you, Madam Speaker and Members of the General Assembly. Well, I'm back and I listened and again, I urge you, everyone in the General Assembly, in passing a ban on bump stocks and trigger cranks. This new Bill, which is nearly identical to the bipartisan Massachusetts Law, is narrowly tailored to specifically address the concerns I heard this past fall. Gone are... the bar... the broad provisions referring

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

to trigger modifications that drew concerns. Instead, this Bill is very specific to those two devices and that's why it passed unanimously in Massachusetts. Bump stocks and trigger cranks are dangerous, make no mistake. They turn regular weapons, semi-automatic weapons, into illegal machine guns, only without the accuracy. Reports from the Las Vegas massacre indicate that the shooter used bump stocks. Yesterday in committee, I heard two reasons to vote against this Bill and they were bad reasons. So, I'm going just to answer them right now and save us all time. First, the Illinois State Rifle Association wanted my Bill voted down because, shockingly, they think the version they wrote is better. Well, it isn't. The Rifle Association's Bill doesn't ban trigger cranks and it only bans bump stocks that accelerate the fire to the exact rate of a machine gun and since no bump stocks do that, the Bill does nothing. Another reason I heard, and this is not a joke, that this Bill would accidentally ban antique Gatling guns. Jesus Christ. This is a creative argument, but it's wrong. This Bill bans attachments and devices that turn a trigger into a Gatling-type operation, devices which convert firearms, not antique firearms themselves. Look, we all agree these types of machine gun workarounds are dangerous and serve no purpose other than mass murder. You can listen to the scare mongers, who would ask you to do nothing about mass shootings because of the concerns about antique replicas or everyone can join me, which I am counting on, in trying to stop the next Las Vegas massacre. I... emphatically ask you for an 'aye' vote."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Currie: "Representative Moylan moves the adoption of the Amendment. And on that Motion, Representative Keith Wheeler."

Wheeler, K.: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "The Sponsor will yield."

Wheeler, K.: "Thank you. Representative, you and I have talked about these Bills in the past and we've had discussions about how broad ranging these Bills should be. And we had a discussion earlier today about how clean of a Bill this is. I would like you, just if you would just for my purposes, clarify for me where we're at on it."

Moylan: "Last Session, some Members..."

Wheeler, K.: "Can we go to Third and then do the discussion? Okay."

Speaker Currie: "There's been a..."

Moylan: "Before, Mr. Representative, there was a catch-all in there. I eliminated all of that to make it a clean Bill, just for bump stocks and Gat cranks that turn semi-automatic firearms into a nearly automatic. So, I cleaned up, I listened to your concerns and other Members, and that's what I did."

Wheeler, K.: "Okay. I'm going to ask you a question that came from one of my constituents in our previous discussion had to do with competition shooting. Now..."

Speaker Currie: "Representative Moylan moves... would like to move the Bill to Third Reading and then continue the discussion."

Wheeler, K.: "Thank you."

Speaker Currie: "All in favor of the Amendment say 'aye'; opposed 'no'. The 'ayes' have it. Motion's adopted. Clerk, Third Reading. Clerk, please read the Bill. Any further Amendments?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

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

Speaker Currie: "Third Reading and please read the Bill."

Clerk Hollman: "House Bill 1467, a Bill for an Act concerning
criminal law. Third Reading of this House Bill."

Speaker Currie: "And can we go right back to the colloquy between
Representative Wheeler and Representative Moylan?"

Wheeler, K.: "Thank you, Madam Speaker."

Moylan: "Bump stocks... bump stocks are not used in competition."

Wheeler, K.: "No, I mean the trigger modifications."

Moylan: "Trigger cranks are not used in..."

Wheeler, K.: "Okay. Just making..."

Moylan: "...in competition."

Wheeler, K.: "...it very clear that these are not trigger
modifications that would be used for those things. This is a
separate approach you're talking about?"

Moylan: "Yes... yes, Sir."

Wheeler, K.: "So you... in what environment would someone actually
use a trigger crank, besides the obvious things we're not...
not into?"

Moylan: "For mass shootings."

Wheeler, K.: "We have... our... our notes say that there's
reenactments that can use those types of things. Just putting
it on the record."

Moylan: "No, they're used for mass shootings for killing as many
people as they can in a small amount of time."

Wheeler, K.: "That's pretty direct. Well, thank you,
Representative."

Moylan: "Thank you."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Currie: "Further discussion? Representative David Harris."

Harris, D.: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As many of you know, I have a fairly extensive military background. I'm conversant with firearms, of all types and I will tell you that an automatic weapon is used for one reason. First of all, an automatic weapon is, as we know, banned in the United States and has been for decades. And an automatic weapon is used for one reason: to inflict maximum injury and death. That's what an automatic weapon means. When you pull the trigger, bullets keep coming out until the magazine is empty. In my opinion, it is a disgrace, an absolute disgrace, that 4 months after 58 people were murdered in Las Vegas that at the national level and at the Illinois state level, there is not a ban on bump stocks. What in the world... Seriously, I believe that is a dereliction of our duty to protect the public. Why do you need an automatic weapon? Seriously? There is no reason. So, the Gentleman, his previous Bill was seriously flawed and he recognized that. He came back, he drafted a new bill. This is a much better Bill. I don't care what Bill it is that passes; I don't care what you call the device. You can call it a four-slice toaster, but if it causes a semi-automatic weapon to fire like an automatic weapon, it ought to be banned in Illinois and this is our chance to do it."

Speaker Currie: "Further discussion? Representative Arroyo."

Arroyo: "Thank you, Madam Chair. Would the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Arroyo: "Marty, I am going to raise in support of this Bill because all these killings and all these shootings have to stop. There's a lot of killings and a lot of shooting in my neighborhood and I can't stand for it. I also have a gun... one gun a month Bill that I'm going to redraft it and I'm also going to call it again. I've tried to call that Bill several times. But there's seven Bills I believe, seven gun Bills and I'm going to raise in support of all seven gun Bills to try to stop the flow of guns. Thank you, Marty. I think you... you did change your Bill, you're doing a good job with these Bills and that... like the last speaker said, that we don't need this in the city of Chicago. That should be somewhere in a rural area to hunt. Thank you very much."

Speaker Currie: "Let me just make the requirement that we do not permit demonstrations from the gallery. We appreciate your views, but tell us afterwards what you thought. Further discussion? Representative Olsen."

Olsen: "Thank you, Madam Speaker. I wanted to speak generally to this Bill, but to all these Bills we're about to consider, as Representative Arroyo just did. As a Republican, and more importantly as an American, I do cherish the individual rights and liberties enshrined in our Constitution. The right to free speech, the right to peaceably assemble, the right to a trial by a jury of our peers, the right to practice whatever religion I so choose, the right to vote. And the basis of our debate today is another one of those rights, which I cherish and I strongly support, the right to bear arms. We're grappling with the challenges today of any of those that... that are inherent in any of those rights guaranteed in the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Constitution. Where is the line drawn between unfettered individual freedoms, and regulations on those freedoms to preserve public safety and preserve that freedom for broader society. For example, our First Amendment to the Constitution says that Congress shall make no law abridging the right of the people peaceably to assemble. But it is also well-established that governments can impose limited regulations on a gathering of people to ensure public safety and security, such as regulating the time and location of such a gathering. This limited regulation ultimately protects the rights of assembly for all people. Similarly, the Second Amendment says the right of the people to keep and bear arms shall not be infringed. And similarly, Congress and State Legislatures have enacted limited regulation, such as banning machine guns, to preserve public safety and ultimately ensure all people can exercise that right preserved to them under the Constitution. Today's action on gun legislation in this House of Representatives is framed by the fact that we see too many tragedies across our nation and in our state, which are the result of gun violence. The recent school shooting of Parkland, Florida, killings in Chicago and across our cities and our state come quickly to mind. No one wants to see this violence continue. And we must also be reminded that guns are only a factor in these tragedies. The simple truth is that even if all guns were suddenly to vanish from this earth, there would still be violence. But that does not mean we can throw up our collective hands, wish things were better and do nothing. Conversely, we must also not make hasty, ill-considered decisions that trample on the Constitutional

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

rights of Americans. So today, I'm supporting this legislation and I'm supporting several pieces of this legislation that will advance today. Those that will help ensure public safety for Illinoisans, are narrowly targeted towards keeping guns out of the hands of criminals and respect the Constitutional rights we all cherish as Americans. But I will oppose pieces of legislation which may sound good in concept, and which I may support in concept but as drafted today, are too broad, infringe on Constitutional rights and are not appropriately targeted towards stopping crime and preserving public safety. Let us also remember this dialogue must not end today. I believe all Americans want to end gun violence. So, I want to work with everyone here, with groups from across the political spectrum, and find those common sense gun reforms and reforms about public safety so we can keep people safe. Thank you."

Speaker Currie: "Further discussion? Representative Skillicorn."

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

Speaker Currie: "Sponsor will yield."

Skillicorn: "Representative Moylan, I know we've discussed this issue before and it's been a pleasure and I think you're one of the... since you've already supported this Bill in the past, or at least the version of this, you sound like the expert on bump stocks and items that might increase fire on firearms. So, can we dive into the language of this Bill a little bit?"

Moylan: "Sure."

Skillicorn: "Okay, sounds great. So, when I look at the actual specifics here, it... you know, I see here a bump stock is defined as 'any device for a weapon that increases the rate

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

of fire achievable by the weapon'. So, that's more than a bump stock, right? Or it could be construed as that?"

Moylan: "Bu... excuse me, it's not what you say. It's by using the energy from the recoil of the weapon to generate a... action that facilitates repeated activation of the trigger of the weapon."

Skillicorn: "So, quite a few, we have a constituent that might use a rifle or another semi-automatic weapon, in competition and has a buffer, or something that actually is supposed to reduce recoil, so that they can use it to have more accurate shooting on the next shot. Is... is that something they have to worry about? Would they be a felon if they keep that in their gun?"

Moylan: "They would not."

Skillicorn: "So, the wording seems otherwise. It seems... the wording's awfully vague. Is that... this is something that could be construed as to increase fire."

Moylan: "No, it couldn't be construed. Just read it and read it good."

Skillicorn: "So, I mean... would you offer any assistance of someone that might have a vindictive state's attorney prosecute them for this?"

Moylan: "No."

Skillicorn: "Okay. So, and I want to go in a little bit different direction here. So, I just, I have Google on my phone and I just put in 'belt fire belt loop' 'cause I heard that there are some people that use their belt loop to do the exact same thing. And I come... the first video here is a video of someone with a semi-automatic rifle with their thumb in the belt loop,

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

using it to and it bounces with the recoil and it creates a rapid fire. Are you insinuating that possessing belt loops is a felony, Sir?"

Moylan: "Right. While you're Googling, go to October 1, 2017. It was the deadliest shooting in modern American history. There is a complete attempt... explanation of what a bump stock can do."

Skillicorn: "And I think that might be a good idea, especially when there's a clean bump stock Bill sitting in committee right now that just bans bump stocks. And if we're serious about that, I don't know why we don't call that Bill. Where this one has additional language to it... And... and to the Bill, everyone."

Speaker Currie: "To the Bill."

Skillicorn: "I think it's... it's interesting that we have something that's kind of vague here and can be construed as something else. There is a clean bump stock Bill sitting in committee right now that may get enough approval to pass. I'm going to actually urge people to vote 'no' to this because it is in addition to that. This here, you could make the insinuation that everybody with a belt loop is a felon in Illinois. It also, I looked through the legis... language and it makes anyone in possession of a bump stock or a device that can speed fire as a felon. Felonies are serious; felonies are a year in prison. It also has additional penalties for someone that has one of these attached to a loaded weapon. So, if someone has a competition, auto... semi-automatic pistol, a rifle in their home, in their possession, on the range, they are a Class X felon. Ladies and Gentlemen, there are millions of these

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

products in our state. I cannot support a Bill that makes millions of our constituents... constituents that we serve, felons. That is inappropriate. So, I would ask a 'no' vote on this. And I'd also ask to check the Roll Call when this is called."

Speaker Currie: "Your request will be... rewarded. Representative Drury, further discussion."

Drury: "Thank you. Thank you, Madam Speaker. To the Bill. On October 1, we... we saw the news of a murderer who unloaded on a bunch of innocent people who went to see a concert. He had bump stocks, he had ammunition and he had one motive to just kill anybody who was within range of his gun. I sponsored a Bill to ban bump stocks, Representative Moylan sponsored a Bill to ban bump stocks, and we got about 37 votes at that time. And at that time, I made the call to this General Assembly to plea to this General Assembly and I said, what is it going to take to wake us up? Is it going to take a mass murder in Chicago, in Grant Park because the shooter had booked a hotel room at the Blackstone and maybe he was going to shoot up Lollapalooza. It turns out it took another mass murder of young children in Florida because Newtown didn't do it. Newtown didn't do it. It took a mass murder in Florida and then it took some brave children to stand up for what we've been fighting for, for what everybody in this gallery up there has been fighting for, for years, going door to door trying to get these Bills done. It took kids. And as great as that is, it's somewhat sad that the adults in the room couldn't get it done. The adults in the room couldn't get it done after Newtown. The adults in the room couldn't get it

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

done after Las Vegas. The adults in the room couldn't get it done after another mass murder in Florida years ago. It took children. And so, look, I hear the debates, I hear about the Second Amendment, I hear about the right to bear arms, but look, people in this country, people in this state have the right to live. They have the right to be able to go to school without their teachers being armed to keep them safe. They have the right to know that their government cares about them. They have the right to sit in the Oval Office with a President who actually takes them seriously. And so, today I hope all seven of these Bills pass. I hope they pass with bipartisan support. I hope that Illinois can set the standard for what we can do as leaders, not followers. And I wholeheartedly support this Bill and I ask everybody in this chamber to give an 'aye' vote to it. Thank you."

Speaker Currie: "Further discussion? Representative Willis."

Willis: "Thank you, Madam Speaker. Representative Moylan... Will the Sponsor yield, please?"

Speaker Currie: "Sponsor will yield."

Willis: "Representative Moylan, you had a Bill a couple of months ago on this same topic. Can you tell me what are the differences on this Bill from that one?"

Moylan: "The Members from this side of the aisle said that was overreaching. So, with our staffer here, we did a lot of research, we actually looked at the Bill in Massachusetts. We copied almost the identical same language and that Bill passed with bipartisan support. But I want to read you one thing."

Willis: "Please do."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Moylan: "Last year, on October 1, 2017, the night began as a celebration. Thousands gathered in Las Vegas for one last night of song, at a long-awaited country music festival. They had driven in from towns all over California. They had flown in from Alaska, Tennessee, West Virginia. They were teachers, police officers, secretary... secretaries, retirees. Many had planned for weeks, even months, this weekend of relaxation. Some came with elaborate plans that the... the music venue, a reunion with old friends, a wedding and anniversary, even a marriage proposal, then came the gun fire. Bang, bang, bang. Sudden and rapidly and seemingly endless. When it was over, 58 people had been killed, hundreds more injured and still injured to this day, making the attack at the Route 51 Harvest Festival on October 1st, one of the deadliest mass shootings in American history. Ladies and gentlemen, the victims included 36 women, 22 men, many shot in the head and in the back as they ran for cover. The oldest was 67, the same age as me, the youngest was 20. And I have all their stories. I tried reading their stories, but I couldn't make it through."

Willis: "Representative Willis... Representative Moylan, I would like add to your story. My husband and I happened to be in Las Vegas that night. We had just returned... and I've not shared this with many people... we had just returned to our hotel room after having a dinner where we had just passed that music festival. That was our first night of being in Las Vegas for a four-day getaway. It was the scariest thing that I ever encountered. The next morning when we went out, we... First off, when we got back to the hotel room, we were met with a call on the... the radio over the speaker system in the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

hotel to stay away from all windows, do not leave your rooms, and do not attempt to change... leave the hotel at all. So, we were aware of that. We put the news on, saw that there was a live shooting incident on the Strip, not knowing exactly where it was going 'cause it was happening as we were in our room. The next morning, after we had been up all night listening to the tragedy that was unfolding, trying to reach to our children to let them know that we were safe, we were the lucky ones. We were safe in our room and we were going to be there. And we texted them during the night to let them know that we were okay. Had a phone call from my mother at 6 a.m. that morning, when she woke up and heard the... the terrible news. My mom doesn't text, so I couldn't text her. But that next day as we left our hotel, we were met on every street corner with police, with guns, to protect the citizens, because we didn't know that this was it. This man should never have had that bump stock. We need to stop that. We need to make sure that nobody has it. There is no place in anybody's gun collection for a bump stock or a trigger enhancement. So, I urge everybody to please vote 'yes' on this. Thank you so much."

Speaker Currie: "Further discussion? Representative Barbara Wheeler."

Wheeler, B.: "Thank you, Madam Speaker. To the Bill, and actually to the Sponsor, but I don't want you to answer any questions. I want to compliment you. In October, the Republican Caucus filed a bump stock Bill, not all... all are in agreement and some of you on the Democratic Caucus filed bump stock legislation. We were very narrow; you were very broad. So

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

after four months, I don't know how many legislative days, you have compromised with what we had a very narrow Bill, and you had a very broad Bill. I'm not thrilled with this Bill. I certainly wasn't thrilled with it in committee yesterday, but I am in the Minority, so I have to get used to not always winning. So, I will be supporting your Bill today, Marty. And I thank you for taking your time, for listening to both sides of the aisle and creating a clean Bill. I can't say that for some of your colleagues who slopped together a couple of the gun Bills that will be coming in the very near future, but I appreciate that you took the time from October, listened and cleaned up this Bill. Thank you."

Speaker Currie: "Further discussion? Representative Carroll."

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

Speaker Currie: "Sponsor will yield."

Carroll: "I don't really have much to say, but there was just another school shooting today, about 40 or so minutes ago in Georgia. No kids were hurt, but a teacher barricaded himself in a classroom with a gun and fired bullets. When are we going to stand up and stop this from happening? Thank you."

Speaker Currie: "Further discussions? Representative Stratton."

Stratton: "Thank you, Madam Chair... Madam Speaker. Forgive me. To the Bill. After Sandy Hook, we offered our thoughts and prayers. And after Las Vegas, we offered our thoughts and our prayers. And after Parkland, we offered our thoughts and our prayers. And this morning, as I walked into this Capitol building, there was a stack of signs right outside the door, likely set aside for some of the advocates who are here this morning, on this issue of gun reform and legislation. And the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

one that was on top said thoughts and prayers need to come with policy and action. Now, while I would never ever dismiss the need for or the power of prayer, what we have seen is that across this country, led by the strong and powerful voices of young people, they are urging us to move beyond our thoughts and move beyond our prayers and to finally do something. Gun violence, it is an epidemic in this country. And I support this Bill and all of the seven Bills that are being presented today, not just for Sandy Hook and not just for Las Vegas, not just, by the way, for Northern Illinois University, not just for Parkland, but also for all the black and brown children on the south and west sides of Chicago and all over this state. including the two sisters, just this past weekend, I think ages six and four years old on the west side, who lost their lives to gun violence. Whose lives are just as valuable and just as precious and just as worthy of more than just our thoughts and our prayers. All of these young people and others, who have lost their lives across our country and certainly in our state, some of which live in my district, are worthy today of our action. And I urge an 'aye' vote for this Bill and for this entire package of seven Bills being presented today. Thank you."

Speaker Currie: "Representative Connor."

Connor: "Thank you, Ma'am. First off, I'd.. I'd like to thank Representative Wheeler for her kind comments towards Representative Moylan. I think it is very important that we attempt to reach across the aisle, especially on particularly contentious issues such as this. Very briefly, as to the Bill, not long before I entered the Legislature back in June, we

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

had a training in my old office in active shooter response. And the law enforcement officer that was presenting the training said at the beginning, we've studied all these active shooter situations that have occurred. And he said if you take nothing else away from this training today, what we have discovered is that in any active shooter situation, doing something is better than doing nothing. And they basically gleaned that from the idea that the people who actually moved had a far better chance of survival than people who stood still. So, today, I rise in support of Representative Moylan's Bill for the simple reason that if we are training people, in an active shooter situation, that it is always better to do something than to do nothing. How can we as a Legislator... how can we as a Legislative Body then do nothing, when faced with active shooter situations? So, thank you."

Speaker Currie: "Representative Moylan to close."

Moylan: "Ladies and Gentlemen, 1100 shots fired in a matter of minutes, matter of minutes. Jack Beaton, in the last photo that Jack posted on Facebook page, on Sunday evening, his companions can be seen lounging on the grass, holding beers and smiling at the camera, light from the country music festival twinkling in the background. 'Day three, Route 91 Vegas' he wrote in the caption. Hours later, Mr. Beaton, of Bakersfield, California, was killed while shielding his wife, Laurie, from gunfire his family said. Ladies and Gentlemen, I cannot go on reading the rest of these. And I beg you to please vote 'aye' on this very important Bill."

Speaker Currie: "Representative Moylan moves passage of House Bill 1457. On that, all who are in favor vote 'aye'; opposed..."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

I'm sorry, 1467. All in favor vote 'aye'; opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this measure, there are 83 voting 'aye', 31 voting 'no', 0 voting 'present'. Mr. Skillicorn, do you renew your request? He withdraws his request for a verification. This Bill, having achieved the appropriate Constitutional Majority, is hereby declared passed. Clerk, what is the status of House Bill 1465?"

Clerk Hollman: "House Bill 1465, a Bill for an Act concerning criminal law. This Bill was read a second time a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Mussman."

Speaker Currie: "Representative Mussman, do you want to see if you can get the Amendments on the Bill and then move it to Third for discussion?"

Mussman: "Yes, please."

Speaker Currie: "Representative Mussman moves adoption of Amendment 1 to House Bill 1465. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Hollman: "Floor Amendment #2 is offered by Representative Mussman and has been approved for consideration."

Speaker Currie: "Representative Mussman on Amendment 2. Again, would you like to amend it and move it... Yeah."

Mussman: "Yes, please."

Speaker Currie: "Representative Mussman moves adoption of Amendment 2 to House Bill 1465. All in favor say 'aye';

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

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

Clerk Hollman: "House Bill 1465, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Currie: "Representative Mussman moves for the... to... On Third Reading, Representative Mussman on House Bill 1465."

Mussman: "Thank you, Madam Chair and Members of the House. We are here today on House Bill 1465, which would increase the age for purchase or possession of assault weapons, assault weapon attachments and high-capacity magazines by individuals under the age of 21. This Bill is the result of a nationwide, bipartisan conversation about what steps we can take to reduce the likelihood of a mass shooting and reduce the potential for injury or death if one does occur. We feel this is a reasonable compromise that reflects other limitations already placed on those under the age of 21, including access to handguns or even, honestly, the ability to rent a car, in recognition to the fact that research shows us, that impulse and decision-making portions of a young person's brain are still maturing. As a member of the Mental Health and Education Appropriation Committee, I can also personally attest to the number of schools reporting high levels of anxiety and depression in their students and an inadequate number of counselors, social workers and community mental health services to address those needs in a timely way. The rise of school shootings is an indicator that combining that a long wait for intervention with an impulsive nature is not a good

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

combination. This is a step we can take to try and protect our children from violence. I would like to point out that this Bill does make exemptions for youth utilizing weapons as part of their military service or participating in officially sanctioned sport shooting activities, as we recognize that those are legitimate and encouraged activities. To clarify, for the Amendments, we wanted to make sure that it was noticed that in committee yesterday there were concerns brought up about how we worded the exemptions for the sanctions.. for the sporting activities. So this Amendment expands the provision, excluding competition shooting from the age limit to allow training and competition sanctions and supervised by licensed firearm instructors because as it was originally introduced, the language was too limiting. So I wanted to make it clear, especially to the Members who were present in the committee hearing yesterday, that we've taken steps to address those concerns. I'm happy to answer any questions."

Speaker Currie: "Representative Mussman moves for passage of House Bill 1465. Is there any discussion? Representative Keith Wheeler."

Wheeler, K.: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "She will."

Wheeler, K.: "Thank you very much. Representative, just some questions that came up in our discussions, primarily have to do with if a person already is under 21 years old, but is in current possession of these weapons you've described."

Mussman: "They have 90 days to transfer ownership."

Wheeler, K.: "Okay. If that doesn't take place, what's the next part of the process?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Mussman: "Well, if they're caught in possession of materials that they should not possess, there are clarifications for what that becomes. So, if you are caught with an assault weapon, it is a Class 3 felony for the first violation and a Class 2 felony if more than one weapon or a second or subsequent violation. Assault weapon attachment is a Class 4 felony for the first violation and a Class 3 felony for the subsequent violation. Fifty caliber rounds equals a Class A misdemeanor. A high-capacity magazine is a Class A misdemeanor, if 15 rounds or less and a Class 3 felony for a first offense if more than 15 rounds and a Class 2 felony for any subsequent offense if more than 15 rounds."

Wheeler, K.: "So, if someone has possession of these weapons, in their home, and someone points out to, let's say, law enforcement, that they believe that those weapons are in that person's possession, they're under 21 years old, it's been more than 90 days, they have not yet transferred those weapons."

Mussman: "You have 90 days to transfer."

Wheeler, K.: "So then, they're going to get charged with that? Are the police or the Sheriff's Office going to have to go and investigate that part of it? How does that work? I mean, I'm trying... only asking that question because I was asked by law enforcement how this would work. Are they going to be required to collect weapons from people who are currently law-abiding citizens, who may not be aware of the law change, may not understand how it impacts them, but want to understand what realistically will happen?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Mussman: "So, there is nothing in this law that compels law enforcement to have to go out and knock on doors and check your possession. But if it turns out that they have a reason to come on to your premises or a reason to investigate, based on information they've received, that's how local law enforcement will make that determination. Again, there's nothing in here that compels law enforcement to seek you out."

Wheeler, K.: "Okay. I appreciate that, but it also, again, leaves a little bit of ambiguity about how it would happen. For instance, well, let's step back for a second. Are we intending to notify people with FOID cards, who are under 21 years old, that this law is taking effect so they actually know? I mean, there's... this is... I'm asking you, realistically, 'cause if you really want this to take place, the way you've outlined it, there's going to have to be some element of that, notification's going to have to take place."

Mussman: "So again, there is nothing in the Bill that does specifically say that the Illinois State Police is going to send out notifications. I'm... that is a provision we could perhaps explore in the Senate, but that is not a current provision in here."

Wheeler, K.: "Okay. And then one other question did come up. It had to do with, if a family has a gun collection and they were to, for instance, if the... if the parents were to pass away that they inherit it, the person who's under 21 inherits these things. If they'll get... still have 90 days to transfer the ownership of those weapons. Is that how this would work?"

Mussman: "Yes."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Wheeler, K.: "Or after the 90 days... I guess my question of clarification is, after this law takes effect that you've written here, would they actually take possession for 90 days or is it only 90 days from the date of this Bill that they have to get rid of the weapons? Because effectively, they'd be taking possession, even momentarily, they could be in violation."

Mussman: "So technically the way the Bill is drafted is 90 days from the point of effectiveness of this Bill."

Wheeler, K.: "Okay. So, let's say a year from now, much more than 90 days passed, if you give someone those weapons, it'd be an inheritance or some other mechanism, they would be in violation of that law?"

Mussman: "Well, technically, yes, but I would think that it would be incumbent upon a person to understand when they're writing their will, that they're not legally allowed to leave those weapons to a person under the age of 21."

Wheeler, K.: "Again, just pointing out some of the things that could be difficult to transfer in this. So, thank you for the questions."

Speaker Currie: "Representative Skillicorn for further discussion."

Skillicorn: "Thank you, Madam Speaker. So, I just want to go over a couple of things on the Bill here and also point out a few things that the Representatives, a couple people may not know of, some people in the audience, people at home. So, right now, Illinois has a Firearms Owner ID card and you're required to have... and this is to the Bill... this is required to have a parent's consent... the signature on that FOID card

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

application, if you're under 21 years old. So effectively, someone under 21 years old can't just go out and buy a gun, cannot buy ammunition, can't even touch a gun in a gun store. I just wanted to let people know that. So, I'm not sure if Illinois is like the rest of the nation in this regard. This is a very strict, ruling law that other states don't have. So we're not like Florida, we're not like Nevada, we're not like a few other states. But I wanted to look, a little couple things on this Bill here and it just, you know, it talks about an assault weapon and that's simply anything except more than 10 rounds the ammunition and a couple other things. It does include handguns. But one thing I did on my phone here and I clicked on it and clicked away again, here this is the advertisement, as it's slowly loading here, for Cabela's, for the Ruger 10/22 Rifle, this is a semi-automatic, but only .22 caliber rifle, very popular for sport shooting, very popular for young adults to shoot and plink cans and even go to the target range with. That is available with a magazine feed and that magazine can be above 10 rounds. So, if you're 16, 17 year old high school student goes to the range with this, they are possessing it. And they... he is making that person, 16, 17 year old, even someone younger, a criminal. This is not what I would call a weapon that you would do, as the Representative from Des Plains said, a mass shooting with. This is something a little bit different, this is something purely sporting, it's only .22 caliber. I think that's a little bit much. I don't... I think this is just that's too much in this case. But let's go a little bit farther into this. If someone is transporting a weapon, so then you have

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

a FOID card, right? This is someone who has a parent's signature for a FOID card, it's someone 18, 19 years old, might own a rifle, what... what are the consequences that we have there? Just because of the size of the magazine. They may not even live in the State of Illinois; they might be coming to a match from out of state. All of a sudden we have... we're going to turn people away from tourism, we're going to turn people away from the Sparta Center, where we have shooting? I don't think that's the case. It's admirable to talk about these issues, but in Illinois this 21 issue isn't a big deal because we have a FOID card here and the FOID card prevents someone from going to a store, even touching a weapon, unless they have a FOID card. And if they're under 21, they have to have a parent's signature to get that FOID card. This is... I'm going to... I'm going to hope that the Representatives here do not support this Bill. And I'm going to urge a 'nay' vote."

Speaker Currie: "Further discussion? Representative Costello."

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

Speaker Currie: "Sponsor will yield."

Costello: "Michelle, one of the things we talked about... I'm concerned that in the Bill, I read a couple of different Sections and I'm concerned about transportation of weapons and especially transportation as it relates to even people over 21. So, can you tell me if there's any changes or how it would relate to transportation of weapons for... whether it be someone from out of state, what have you, that's over 21, in the Bill."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Mussman: "It does not impact current law for over 21 year olds at all. So the current statute stands as is."

Costello: "So, everything would remain the exact same for someone who's over 21, transporting any type of weapon?"

Mussman: "Correct."

Costello: "Okay. I... I think a lot of my questions were answered by a couple of the other questioners. Thank you."

Mussman: "Certainly. And just to clarify, for those under 21 we're maintaining the current statute. It makes exemptions based on the Federal Government Safe Passage Laws for transporting firearms across state lines and how the firearm and ammunition must be stored; both the weapon and the ammunition must be inaccessible. We use federal standards for the safe passage law. For transportation by residents, the Bill uses the same requirements that are currently on the books for other weapons. Those particular standards are lower than the federal level, but it must be broken down in a nonfunctioning state or not immediately accessible or is unloaded and in... it's enclosed in the case or carrying box. We have not changed that."

Speaker Currie: "Further discussion? Representative Bryant."

Bryant: "Thank you, Madam Speaker. Sponsor yield?"

Speaker Currie: "Will."

Bryant: "Thank you. Representative Mussman, I think this came up a little bit in committee yesterday. So, you're maintaining that the brain is not developed adequately between 18 and 21 to be responsible enough to own or use this weapon. Is that correct?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Mussman: "So we're saying it's not a... maturity levels are obviously going to be different for... for different people, right? And... and... and there's not a common standard, but we do have reason to believe, based on research, that... that there is a certain level of impulsivity and struggle with certain kinds of long-term planning evident at this age. Again, I reiterate, even for renting a car they have enough data to indicate that you are a higher risk, that they're either not going to rent to you at all, or they're going to charge you more money for that. Right? We... we have data that indicates this particular age group shows this quality. And... and I think that's something important to consider when we're talking about a weapon of this capacity for destruction. And I would also point out, remember that there are specific rules even as regards being able to access... purchase a... a handgun at the age of 21, right?"

Bryant: "But..."

Mussman: "So, the provisions have already been made."

Bryant: "Thank you. But an individual can enlist in the military at age 18, correct, without parental permission?"

Mussman: "Correct. And you are allowed to have those weapons in... in the pursuit of your job..."

Bryant: "Right."

Mussman: "...if you are in the military, according to our rule. We agree with you."

Bryant: "Okay. And they can be drafted at age 18."

Mussman: "Yes."

Bryant: "So, an individual could be serving at age 18. It's not likely that their enlistment is going to be over before age

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

21. But let's suppose, God forbid, the person is injured between 18 and 21, they now become a disabled veteran, now they're home. Yesterday, they were able to use an automatic weapon, today they cannot, simply because they are now at home, rather than being away is that... I'm sorry, semiautomatic weapon. So... and that's what we're maintaining is that it's... there's no carveout. My question is this."

Mussman: "No."

Bryant: "Is there a carveout for those who have served in the military..."

Mussman: "No."

Bryant: "...between 18 and 21?"

Mussman: "You may use that weaponry in pursuit of your job, but you may not have that weapon in your private life."

Bryant: "So, by no fault of their own, they've been injured, they're home, they're a disabled veteran from 18 to 21 and we're not carving out anything for them..."

Mussman: "Even if they are not..."

Bryant: "...to be able to use it."

Mussman: "...disabled. If they're... if they are an active duty or they are a veteran, they may not own that gun, in that age range in their private lives. They may only utilize that gun in relation to their actual service duties."

Bryant: "To the Bill."

Speaker Currie: "To the Bill."

Bryant: "So Members, just remember that 18 to 21 someone can serve in the military, protecting their country, but at the same time, they can't possess, own, whatever that... that same article. So, thank you."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Currie: "Further discussion? Representative Reick."

Reick: "Thank you, Madam Chairman. Will the Sponsor yield, please?"

Speaker Currie: "She will."

Reick: "Representative, why 21? Why 21?"

Bryant: "Because that maintains parity with other things that we allow to have happen at... allow to happen at age 21, like possessing a handgun, like drinking alcohol. We're discussing moving the smoking age up to 21. I would make it older if you'd like, but I think the 21 is a reasonable compromise."

Reick: "Representative, I don't see anywhere in the Constitution where it says that you become 21, you automatically gain the rights of a citizen. You're born with those rights. And to say that you can't buy a beer, you can't drive a car until you're 16. You can't buy a beer 'til you're 21. Those are privileges. Those do not belong... those do not belong on the same level as a right. The right to self-defense. The right to bear arms, enshrined in the Constitution. So for you to say... I don't understand, 21?"

Mussman: "The Second Amendment does not lay out a particular age at which that Amendment goes into effect..."

Reick: "The reason that..."

Mussman: "...these ages are arbitrarily chosen by government and we change them all the time..."

Reick: "The reason that the..."

Mussman: "...based on research or information..."

Reick: "Representative..."

Mussman: "...we have."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Reick: "Representative, please. The reason the Constitution is silent as to the age at which someone attains certain rights is because they were born with them. These are rights that you have as a member of the human race born in the United States under our Constitution. You don't have to reach a certain age in order for you to attain inalienable rights, as they were discussed in the Declaration of Independence and enshrined in the Constitution."

Mussman: "I will point out that in the McDonald case, Judge Alito stated, the majority opinion is that state and local government can experiment with reasonable firearms regulations. It is within the governing authority of our Body to set what that age is going to be."

Reick: "Do you know that the average mass shooter in this country's... the average age of a... of a mass shooter in this country is 34?"

Mussman: "And that's fine, but we still have the ability to have this debate and decide what we want this age restriction to be."

Reick: "We're having a debate over the imposition of a limitation or a restriction. We're age limiting, basically, the Second Amendment. We're saying that if... if I recall correctly, you mentioned the fact that anyone who already owns such a weapon is grandfathered in and will not have that weapon..."

Mussman: "They will not."

Reick: "...taken away?"

Mussman: "They are not grandfathered in. They have 90 days to disperse..."

Reick: "I'm sorry. I miss... I missed that."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Mussman: "...those weapons."

Reick: "I'm sorry. So what you're basically saying is that Constitutional, fundamental rights, we all enjoy as Americans, are only good enough... are only available to those to whom you think are capable of handling them. Those rights, I'm sorry, I'm sorry, I... I don't see... man is an imperfectable being. We cannot make him perfect by changing the age at which he enjoys the rights that he was born with. I..."

Mussman: "Well..."

Reick: "...have a real problem justifying this. To the Bill. All of these Bills today stem from one particular instance. We... we passed a bump stock Bill, but no bump stock was used in Parkland. We're going to probably pass this Bill because people are taking a more blithe and sanguine interpretation of what it means to be an actual American. I would vote 'no' on this Bill simply because I do not want to see the rights of people who stand up for the flag and join the military, for people who aspire to someday be a fully fledged member of our society, which you seemed and intent or to make people wait for. I can't support this Bill. I can't support the... the seed from which all of these Bills stem. And I will vote 'no' and I urge my colleagues to do the same. Thank you."

Speaker Currie: "Further discussion? Representative David Harris."

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

Speaker Currie: "Sponsor will yield."

Harris, D.: "Representative, first of all, this... the Bill only applies to individuals under 21 years of age, correct?"

Mussman: "Correct."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Harris, D.: "Okay. And it, in essence then, makes the standard for purchase of a firearm the same for a long... long arm, a rifle as well as a... as well as a handgun. Is that correct?"

Mussman: "So actually, under this Bill you could still own a long... a long range gun or a shotgun, it just cannot be automatic."

Harris, D.: "Okay."

Mussman: "Semiautomatic."

Harris, D.: "Semiautomatic."

Mussman: "Sorry."

Harris, D.: "Automatics..."

Mussman: "Yes."

Harris, D.: "...we know are banned. Okay. So, shotguns are okay."

Mussman: "Yes."

Harris, D.: "They can purchase shotgun. But we're... we're saying that, we're raising the standard for this type of firearm to the same standard as it is for a handgun."

Mussman: "Correct."

Harris, D.: "So there's a limitation on handguns right now or a limitation of our rights somewhat for handguns because we have to wait until we're 21. Question regarding the... my... my analysis shows that the... the NRA and the Illinois State Rifle Association are opposed. I understand that. But my analysis also shows that the Sheriff's Association is opposed. Is that accurate?"

Mussman: "I believe the Sheriff's had... So, we believe that they were... they had questions about the language used for the transportation. But again, we didn't actually change the language used for transportation. It is consistent with existing statute. So we believe, with a little more time, we

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

could... we could clarify that and... and... and work on that position."

Harris, D.: "So, there's..."

Mussman: "We have been in discussion with them."

Harris, D.: "...so as far... so as far as you know, the Sheriff's Association is opposed because there's an issue regarding the transportation of the weapon."

Mussman: "We believe that they're misreading the Section. Again, the Section isn't changing anything or creating new statute. It's just reconfirming existing statute for federal... for transportation from people out of state and transportation for people in state. Because the federal... the Federal Laws are just a little bit different than the State Laws."

Harris, D.: "So, are... are you... the Sheriff's Association, from what I'm being told, feels that you are creating a new standard regarding the transportation of a weapon. Is that accurate in terms of what you think is..."

Mussman: "We are not."

Harris, D.: "...their position? You don't believe that you are. Okay. Lastly, then, you indicated... I know there's an issue regarding the... the ability to serve in the military at 18 and... and use this type of a weapon, but not... not own it in the civilian world. You mentioned something about in your normal course of business that you could do this. Can you give me an example of what you might be referring to?"

Mussman: "So, if you're... if... if... if you're supposed to have this weapon for some particular reason as part of your job duty within the State of Illinois or you need to transport this weapon based on your job duty within the State of Illinois,

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

you may have, as... as part of your Armed Force service, you may do that. You may have and possess and transport that weapon as part of your duties, but not as a private citizen."

Harris, D.: "Okay. Well, just... just for clarity, military doesn't allow individuals to own their weapons. They issue the weapons, but they're owned by the... by the U.S. Government. So, I don't think that any military person is actually going to carry the weapon that they're issued by the military..."

Mussman: "I... I think we're good then."

Harris, D.: "...in their... in their private life. But... I'll come back just for a second then. There is confusion on the part of the Sheriff's Association regarding the... regarding the transportation elements of the Bill and your intention is to work that out with them, correct?"

Mussman: "We will."

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

Speaker Currie: "Further discussion? Representative Wallace."

Wallace: "Thank you, Madam Speaker. I rise... Will the Sponsor yield? I do have one clarifying question."

Speaker Currie: "Sponsor will yield."

Wallace: "So this particular piece of legislation will apply to the possession of a weapon, if between 18 and 20, if they possess one of these forms of weaponry described here. They would then be charged with a felony if they have not turned over... if they already have it and they haven't turned it over in 90 days? That's what the..."

Mussman: "Correct."

Wallace: "Okay. So in effect, we're creating... oh, I'm really trying hard not to sound like people I don't always agree

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

with... so in effect, we're creating a different charge or different possibility for criminal offense?"

Mussman: "Yes."

Wallace: "Yes. Okay. And... I'll just go to the Bill. I'll go to the Bill."

Speaker Currie: "To the Bill."

Wallace: "This debate is one that's extremely difficult to have and to listen to. We have heard lots of discussion about our Second Amendment rights and whether or not we were born with those particular rights or are those rights that were bestowed upon us by our government entities. When you understand our nation's history and you understand the history of the Second Amendment, I think it's easy to argue that it's not something that's necessarily an inalienable right that we are born to have. When you look at the historic documents that are associated with the discussion around the time of that particular Bill, much of it was borne of the idea that there may be rebellions of enslaved individuals and the necessity to arm plantation owners and free men with weaponry to be able to fight back against such insurrection. So because of that history and because of the fact that I do not necessarily believe that the Second Amendment is an inalienable right; it is a Constitutional right. I think those are two distinct things, but because it is not the former, I am able to support this particular Bill and I want to encourage others to support this Bill. I do have pause with the idea of potentially creating other avenues for some individuals to become criminalized, but I think in the broader scope of public safety, within the broader scope of what we know about

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

neuropsychology and brain development, I think that we should be allowing for individuals to wait much later to have access to... and this also brings us to a point of consistency with how we treat other forms of weapons. So I encourage an 'aye' vote."

Speaker Currie: "Further discussion? Representative DeLuca."

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

Speaker Currie: "Sponsor will yield."

DeLuca: "Thank you. Representative Mussman, I noticed that you filed this Bill two days ago. How long have you been working on it?"

Mussman: "Well, as you know that this is... well, gun control in general is a conversation that we've been having for a very long time. These are not new ideas, but definitely I think that there was increased pressure to come up with some legislation and act while this issue was so timely, right? There's... there's always that debate about whether or not it's appropriate to have a discussion in the heat of the moment or allow things to cool off and I think that we're seeing right now that there is demand from the public that we stop kicking this down the road and talking about it later, that we actually do something about this. And we know that this is a Bill being evaluated in many other states including Florida, where the most recent shooting occurred."

DeLuca: "I just asked how long you've been working on this."

Mussman: "Sorry."

DeLuca: "But thank you for the answer 'cause I think I read, somewhere this morning, we're not sure whether the gun Bills that we take up today, whether we're serious about this or is

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

this more about politics. So, is your intention to follow through with this Bill if it passes and continue to work on it in the Senate or what is your intention with this Bill?"

Mussman: "Yes. If there are changes that need to be considered as we make sure that the Sheriff's Association is satisfied with the language regarding the transportation, that the State Rifle Association is satisfied regarding the carve outs for the sports shooting, we are happy to continue to make this a good Bill, but we think that this is a vital step that we do take and take now."

DeLuca: "Okay, good because a previous speaker brought up a few points and I think it's a gray area. First, when... when you talk about folks having to transfer or return the weapon and how we're going to notify them, it doesn't really say specifically in the Bill how they will be notified. And I would encourage you to either do a grandfather of these folks or there's going to have to be a very clear way of notifying them, whether it's through certified mail... This is not something to be playing games with. I just want to encourage you as you move along with this that take a very, very, very serious about law enforcement going to someone's home, maybe for a different reason. What if it's for a domestic... domestic battery case or they're on a call? So, it's a serious issue going there and coming across these weapons..."

Mussman: "Yes."

DeLuca: "...so... and also how they're going to be notified."

Mussman: "I... I agree."

DeLuca: "So, I just want to encourage you to either do one of two things; add a grandfather clause for these folks or have

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

clear, specific ways in which it'll be handled, as you move forward. Thank you."

Mussman: "Thank you."

Speaker Currie: "Further discussion? Representative Arroyo."

Arroyo: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Currie: "She will."

Arroyo: "I also rise in support of her Bill, Michelle. Twenty-one is a good age for me, but a lot of people here are talking about the military. So, I'm not too familiar with when do you get into the military, but I wanted to ask you that. Representative, how old do you have to be to join the military?"

Mussman: "Eighteen."

Arroyo: "How old do you get out, when you get into the military?"

Mussman: "How do you get out?"

Arroyo: "No. How old are you when you get out of the military? Do you do it in two-year stints, two-year stints? When you join the military it takes you two to three years to get out of the military, right?"

Mussman: "About three years, I understand."

Arroyo: "Okay. So, you automatically are 21 years old, so the military shouldn't play into this. Saying that if you go to the military, then you can't carry a gun. You shouldn't have the right to have a gun. So, the military doesn't play in this Bill because when you join, you join at 18, you get out when you're 21. So, thank you for this Bill. I think this is a good Bill. Vote 'yes'. Thank you."

Speaker Currie: "Further discussion? Representative Wehrli."

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

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Currie: "She will."

Wehrli: "So, on the merits, this is a pretty good Bill and it's one that would I would like to support, but unfortunately I can't and here's why; and I would ask that perhaps, you could make these changes. When someone is under the age of 21, right now, they can currently purchase these firearms. But your legislation would forcibly remove them from them, should they not dispose on... them on their own accord, correct?"

Mussman: "They have to..."

Wehrli: "So, we're..."

Mussman: "...they have to get rid of them."

Wehrli: "...we are removing their..."

Mussman: "It's not forcible. They... they, themselves..."

Wehrli: "Well, the law is pretty forcible in this regard."

Mussman: "...we're not coming to their house and taking them. It's not forcible."

Wehrli: "The law would require them to relinquish their firearms under this legislation for something that they previously did that was legal, correct?"

Mussman: "That is correct."

Wehrli: "So to the previous speaker, if you grandfathered them in, the current owners, then I would wholeheartedly support this Bill because I think there's a lot of merit to it. However, right now, it is a forcible taking. And what you say is forcible and what I say is forcible are two different things. To me, it's the law. Forces them to relinquish their firearms under your purposed legislation. If you... if you change that to grandfather people under the age of 21, I will support your Bill. But in it's current form, I would suggest

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

either you pull this out of the record or amend it to do that or vote 'no'."

Speaker Currie: "Further discussion? Representative Willis. She withdraws her request to speak. Representative Mussman to close."

Mussman: "So I appreciate the robust debate that we had on the floor here today. I... I know that there were many questions about why the age of 21 and about sort of the mental things that we had discussed. And one of the things that I do want to point out though is that there's data from the FBI that indicates 18 to 24 year olds account for a disproportionate percentage of arrest for homicide and violent crime in general. So, again, I... I do think that we have evidence to suggest that it is reasonable to put precautions like this in place. And I... I would appreciate your support on this very vital Bill, again, to protect our young people."

Speaker Currie: "Representative Mussman moves for... for passage of House Bill 1465. All in favor vote 'aye'; opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk. please take the record. On this measure, there are 64 voting 'aye', 51 voting 'no', 0 voting 'present'. And on this measure... this measure, having achieved the appropriate Constitutional Majority, House Bill 1465 is passed. Third Reading. On Third Reading, we have Senate Bill 1657. Clerk, read the Bill."

Clerk Hollman: "Senate Bill 1657. A Bill for an Act concerning Firearms. Third Reading of this Senate Bill."

Speaker Currie: "Representative Willis."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "Thank you, Madam Speaker. This Bill is a Bill that is been long time coming. What we're hoping to do is put in place the State of Illinois gun dealer licenseship. This is something that will give our gun dealers more structure. It will allow us to make sure that we cut down on straw purchases and that we can make sure that we are following best business practices. Without having to go into too much on this, I want to just make sure that people understand that this is not a kneejerk reaction. This Bill... it, in fact, has been working for over a decade in the Senate, with my cosponsor there and now I have been carrying it for over two years. We have worked hard on this Bill making sure that we have taken into consideration our small mom and pop dealers. We do have a trailer Bill that will be coming forth very soon on this. Today is my intent on that to make sure that we put in a cap on what the cost will be for the licenses and to have better oversight on this. I want to make sure that people understand that the intent is to not take guns away. It will not affect the Second Amendment rights of law abiding gun owners. But it will make sure that we have all gun shops at the best level that they can be, following the best business practices that they can as we move forward in the State of Illinois. With that, I'm happy to take any questions."

Speaker Currie: "Representative... Willis moves for passage of Senate Bill 1657. And on that, is there any discussion? Representative Andersson."

Andersson: "Thank you, Madam Chair. Will the Sponsor yield?"

Speaker Currie: "He will."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Andersson: "Thank you. Representative Willis, a few questions. Number 1 does this Bill, in any way, affect the purchase requirements to buy a firearm?"

Willis: "No, it does not?"

Andersson: "Does the Bill change the age requirements to buy a firearm?"

Willis: "No, it does not."

Andersson: "Does the Bill change the waiting periods for the purchase of a firearm?"

Willis: "No, it does not?"

Andersson: "And does the Bill change the types of firearms that are legal to be sold in the State of Illinois?"

Willis: "No, it does not."

Andersson: "Thank you for those. To the Bill."

Speaker Currie: "The Bill."

Andersson: "I pledged long ago to support and protect the Second Amendment. And I believe I'm going to fulfill that duty here today. But when we talk about the Second Amendment, I think we get a little confused about what it means. So, fortunately, we have a roadmap. The roadmap comes from a decision called the *District of Columbia v. Heller*. It was written by a fairly conservative justice, Antonin Scalia. And I want to read just a little bit of it. He says, like most rights, the rights secured by the Second Amendment is not unlimited. The right was not a right to keep and carry any weapon, whatsoever, in any manner, whatsoever, for whatever purpose, he goes on to say, although we do not undertake an exhaustive historical analysis of the full scope of the Second Amendment, nothing in our opinion should be taken to cast out on the longstanding

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

prohibitions on the possession of firearms by felons, the mentally ill, laws forbidding the carrying of firearms in sensitive places such as schools or government buildings or, pertinent to this Bill, laws imposing conditions and qualifications on the commercial sale of arms. So to me, Ladies and Gentlemen, this Bill is not impacting our Second Amendment rights. Now those who are gun advocates might say... well, they... they might disagree with me, but they'd be wrong. The... but the reality is, we're talking about more than the Second Amendment. When we go beyond that, when we say we're talking about more firearm rights than the Second Amendment requires, now I have to look at it from a policy perspective. Is it a good policy or is it bad policy? If it's a good policy, I'm going to vote for it. If it's a bad policy, I'm going to vote against it. But this is not a Second Amendment debate in my opinion. As I look at this Bill, it is clearer that we have not done enough in the State of Illinois. And we cannot simply rely on the Federal Law and the federal structure to protect our state. Doing the same thing or, in this case, doing nothing beyond what we already do is the definition of insanity. Is this Bill perfect? Probably not, but you know what, it imposes continuing education requirements. It imposes background checks on the employees who work in the facilities. It has a very minimal fee, \$200 per year, and it requires videotaping and recording of FOID cards for purchasers. The most important part of all of that to me is the continuing education. Because what the continuing education will do is ensure that the gun dealers themselves will employ those best practices to root out the straw

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

purchasers, to root out the people who shouldn't be buying those guns. This is a good Bill and quite frankly, we just need to act. And if it isn't... and if it isn't enough, or if it's too much, we'll figure that out, but doing nothing is no longer an option. It just is not. There's been too many repetitious tragedies throughout the country. We have to do something. This is something. I urge an 'aye' vote. Thank you."

Speaker Currie: "Further discussion? Representative Skillicorn."

Skillicorn: "Thank you, Madam Speaker. I want to go and add couple things under this. And actually will the Speaker... Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Skillicorn: "So, is this, you know, similar that like, big box stores are excluded?"

Willis: "What we have got in here, if less than 20 percent of their business is with guns, they are excluded."

Skillicorn: "Okay. So, a store that doesn't do a lot of gun business would be excluded from the videotaping and licensing and..."

Willis: "That is the way..."

Skillicorn: "Okay."

Willis: "...this Bill is written."

Skillicorn: "Okay. To the Bill. That is the reason I'm voting 'no' for this Bill. So, the stores that do not do gun business, the stores that have minimum wage clerks, Walmarts, Targets, that sell guns are going to be excluded from a Bill from the gun expects. Representative, you're going to say that ma and pa gun stores, who do a lot of business, who know

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

their customers, who know the gun laws, who know the kind of things that they might be doing. They might come in and they would be having a bad day and they might be able to recognize it. And we're just saying no. You guys have to be licensed; you guys have to have additional fees. You guys have to have additional qualifications where a minimum wage employee at a Walmart is supposed to make a determination if someone's of sound mind. A minimum wage employee at a Walmart is supposed to make a determination if this is a straw purpose. Ladies and Gentlemen of the House, this is not right. Why do we exclude them if this is so important? I would urge a 'no' vote because this is not a gun Bill. This is not a safety Bill. This is an anti-small business Bill. And that is the last thing we should be doing in Illinois is trying to drive out small business. I'll give you an example. In Kendall County, there's a very small gun dealership. And it's held by a retired couple. And this is a hobby of theirs. So they.. they employ five or six employees. They actually provide a significant sales tax boost for the village they live in. They have expressed, if we have to go through this licensing, if we have to go through the costs of.. having videotapes and the servers that record this and keep those files, they do not want to continue doing business because they are a retired couple and this is a hobby. So now, there's five or six employees that'll be looking for work. Maybe they'll go to Walmart, I don't know. But the village will also lose the sales tax revenue. Ladies and Gentlemen, I urge a 'no' vote because this is an anti-small business law."

Speaker Currie: "Further discussion? Representative Reis."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

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

Speaker Currie: "Sponsor will yield."

Reis: "Representative, you've made reference several times about a trailer Bill and I understand that there is identical trailer Bill in the Senate, Senate Bill 337. I take it that even you admit there's some flaws in this Bill, some serious flaws that need fixing. So, why don't we follow the normal practice of passing Bills in this building and amend this Bill and get the Bill right without running the risk of a trailer Bill that might or might not pass?"

Willis: "The trailer Bill just passed from the Senate and we're in the process of doing posting requirements on it. So, in the... the intent of not wasting anybody's time with just dead air, we decided to move this, but we will be moving the trailer Bill once it gets posted and we go through the time requirement."

Reis: "Representative, we've heard that before. Wink, wink, nod, nod, we pass something, but it never becomes law because both chambers don't pass identical language. So why don't we do it right and get the Bill right..."

Willis: "The language has passed. It is passed from the Senate. This is the final step on the underwriting Bill. This is a Senate Bill. When it passes here it will be going to the Governor's lap... or the desk. The trailer Bill has already passed the Senate and it'll be coming for a vote here..."

Reis: "But what if it doesn't?"

Willis: "...this afternoon before I leave the floor."

Reis: "What if it doesn't?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "It will. I have the... I am giving you that commitment. I will not leave the floor today until we vote on the trailer Bill. It is already moved over from the Senate. It's waiting to be posted here. And it will... I have gotten assurances that it will be posted and we will be voting on it. The trailer Bill..."

Reis: "Okay. Okay."

Willis: "...is House Bill 1273."

Reis: "For the record, both the Senate and the House trailer Bills, which you talk about are identical, have a lot of opposition as well. So they're not perfect, including opposition from the Illinois Department of Professional Regulation. These trailer Bills set licensing fees in a virtually unprecedented way, ensuring that those fees could never cover the costs of the regulatory system and only slightly modify intrusive language on videotaping that will inevitably cover inappropriate places. So Representative, can you see why it might be reasonable for the Members of this chamber that are considering this Bill to feel less than assured that your trailer Bill is ever going to get called and will really address the needs of fixing all of this."

Willis: "I can only tell you, Representative, that I have never lied on this floor. And if I'm telling you this, this is what... it is going to happen. I have never lied and I will never lie..."

Reis: "No, no, but we're not..."

Willis: "...on this House Floor."

Reis: "...we're not saying that at all, Representative."

Willis: "Okay. Well, and I..."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Reis: "We know the powers to be decide which Bills..."

Willis: "The powers to be..."

Reis: "...get called."

Willis: "...have assured me that the Bill will be heard this afternoon. That is the best I can do for you. I can also tell you that this is a case of... we're hearing part of your caucus is telling me that the cost of doing this is going to put mom and pop businesses out of business because it's going to be too high in cost. That is the... we've listened to that, and that is why we have put in this trailer Bill that has capped the cost to protect our small mom and pop businesses. So you can't have it both ways. You either let us charge as much as it takes to run it or you let us make it smaller and we protect your mom and pop businesses."

Reis: "So does the trailer Bill address the unprecedented, dual, state-local licensing concerns?"

Willis: "The trailer Bill does three things... four things. It does number one, it puts a cap in on the license making it a 5-year license. It clarifies where video cameras will be. And let me pull up the final one 'cause it's lost my..."

Reis: "So it's our understanding..."

Willis: "...my train of thought."

Reis: "...the locals can still..."

Willis: "...bathrooms. Yeah, there'll be no cameras in bathrooms and it gives them until 2021 to have video on the premises. So, I'm sorry, what was the question you had?"

Reis: "Well, it's our understanding that locals will still be able to do... implement certain things, but anyway... does your trailer Bill address the discrimination against our veterans

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

and police by disregarding their experience and only counting apprenticeships with a gun dealer?"

Willis: "There... no, it does not disrespect veterans in any way.

A veteran is welcome to work in a gun dealership, own a gun dealership, just like anybody else is."

Reis: "So, the previous speaker talked about the big boxes being exempt. So your trailer Bill won't address that either?"

Willis: "It does not address that. What we have in the overriding Bill is those businesses that do less than 20 percent of their business, do not have to go and follow the gun dealer licensing, in the State of Illinois. But what I want to draw to your attention is, today, Dick's Sporting Goods came out and said they want to be good citizens, they're no longer going to be selling automatic weapons or semi-automatic weapons. They also... if we look back at the gun trace reports, big box is not the problem. Gun trace reports show that that is not where we're having issues. We're having issues in the smaller gun shops."

Reis: "Okay. Do you understand why the Department of Financial and Professional Regulation says it cannot possibly inspect the business premises of all gun dealership applicants and issue final inspection reports, as required in Section 55(b)(9) and 70(i)?"

Willis: "With all due respect to the department, any time we want to increase licenses they say they can't do it."

Reis: "Do you understand that maybe that's a legitimate concern?"

Willis: "I would say that that is their job. And we need to make sure they can do their job to the best of their ability. But

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

I have never heard the department say, oh, yes we can do an additional license or we can do it."

Reis: "All right. To the Bill. Madam..."

Speaker Currie: "To the Bill."

Reis: "...Speak... Madam Speaker, Members of the House, I rise in strong opposition to Senate Bill 1657. And all due respect to the Sponsor who herself acknowledges that there are many flaws yet in this, we don't know how the trailer Bill's going to be coming through. We don't know if the trailer Bill's going to address all of the concerns. I respectfully ask for a strong 'no' vote. Thank you."

Speaker Currie: "Clerk, please give us the Rules... Committee Report."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on February 28, 2018: recommends be adopted, a Motion to Concur with Senate Amendment #2 to House Bill 1273."

Speaker Currie: "Further discussion on this Bill? Representative Gabel."

Gabel: "Thank you, Ms. Chair... Ms. Speaker. To the Bill."

Speaker Currie: "To the Bill."

Gabel: "So we all come from different walks of life and different philosophies on how life should be lived. However, none of us wants to see a life ended before its time. It is true that we may argue and debate about the details of this Bill, but I come back to something we all agree on. Not a single person in this chamber wants to see a life ended before its time. Placing responsible regulations on gun dealers is something

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

that should've taken place years ago. It is time to end the paralysis and make commonsense laws. Most other industries, big and small, realize that regulations designed to keep their customers alive and within the bounds of the law are good things. This Bill will probably not prevent all gun violence in Illinois, but it will curb a major source of illegally trafficked firearms from entering our communities. I urge everyone to vote 'yes' on this commonsense Bill that could prevent even one life from ending too soon. Thank you."

Speaker Currie: "Further discussion? Representative Tabares."

Tabares: "Thank you, Madam Speaker. To the Bill. In my district there is a family-owned gun shop that has been in business for more than 50 years. This gun shop received a lot of negative press, mainly because a portion of the guns recovered from the streets of Chicago were bought from this gun shop. But the Village of Lyons took initiative to address this issue. And I want to commend the Mayor of Lyons, Chris Getty, for passing its own gun shop ordinance in 2015. The ordinance requires that the gun shop keep electronic records of anyone who purchased more than one firearm within a 12 month period. The gun shop is required to maintain a do not sell list of customers whose weapons have been traced to a crime and is also required to report to authorities the names of anyone who attempts to purchase a gun illegally. I want to note that this ordinance was a collaborative effort among the Mayor, Mayor Getty, the Police Chief and the gun shop owner. I want to acknowledge this community for taking action on this issue because the ordinance is working very well. It's working very well in this town. And this legislation that Representative

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis, that we're debating on right now, can work for other communities throughout the state. This is good policy. I'm going to be voting 'no' and I urge everyone to vote 'yes'."

Speaker Currie: "Further discussion? Representative David Harris."

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

Speaker Currie: "Sponsor will yield."

Harris, D.: "Representative, make sure I understand where we are with this Bill. Right now, what is the fee in the Bill, in this Bill?"

Willis: "In this Bill there is no fee listed. It would be decided in rules."

Harris, D.: "It would be decided in rules."

Willis: "That is why..."

Harris, D.: "Okay."

Willis: "...we did the trailer Bill which is..."

Harris, D.: "And it... and there... and there is a security requirement in this Bill, or no?"

Willis: "Yes, there is."

Harris, D.: "And when... when does that impose? When does that take effect, in this Bill?"

Willis: "According to this Bill, it would take effect as soon as the Bill was signed into law. That..."

Harris, D.: "Okay."

Willis: "...again, was why we made the trailer Bill..."

Harris, D.: "Right."

Willis: "...which if... if you'll beg with me for just a second, that was the announcement that we had that the trailer Bill has now been posted."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Harris, D.: "And I... and I understand that. And there is, though, there is a fee in the trailer Bill, as I understand, of a thousand dollars for a 5-year license and it... the security requirement goes in as of what, 2020 or 2021?"

Willis: "2021."

Harris, D.: "2021."

Willis: "January of 2021."

Harris, D.: "And I guess my question is, we talked about the trailer Bill, we want to pass the trailer Bill. Wouldn't we normally, we call it a trailer Bill, but wouldn't we normally pass that Bill before we pass this Bill to make sure that that Bill passes? 'Cause there's no guarantee that 1273 is going to pass, is there? And I... I certainly understand you're going to call it; there's no guarantee it's going to pass."

Willis: "I am going to tell you this. If we are passing 1657 with the 60 votes plus on that, I would assume that the... those 60-plus people will also vote 'yes' on the trailer Bill because it is... it makes it a better Bill."

Harris, D.: "Okay. One element of this Bill and I want to talk to... talk to the Bill directly. But a question here, one element of the Bill, as I understand it, if you are a dealer at the time... there is a... there's a provision in the Bill that if a day care center opens up within 500 feet of your business, you cannot operate there. And... and current gun dealers are grandfathered in as of the effective date of the Bill. So if I or if somebody wants to open up a gun dealership somewhere across the state after this Bill passes and a... and a day care center opens up within 500 feet of that dealership, does that dealership have to close?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "No. If the dealership is open, they are protected. It's the same way we have with liquor stores. You cannot... a new dealership could not go in where the... where the day care center is, but who's there first gets the... the... they get, I would say, squatting rights."

Harris, D.: "It... it... Maybe I'm misreading the Bill. I thought there was a 500... Excuse me. I thought..."

Willis: "There is..."

Harris, D.: "...there was a provision..."

Willis: "...for new people."

Harris, D.: "...I thought there was... I thought there was a provision in the Bill that its... if you're dealership is in existence at the time of enactment of this Bill, there's no problem with the 500 foot day care center. But if you don't have that business open and operating at the time of the enactment of this Bill and a dayc are center opens up afterwards, that business can't operate at that location..."

Willis: "That business..."

Harris, D.: "...maybe..."

Willis: "...would not be in operation yet. So that would be a... no new business can move in within 500 feet of..."

Harris, D.: "No, no, no, no. I'm not..."

Willis: "...the day care center."

Harris, D.: "What happens..."

Willis: "Maybe we're misunderstanding."

Harris, D.: "...what... what happens if the dealership opens up first and then a month later, a day care center, which, oh, by the way just may be... may be funded by an organization that doesn't

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

like guns, opens up within 500 feet of that dealership? Is that dealership... Give me the legislative intent."

Willis: "The legislative..."

Harris, D.: "Will that dealership be required to close?"

Willis: "No. The legislative intent is, the dealership is there first; they are not required to close."

Harris, D.: "Okay. You may want to look at that. I'm not exactly sure that's what the Bill says. And notwithstanding legislative intent, I think the Bill is pretty clear that unless you're open and operating at the time of this Bill taking place, you stand that... you really run that risk, but I appreciate your answers. Ladies and Gentlemen, if I can, let me address the Bill directly."

Speaker Currie: "To the Bill."

Harris, D.: "Thank you very much, Madam Speaker. First of all, I do not believe that this Bill, as been stated by some of the previous speakers, I do not believe that this Bill infringes on an individual's right to own a firearm. An individual can still go into a store, assuming they have the FOID and fill out all the forms. They can buy and own a firearm... they can own a firearm. Does licensure make sense? Maybe it does. We license barbers and cosmetologists and nail technicians. However, if licensure makes sense, why aren't we licensing all the dealers in Illinois? As has been stated previously, big box stores or those stores where 20 percent or less of the proceeds are in firearm sales are excluded. Now, look, if you read... if you read the recent *Chicago Gun Trace Report* from 2017, they'll say that the big box stores are... the Sponsor may argue that the big box stores are not a problem.

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Well, if you turn to page 5 of that report, you will see that the number 4 store on the list is Cabela's. Now it is the Cabela's in Indiana, so it's not going to be impacted by this... by this Bill. But, if Cabela's in Indiana is the number 4 trace location for crime guns, doesn't the exemption in this Bill might as well declare that all Illinois big box stores to be in Indiana since they are equally outside the licensure provisions of this Bill? My... my home community of Arlington Heights, maybe you received this letter yesterday, they sent it dated February 26, it's from the mayor and the Village Board in Arlington Heights and they say in this letter, we support stronger regulation of all gun dealers, all gun dealers, going on to say, increase the accountability of all Illinois gun dealers and owners. So, again, I'm not against licensure, but... but this big box store exemption really does bother me. The other thing that... that I'd like to draw your attention to... the Sponsor understandably wants to cut down on straw purchases and I get that, but I'm not convinced in any way that dealers are knowingly entering into straw purchase with... with buyers. That Federal Firearms License that a dealer has is the dealer's livelihood, so he's not going to knowingly jeopardize his livelihood and by the way, if he does, he's going to lose his license. He's also going to commit a conspiracy to commit a crime in Illinois. So what about the buyer? What about the buyer, the owner of that firearm? What happens if the police trace that gun back to the dealer, the dealer says, hey, I did everything right here in my... records that I've kept for 10 years and I sold it to Joe X. So, they go to Joe X and they say, where's your gun? Well, what does

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Joe X say? Joe X says it was lost or stolen. Under Illinois law right now, a lost or stolen weapon has to be reported within 24 hours of the knowledge of loss or theft. You know what the penalty is if it doesn't happen? It's a petty offense; it's a traffic ticket. So, I think there should be a responsibility on the owner's part to report that lost or stolen firearm. Now, I've spoken to the Sponsor. She's been very responsive, in terms of listening to... to the concerns I have about the big box stores then also about this issue. As a matter of fact, I filed an Amendment to the Bill that brings in the big box stores and also increases penalties for nonreporting of a... a lost or stolen weapon. I don't know if this Bill's going to pass. I will tell you if does not pass, Representative, and it's put on Postponed Consideration, I'd hope you would look at that... look at that Amendment as a possible way to make the Bill stronger. And lastly, I will close by saying you really do need to look at that issue about the 500 foot range for a dealership that opens up after the enactment of this Bill 'cause I think that really weakens... weakens the Bill substantially. Ladies and Gentlemen, thank you very much."

Speaker Currie: "The Chair recognizes Representative Tabares for a quick correction."

Tabares: "Yes. Yes, thank you Representative Flowers for yielding your time. I urge... I'm going to be voting 'yes' 'cause this is good policy. And I urge everyone to vote 'yes' on this Bill. Thank you."

Speaker Currie: "We're ready for further discussion, but the Chair wants to advise the Members that a large number of us wish to

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

speak to this Bill. We have not employed the timer, but if people do speak for lengthy periods of time, I'm afraid that we'll have to do just that. So I would advise us all to try to keep our remarks short, crisp, and clear. Further discussion? Representative Mayfield."

Mayfield: "Will the Sponsor yield?"

Speaker Currie: "Sponsor will yield."

Mayfield: "At the beginning of... at the beginning of your speech on this particular Bill, you made a comment that you didn't want to waste individual's time and calling this Bill at this time does just that. You are wasting the people's time in this chamber because it is not going to pass and you're going to have to call it again. You gave your word. Now I don't want to call you a liar on the floor, but you gave your word that you would not call this Bill until the trailer Bill was called first. There are several of us in this chamber that are waiting on that chamber Bill... on that, I'm sorry... the trailer Bill. It passed out of the Senate; it is here in this chamber. It is just a matter of time before it meets the posting requirements so that we can call that Bill and then work on this legislation in the proper order. The order that you promised. You gave me your word and I want to know why we are standing here, debating this Bill and you're going against your word, something that a Legislator should never do. Can you explain that?"

Willis: "I am... the Bill is posted. We will be calling it. That is the best I can tell you at this point. We will call it before I leave the floor today."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Mayfield: "That doesn't mean anything. We can gavel out and you'd still be on the floor without that Bill being called. You gave me your word that you would not call this Bill until we address the other Bill. Now I gave my word to my constituents that I could not vote on this Bill until that trailer Bill went through that had the changes that were requested by my constituents. Now, I'm not going to go on... back on my word to my constituents because my word means something. And I would hope that yours would too. I'm asking you to pull this Bill out of the record."

Willis: "Not at this time."

Speaker Currie: "Further... further discussion? Representative Cassidy. I'm sorry. I'm sorry. Representative Mayfield wasn't finished. You asked a question, she didn't pull it out of the record. I thought you were finished."

Mayfield: "No, I was not done. Madam... Leader, Speaker, should this Bill receive the requisite number, I request a verification. Go on."

Speaker Currie: "Thank you. Your..."

Mayfield: "Thank you."

Speaker Currie: "...verification request is noted. Further discussion? Representative Cassidy."

Cassidy: "Thank you, Madam Speaker. I want to thank Representative Willis and I... I see Senator Harmon's here today. This has been a lengthy effort on... on everyone's part. You know, I'm interested, as I listen to this debate, so many people have talked about relatively... you know, they... they've raised issues that... that... that they'd like to see different, that they suggest if things were different, they'd support the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Bill. And.. and quite frankly, I just think that that's a farce. The idea that if we included big boxes, all of a sudden, y'all would all be on board is beyond the pale. Just don't pretend, if you would, please. Now, growing up and all of us in this room at least knew of the store in your hometown where you could buy alcohol when you were underage. I'm not saying anybody in this room ever broke the law in that way, but we all knew there was some place where you could get that. This Bill is about that. This Bill is about the bad actors in this industry who... who wink and a nod and allow those guns to end up in our neighborhoods, killing the young people in our neighborhoods. This is not about honest dealers and.. and.. and good business people who are good corporate citizens 'cause they're already doing this stuff. This is about addressing the bad actors that we have tried to get at time and time and time again. And today we're here. And we're here with one small piece. This is not going to solve everything. This helps make things better. This helps deal with one of the problems that are contributing to the violence in our communities. And what I can say is this isn't an experiment either. Because in... in states with this licensing scheme, you've seen... we've seen a 65 percent drop in guns recovered from crimes that... that are traced back to legitimate shops. I'll take that 65 percent. We got a long way to go to get to 100 percent, but I'll take that. So, Representative Willis, Senator Harmon, thank you for your work on this. You've carried this on your back for a long time. And I urge a 'yes' vote."

Speaker Currie: "Further discussion? Representative Williams."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Williams: "Thank you, Madam Speaker. To the Bill. So, Saturday morning I hosted a community meeting in one of the public libraries in my district and it was to address the topic of gun violence. And I will say... and I've had a lot of community meetings, a lot of town halls, it was the most powerful meeting I've ever held and attended. We had an amazing panel of speakers. First up, we had Patrick Korellis, who is a survivor of the NIU mass shooting. He was joined and supported by a fellow classmate that was in the auditorium that day, her name was Lo. And they shared the story about how they were at the 10-year memorial of that shooting, only the week before, and as they went, literally, to place the roses on the graveyards of their fallen colleagues and classmates, they started to hear buzzing on their phones and found out about the Florida shooting that happened that same day. Also joining us at that meeting was a woman named Dawn Valenti who was with the Chicago Survivors Organization. She talked about her role in that advocacy group. And that role is to meet with parents of children who are killed and gunned down by gun violence every day in Chicago. She spends the next 24, 48 hours with those families trying to help them cope and navigate life after the loss of a child due to gun violence. One of those moms attended the meeting, Millie, I think I saw her in the gallery, and shared her own personal story of losing her daughter to gun violence. It was extremely powerful. We're also joined by a student at Lane Tech High School named Emerson Toomey who talked about the movement in her school, March For Our Lives and the activism that's being taken by students every day. All of these people shared very

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

different perspectives, had completely different backgrounds. They joined the several dozen community members that attended as well as members of the soon to be formed Moms Demand Action group in Lincoln Square for one purpose, and that is to fight back against gun violence. Whether it be the horrific mass shootings that we're so tired of hearing about or the day-to-day gun violence that impacts the children of our city every single day. So, what to do? As my colleague, Kelly Cassidy, said, there's not one simple solution to this epic problem. But one of the strongest ways to go after access to guns is looking at the source of guns, which brings us to this Bill. Gun dealers are the most critical link between gun manufacturers and the public and the largest source of illegally trafficked firearms in our nation, according to the ATF. Ninety percent of crime guns in the U.S. can be traced to only 5 percent of gun dealers. These are the bad guys. Some of the most notorious, which we hear about on the news right here in Illinois. According to a 2017 report by the City of Chicago, CPD, and the University of Chicago Crime Lab, 7 of the top 10 dealers where crime guns come from fall within Cook County suburbs that border Chicago. This is our problem and we need to solve it. For the better part of the decade, there's two gun shops we've heard about in the news time and time again; Chuck's Gun Shop and Midwest Sporting Goods. Yes, they go mostly unregulated. The ATF doesn't have the manpower or resources to appropriately regulate these businesses. We need to make sure that our local law enforcement has the ability to do so. So one of my colleagues on the other side of the aisle talked about this Bill as being

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

nothing to do with the Second Amendment. This is about acting responsibly to regulate what is a very dangerous industry. We regulate liquor stores. If you look at the regulations for medical cannabis dispensaries, they're so much more significant and restrictive than anything we're talking about here. These are basic regulations. Right now, we only have the authority of the ATF. That is not good enough. We are looking at these regulations to make a difference, a small piece of the puzzle. These regulations are reasonable, commonsense, rational, practical, logical. Let's help make this change and move us forward to solving this epidemic. Vote 'yes'."

Speaker Currie: "Further discussion? Representative Drury."

Drury: "Thank you, Madam Speaker. To the Bill. First, I want to thank Representative Willis for, you know, tireless... tirelessly pursuing this Bill for the last couple of years. I just want to put into perspective what we're talking about here with this Bill. You know, the bump stock Bill, the assault weapons Bill that we... we talked about previously, those are going to the mass shootings, but every day, every week in Chicago, we have the same number; of shootings and deaths as we sometimes see in these mass shootings. But they don't get publicized anymore. They're on page 10 about the statistic for the week. Every gun that is manufactured starts out a legal gun. It has a serial number, it goes to a gun store or a gun shop and it gets sold. And we constantly hear the refrain from the NRA that says guns don't kill people... guns don't kill people. And they say we have to get the guns out of the hands of the criminals. Well, here we have a Bill

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

that prevents guns from getting into the hands of the criminals. Because what does the Gun Dealer Licensing Act do? It prevents gun dealers from selling guns to people who we know are criminals. People who walk into shops to buy a gun and then go around the corner and sell those guns to gang members. That's what this Bill is attempting to prevent. This is one of the most important Bills that we will vote on this Session because this Bill will put a huge dent in the ability of criminals, straw purchasers, to get these guns and sell them to gang members who then bring them into our streets and kill people. The arguments about the big box stores, we all know what's going on there. I'm positive, positive that Representative Willis would happily include every gun dealer in the State of Illinois, if she could. But if she did, then there would be more objections to that. So that just not... it's just not honest what we're talking about. The NRA says that guns do not kill people, people with guns do. Well, let's take them at their word and let's make sure that criminals don't get guns by passing this Bill."

Speaker Currie: "Further discussion? Representative Christian Mitchell."

Mitchell, C.: "Thank you, Madam Speaker. To the Bill..."

Speaker Currie: "To the Bill."

Mitchell, C.: "...I'm going to pick up, in some ways, where the last Representative left off. My friend from Geneva highlighted the fact that this is not a Second Amendment issue, that we are allowed to place some restriction, by the Constitution, on the ability to bear arms. So what this is really about is what the previous Representative was speaking

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

about, which is the National Rifle Association, which has for a long time not been an organization that represents law-abiding gun owners, but an organization that represents the capitalistic desires of gun manufacturers to sell as many weapons as possible. And they've been very successful in that aim. That aim has led to a federal policy, whereby the ATF defanged, doesn't have enough agents to go out and inspect gun dealers, which is why we, as a state, have to do it. If, in fact, the ATF had more agents, perhaps this Bill would not be necessary, but we know that they do not have enough agents to do the work, to do the job. Now, there is a single gun store right near Chicago that was responsible, according to the last gun crime trace report, for almost a thousand crime guns. Now, in committee, it was represented by a member of the industry that the data is flawed, the trace data is off. Well, let's cut that data in half and you've still got 500 crime guns ending up next to the bodies of kids in the City of Chicago and around the state. That is still 500 guns too many. Now the next objection would be, well, wait a second, this is still a legal transaction and you can't stop these gun dealers from selling to people who have a FOID card and just don't seem to 'look suspicious'. Let's say that that were true. Just because something is legal doesn't make it morally right. If it is legal to transfer a gun to somebody who, with a little bit more investigation, you could determine was straw buyer, then it is immoral and it means not that... that... that legal is good but that our laws have failed us. And that is what's important about the piece of legislation that we have in front of us today. Just because it is legal

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

does not make it right. So the question before us today is actually a pretty simple one. The question before us is, for those of us who are concerned about gun rights, concerned about the Second Amendment, people who are concerned this Bill could infringe on their rights, is your unfettered access, not your access, but your unfettered access to a gun worth its weight in lives. That is the question before us today and I say the answer to that question is no. This concerns all of us. It hit Parkland, Florida. It hit Newtown, Mass... Newtown in Connecticut. It's hit dealers all around the states. We've seen these massacres happen everywhere and we see crimes every day in Chicago. If it has not happened to you, Ladies and Gentlemen in this House, it is coming for you. Today we can take a step to make that less likely, to make sure that law-abiding gun owners are protected, but that those dealers who are getting those guns into the hand of straw buyers have to go through an additional step. I urge an 'aye' vote."

Speaker Currie: "Further discussion? Representative Harper.
Representative Harper."

Harper: "Thank you, Madam Ch... Madam Speaker. I stand today to support Senate Bill 1657, but I do have to comment on our timing, as a Body. We have seven pieces of gun legislation after a terrible mass shooting takes place clear across the country. How many pieces of gun legislation did we consider when 30 children were shot at one school in one school year in my neighborhood? Nine of them died. They, too, were innocent children. As a child, myself, who went to sleep every night to the sound of gunshots and as an adult who now gets caught

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

in the crossfire with my own child from time to time, we've asked for these measures, plus more, before, but now today we're voting on some. And I'm happy about that. Many people in my district though want to know if their lives matter because they've been asking for gun legislation or some type of action for years, as they watch their sons, daughters, mothers and fathers die from senseless gun violence over the past 30 years. The same amount of time my neighborhood has been neglected from basic quality of life amenities like grocery stores and health clinics and properly funded schools, so what's so different about now? Maybe now this country is finally woke to the issue of gun violence, you think? Every violence prevention organization in this state has been down here over the past 2 years trying to pass a Gun Dealer Licensing Bill, but now, all of a sudden, it's a go. We even asked for relief last Session, when my constituents asked to put serial codes on bullets to help to deter crime and help law enforcement solve our murders. We couldn't even get it called. I guess I still have a lot to learn about the way we do things around here, but I am a team player and I think that it's great. And I am happy that if we are willing to pass legislation for mass shootings... so now let's link those fights, right? And let's not make a difference between a shooting that happens in Parkland and a shooting that happens in North Lawndale. And let's get fired up and let's boycott and let's pass seven pieces of great gun safety legislation for all lives because all lives matter to the Illinois General Assembly, right? So let's remember this day today, so that when the black and Latino Caucus produces

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

another Bill that we feel helps cure gun violence in our districts, let's get that support. I have a very diverse district. Actually, most of the people in my district don't look like me, but they all care about gun violence. One of my constituents who wants me to vote 'no' on all of the Bills today, well, we agree on one thing; if you want to improve the quality of life and reduce gun violence, let's focus on the real problems. Let's focus on the root causes of gun violence; economics and education. Work on funding to restore mental health facilities and put more culturally... culturally competent and educated law enforcement presence in areas that need it. Let's fund and create more programs that build neighborhoods and families and that fight the drug and gang issues. My constituent says, we left Chicago because we no longer felt it was safe and that had nothing to do with guns. It has everything to do with the root causes that we sometimes want to ignore, rather than fix or gentrify the vulnerable families out of the city, so that they are no longer a problem there. So I am proud to stand with my colleagues today and all others to support all of the gun-related legislation. And I am extremely proud that we are finally voting on the Gun Dealer Licensing Bill. But I know more than most that this alone won't stop my gun violence, but it is a good start. And I hope one day all of our lives will matter enough to fight all of the root causes to gun violence and not just attack guns. Thank you."

Speaker Currie: "For further discussion, with the reminder that brevity is a value, Representative Cabello."

Cabello: "Thank you, Madam Speaker. Question of the Sponsor."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Currie: "Sponsor will yield."

Cabello: "Representative, can I direct your attention to portions of your Bill at 55(a)(7), in Section 55(a)(7)? This Section provides that before the IDFPR may complete its very own review of the application and issue a license, the county sheriff must separately and independently confirm in writing that the applicant is in compliance with all applicable federal, state and local laws, including your proposed Gun Dealer Licensing Law. My question to you is, can you point out to any precedent in Illinois law where a state licensing law grants simultaneous jurisdiction to state and local authorities?"

Willis: "Not off the top of my head, I can't. But then again, I'm not the licensing agency."

Cabello: "I think the point is that we can't find one. Another question that I have. Again, in the same Section of your Bill... and Madam Speaker, I will not go through all of these questions, but... a sheriff can block an applicant for licensure based only on reasonable suspicion that the applicant is not in compliance with applicable federal, state and local laws. Why is suspicion the standard and not as fair from due process perspective?"

Willis: "It's the same standards that we use for liquor licenses."

Cabello: "Most law enforcement agencies... all law enforcement agencies, have a probable cause standard. Why are we lowering that to a reasonable suspicion?"

Willis: "Could you give me what Section that's in again, please?"

Cabello: "That is in your Section 55(a)(7)."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "You can bear with me one second while I pull it up. That is... my... I'm being told that that is the standard that we use for sheriff's departments to place objections on all licenses."

Cabello: "I would have to disagree."

Willis: "Okay."

Cabello: "I'll continue. Despite the separation involvement of any county sheriffs, in addition to the IDFPR, ensure a nonuniform administration of this licensing law, how can the separation acts of 102 independent county sheriffs, using a suspicion standard, possibly result in a uniform standard? So, a my question, Representative, is if we don't have just probable cause and we're going with a lower standard of suspicion, everybody can have a different definition of suspicion, rather than probable cause."

Willis: "We still have uniformity in what our best procedures. And we're bringing that all forward to the licensing department. So they are the ones that are going to make the final determinations."

Cabello: "As we were coming to the floor, members of that department said that there is no way, shape or form that they can afford to do this and they do not have the manpower to do that. Madam Speaker, to the Bill."

Speaker Currie: "To the Bill."

Cabello: "We have seen lots of Bills today and we're going to see a lot more coming. All I see with the Bills that we have passed today is going against law-abiding citizens. It seems that we don't really want to get to the portion of how do we solve this. So if you want to solve mass shootings, maybe we

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

should look, as a General Assembly, together at a Student Protection Act, where we actually fund the State Police to where the level should be and we actually help local law enforcement officers ensure that they can afford more school resource officers. Maybe that's something that we should look at on a national level maybe that would be a great idea. But instead, we are going after law-abiding citizens, Ladies and Gentlemen. If we want to really solve this problem, maybe we should look at fully funding early childhood education. I think... you know what I think about the Governor. Ladies and Gentlemen, we can, as a collective group, bipartisan, solve these issues if we sit down together. Until we sit down together, we're going to continue watching innocent people die. Thank you for your time."

Speaker Currie: "Further discussion? Representative Costello."

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

Speaker Currie: "Sponsor will yield."

Costello: "And I will try to be brief. Some of these things have been covered, but I just need clarification. So IDFPR has to mandate the administration of this program. So they're looking over local requirements when issuing these licenses, correct?"

Willis: "The li... so you will still have Home Rule that could go in, but there is overriding all of them, a state license, yes."

Costello: "So what we actually have is local communities that can add requirements beyond what's established in this Bill and then IDFPR, at the end of the day, has to administer this program. Is that correct?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "IDPR has to administer the state license requirements. They would not be in place to enforce any local, additional restriction that a city or village would put in place."

Costello: "And so how would those be administered?"

Willis: "That would be the same way that that is done right now through local authority."

Costello: "Okay. And I have a question on the cost of this program. So, IDPR has said that they believe the revenue you're talking about would provide about 25 percent of what it will take to run this particular program. Are you aware of that?"

Willis: "Yes, I am."

Costello: "So where would the other 75 percent come from? 'Cause where..."

Willis: "Well..."

Costello: "...would we take the other 75 percent..."

Willis: "...they threw out..."

Costello: "...that it costs to run this program?"

Willis: "...that 25 percent without actually giving me any concrete numbers. One of the things to take into consideration, the State of Illinois has approximately just under 2 thousand FFLs. That does not equate to 2 thousand gun dealerships. And that is something that we really truly don't know; how many gun dealerships there are that we will actually fall into place in this. And until we put this into practice, we're not really sure what the overhead cost is going to be. I have told the department, you know, as they go... as we go forward, we can always re... relook at this to see what it does cost to implement it."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Costello: "So one of the other things that IDFPR has said is they believe many dealers would actually have to pay two fees. So, maybe one that's set up as a... an Scorp and then the actual owner, which would double the cost, you know, on some dealers. Are you aware of that?"

Willis: "That was in an old Bill. That is not in this Bill. That is not in this current language. We made sure that there is one fee."

Costello: "Okay. And then to Representative Cabello's point, if we're talking about each county sheriff must certify that an applicant is compliant. At the end of the day, what are we doing about manpower for each one of these county sheriffs in 102 counties?"

Willis: "The way the Bill and the intent of the Bill is, they are not certifying. They have right of denial, so that's where it comes in. So if they have concerns, they can bring it to the departments, but they are... it doesn't have to go through them first."

Costello: "So... but to his point, the cost of the manpower. And... and I can tell you, like St. Clair County right now, it's a county of about 260 thousand people, many times they have essentially four deputies on. So, I mean, it's a major manpower issue in my opinion, I think that's something that really needs to be looked at. So, the Sheriff's Association of the State of Illinois, where do they stand on this Bill?"

Willis: "Let me check that for you. I don't have them listed either pro or against."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Costello: "So I... I talked to the lobbyist for the Sheriff's Association of the State of Illinois and he says they're opposed to this Bill. They don't..."

Willis: "They did not slip, accordingly. My opposition is the NRA, the Illinois State Rifle Association, the Department of Licensing, Springfield Armory and the Pawnbrokers' Association."

Costello: "Okay."

Willis: "Out of those, the only ones I've heard directly from are the NRA, the Illinois Rifle Association and the department. The Armory and the Pawnbrokers have not reached out to me at all."

Costello: "So I... I would tell you for anybody that wants to take me at my word, the Illinois State Sheriff's Association has told me they're in opposition to this Bill because they don't believe they can carry out what's required of them in the Bill. That's a red flag to me and being a past police officer myself, I mean, I... I have an issue with that."

Willis: "I know they're... I have another Bill that they have concerns on that we're trying to work through, but I have not heard from them on this Bill."

Costello: "So, the point that Representative David Harris made earlier, as I read the Bill, I believe he's correct in saying that if a gun dealer opened after the effective date of this Bill and then either a school or a day care moved within 500 feet of that existing dealer that, again, moved in after the date of this Bill, that they would, in fact, have to close."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "Legislative intent is not to have that happen. As we put the Bill forward, if we need to do some clean up language, I'm... I'm certainly open to doing that..."

Costello: "I think it's extremely important that this..."

Willis: "...and I think, you know, our legislative intent is not to have that happen."

Costello: "Okay. And that's the way I view it right now. Another thing, so I believe your requirement is for a dealership that sells 10 guns or more. Is that correct?"

Willis: "Yes, it is."

Costello: "So we're talking about... you know, there's a number in small towns, a number of mom and pop small gun dealers that you're requiring a fairly expansive and expensive security system requirement with cameras, what have you. If they're selling 10 guns a year, do you not think that that's a... I mean, a little over the top, expense wise?"

Willis: "We have made sure that the brick and mortars... and... and in all honesty, most brick and mortars already have cameras in there because it is in their best interest to secure their premises. And so we've taken that into account. That is also why in the trailer Bill, we've put out a couple of years to go there. The cost of technology continues to go down. I, myself, just put in a video doorbell and it cost me \$160 and I can see the whole front of my house. So..."

Costello: "I... I... I get it but..."

Willis: "...it... it's not going to be..."

Costello: "...I think your... I think your Bill requires much more than a video doorbell."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "It does, but my point is that the technology in there... plus, we're only requiring them to keep those videos for 90 days."

Costello: "So I... I'm concerned about, again, smaller dealers, especially in rural Illinois. I personally believe that this Bill is somewhat discriminatory towards small dealers. What I think, I think there are a number of other Representatives who have talked about that. I think at the end of the day, when we're giving breaks to companies like Walmart, you know, Bass Pro, some of these other major dealers and we're putting mom and pop shops, ones that are in southern Illinois, my district and.. and many of the districts of the people in this chamber, that.. I think that's a major issue. I think it'll close small dealers. I want to ask you a question that's specific to this. And the Senate Sponsor of this Bill made a quote that 90 percent of guns used in crimes come from 5 percent of dealers in the State of Illinois. Are you aware of that statement?"

Willis: "Yes, I am."

Costello: "So if 90 percent of guns used in crimes come from 5 percent of the dealers, where are most of those dealers located?"

Willis: "Well, as we saw from.. the Representative on the other side, when he talked about the gun trace report, some of them actually come from outside the state and we don't have any control on that. We.. they come from all varieties of places. There are some up in the.. up in the northern part of the state, there are some in the southern part of the state. If you look at the crime report, it does show that they're..

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

they're all over. So I... I really can't pinpoint. Obviously, the City of Chicago does not allow gun shops right there, but we know that those gun shops that are bigger shops and do more sales, they tend to have more crime guns come back for there."

Costello: "So one of the issues that I have is, and there have been some Representatives on the floor here who mentioned names of gun dealers, so... and two specifically were mentioned. My issue is that if this is a problem mostly in northern Illinois and if this is an issue in the Cook County area, I don't believe that this is something that needs to be applicable to the whole State of Illinois. That's my personal opinion."

Willis: "I can respect that."

Speaker Currie: "To the... to the Bill?"

Costello: "Also... I... I... I'd like for everyone also to realize something that was brought up earlier. This Bill, in my opinion, absolutely does discriminate against members of the military and law enforcement who have weapons experience. So under this Bill, somebody who's put in 20, 30 years in the U.S. military, who's an armor for Special Forces, has the most elite training in the United States in this world cannot become a gun dealer or work on guns in the State of Illinois."

Willis: "They can work in a gun dealer shop. There's no discrimination on that. They just don't automatically get to go to that level. Just because you're in the military does not mean that you are a weapons specialist. And that is one of the things that we need to make sure and that's where it goes. Not that those that are... there are some that come out

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

as weapons specialists and I totally agree with you, but we made sure that it just was very clean in saying it is not an automatic because you're a veteran that you get to bump to the pop of the line there."

Costello: "But what you are saying is that somebody who's worked in a gun shop for 5 years... this person would have to work under them in order to become a licensee, correct? So a member of the military for 30 years, worked with weapons... what about a retired police officer of 30 years? What would he have to do?"

Willis: "Same type of thing is a... that's why it's not discriminate only toward... against veterans. It is saying just because you have... let's put yourself out there. You are... you like weapons and you have a lot..."

Costello: "I've been in the military and a police officer."

Willis: "...of experience; you're also a former police officer, former military. That does not mean that you would be able to run a gun shop tomorrow, if you had never been experienced with that or worked with it. There are a lot more to running a gun shop than just knowing how to shoot a gun and be... having a clean record. And that's what this is saying. We're saying you need to have the proper training in order to do it."

Costello: "And you have your opinion and I have mine. I think somebody who's served 30 years in the military..."

Speaker Currie: "Could... could you bring your remarks to a close, Sir?"

Costello: "Yes, Ma'am. Thank you. And I would like to tell you, at the end of the day if we want to talk about straw purchases, if we want to talk about repeat offenders, if we want to

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

single those out, I'm all in. And at the end of the day, those are major problems and we should be convicting people that are straw purchasers. We should absolutely be convicting and.. and enhancing, in my opinion, the sentences of repeat gun offenders like the gentleman who killed the police officer in Chicago who is a four-time felon. Those are the people that we need to take off the streets. So I... I urge a 'no' vote. I think that there are a number of things that can be done to make this Bill much better. And thank you for your time."

Speaker Currie: "Further discussion... further brief discussion? Representative Reick."

Reick: "Thank you, Madam Chairman. Will the Sponsor yield, please?"

Speaker Currie: "She will."

Reick: "Let's go back to talking about audits of... shops which have... which have FFLs. There are 20... about 2500 FFLs in the State of Illinois, 2 thousand of which will be subject to this license. Do you have a... have you formulated any kind of a cost estimate of what the cost would be to audit these gun shops?"

Willis: "No, I do not."

Reick: "Do you... have you read the IDFPR's estimate of what it would cost to do so?"

Willis: "They don't have a true estimate because they do not know, for sure, how many gun shop licenses will be being issued."

Reick: "Well, if we have 2 thousand of which are subject to licensure, aren't all of them going to be subject to audit?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "I believe I stated prior, just because we have 2 thousand FFLs in the State of Illinois does not equal 2 thousand gun dealer shops. So we don't know for sure..."

Reick: "So, we don't know... so..."

Willis: "...because we do not have a state license."

Reick: "Okay, that's fine. So what you're saying is, is that if I have an FFL, and I don't have a gun shop, and I sell Tom Bennett a gun, and he gives it to his grandson who goes out and commits a murder, there's no way that your Bill is going to do anything to prohibit me from doing that. Is that what you're saying?"

Willis: "If you sell less than 10 guns, you do not fall under the guidelines of being a gun dealer. So, yes. If you sell one gun..."

Reick: "So if you sell..."

Willis: "...to..."

Reick: "...fewer than 10 guns or you sell a bunch of guns, like you're a big box store, you're exempt from these... from these regulations."

Willis: "If you do less than 20 percent of your sales, then you are not under this... which falls into the big box... and if you sell less than 10 guns, you do not fall under these guidelines?"

Reick: "That's a convenient exclusion."

Willis: "It is what it is."

Reick: "Do you know how long... one audit, do you know what it takes to do one audit? Do you know the number of man hours that it would take to do that, the cost?"

Willis: "I am not an auditor. So, no, I do not."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Reick: "Here's my... here's my... here's my problem with this, is the fact that..."

Willis: "Are you an auditor, Sir?"

Reick: "I used to be."

Willis: "Okay, good. Then..."

Reick: "I...I...I..."

Willis: "...please enlighten me."

Reick: "...I do know how to audit."

Willis: "Okay."

Reick: "My point is, is that you are self-limiting the number of gun shops that can have any kind of audit oversight, simply by virtue of the limitations on your fee that you are supposedly going to get through this here, now trailer Bill that we're supposed to see sometime today. Is that correct?"

Willis: "We will be putting... you know, as I stated earlier, I'm getting kickback that if we make the fees too high, we're going to hurt the mom and pop shops. And so therefore, I took that into consideration. We put through the trailer Bill, which we will be seeing within the hour, and that is the intent of making it more affordable, so we do not put out any mom..."

Reick: "So it..."

Willis: "...and pops."

Reick: "So, basically what you're saying is, is that you are, sort of, doing a random of choose... choice... choosing of who is and is not subject to audit, meaning that a whole bunch of gun shops are going to fall through the cracks and thereby frustrate the intention of your Bill."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "My intent is not to have anybody fall through the craps... traps. That is why we are having a state license because we have found that under the only federal license, ATF cannot keep up with the demand and..."

Reick: "And what makes you think that the State of Illinois is going to be able to keep up with the demand?"

Willis: "Well, what I have on here is, in the 16 states that already have it, they have shown that they've been successful in reducing crime guns and that's..."

Reick: "Do those 16 states have the financial... shall we say situation, as the State of Illinois? If you don't come up with enough money to do the kind of audits that you are going to demand in this Bill, what programs are you going to defund in order to get those audits paid for?"

Willis: "All I can tell you, Sir, is that when those 16 states put in a state license, they saw a 64 percent decrease in the number of guns from that. I don't think we can put a price on safety of our citizens."

Reick: "You are putting a price on it by limiting the amount of the fee. Sooner or later that fee is going to have to go up because if there's just one murder that comes from an un... unaudited gun shop, you're going to demand more oversight. So what I'm saying is, you are in fact, you're... you're, in fact, limiting the cost of that by saying it'll only be that much money. However, what you're also saying is that you stand able and willing to impose upon local law enforcement the additional cost of more oversight with no guarantee as... or... or no plan as to where that money is going to come from. So,

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

basically, you're doing this on the cheek. Isn't that correct?"

Willis: "I respectfully disagree with you on that. I think there's no way we can put a price on a good business deal... a good business Bill that will possibly save lives. And this is what we've seen in the 16 states that have done this, that it is put a reduction in crime. Consequently, when you have a reduction in crime, you have... you are saving lives. This is something that we need to have now."

Reick: "I have a..."

Willis: "This is not the magic button that's not going to save anything. And I would never overreach to say that. But this is part of the package."

Reick: "We..."

Willis: "This afternoon we've been working on that and this is part of the way we're going to go and solve that problem."

Reick: "Representative, we have statistics that say that 90 percent of the guns that are used in homicides are... come from straw purchasers. I think the Gentleman over here said... pointed that out. We also have statistics that say that those straw purchasers, in the 4-year span in which is the subject of the examination of your Bill, bought only one firearm. Now we know who those purchasers are because we've been able to trace those purchasers back to a particular... to a particular purchase. These guns are traceable under federal firearms laws and are... we know who the gun... who the... who the straw purchasers are. You want to put video cameras into a gun shop in order to... in order to see who is, in fact, buying these guns, when, in fact, we know who's buying the guns because

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

they're... they're presenting a FOID card at the time of the purchase. Is that not correct?"

Willis: "A FOID card and written record is only one part of the purchase and that is why... it's very easy for someone to have a stolen FOID card, to have a clerk transpose numbers when they're writing down that. And that is whole... a whole other reason why we've asked for the video surveillance."

Reick: "Well, let me ask you..."

Willis: "Frankly, most stores have video surveillance in there anyways because it is a best business practice to do that..."

Reick: "It is a best business practice."

Willis: "...for themselves."

Reick: "Now my question is, you say that they only need to keep the video tape for 90 days. Is that correct?"

Willis: "I'm sorry. I missed what you said."

Reick: "Did you say that the video tape only has to be kept for 90 days?"

Willis: "Ninety days is what it states in the Bill."

Reick: "Okay. So, my mom goes out and buys a gun, I go out and use that gun in a homicide a year later, then the videotape of my mom buying that gun is gone and is no longer... so all you're doing is basically saying a hot purchase, in the heat of... in the heat of passion will be what will determine whether that..."

Willis: "The majority of straw..."

Reick: "...videotape actually provides admissible evidence or not."

Willis: "What we... what statistics has shown is the majority of straw purchases are used for crime within 90 days."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Reick: "Do you have any statistics as to how many straw purchasers are actually prosecuted in the state?"

Willis: "I do not have it at my fingertips, but I'd be happy to get it for you. I'm sure I can find it."

Reick: "I think that's a good idea. And second of all, you know, if I'm going to be bartending at a charity event or something, I've got to go through some sort of training to allow me to do that so I can look and see if somebody is buying a beer for a minor, I can recognize when somebody's been overserved, simple things like that. Now, you're Bill requires training."

Willis: "It requires background checks on all employees and FOID cards on all employees in the gun dealership.."

Reick: "No, no, no, I mean, training as.."

Willis: "...and training... and training to recognize this. Yes."

Reick: "...training as to whether to determine, you know, if my mom walks in to buy a gun, it's a good... it's a good indication she's not buying it for herself."

Willis: "Well, you never know. I've never met your mom. And I know there are many women that are gun enthusiasts."

Reick: "Well, anyway. And we won't go into that. But I'm saying, is that, you know, there... there are parts of this Bill that are defensible. The training aspect of it I would believe would be one simple... would be something that is. I have another question for you, however. In Section 30... subsection (b) of the Bill, you say that every application for an original dealer license shall include the applicant's Social Security number which shall be retained. What protections are there in this Bill to exempt that request... or that requirement from a FOIA request?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "To protect what?"

Reick: "To protect the privacy of this. Does the sa..."

Willis: "When you go and you file for a FOID card, you have to give your Social Security number, correct?"

Reick: "I'm not talking about a FOID card. I'm talking about your licensing Bill. What..."

Willis: "When you're doing a license, right now, for anything, when I'm going to be a licensed beautician, I have to... that's part of the licensing process..."

Reick: "What protection... what..."

Willis: "...to supply my Social Security number."

Reick: "Right. But talking about guns here. We're talking about children being shot in the streets. What we're talking about..."

Willis: "Social Security numbers are exempt from FOIA requests."

Reick: "Social Security numbers are exempt from FOIA requests if the person who is being requested says I will not do it under FOIA. It is not an absolute prohibition from providing that number. It is a shield; it is not a sword."

Speaker Currie: "Representative, could you bring your remarks to a close?"

Reick: "Thank you, Ma'am. To the Bill."

Speaker Currie: "To the Bill."

Reick: "This Bill was here in the last Session. It was riddled with holes. It is still riddled with the same holes. It is not worthy of passage. And if there is, in fact, the... if the... if the trailer Bill comes up for a vote before we vote on this and Representative Mayfield removes her request for verification, I would like to make sure to that there is, in fact, a verification of this Bill. Thank you."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Currie: "Request is noted. Representative Willis."

Willis: "Madam Chair, I'd like to pull this from a vote at this time and... with the understanding that my intent is to call the trailer Bill for a vote and then return to this Bill for a vote."

Speaker Currie: "Request and your intentions are recognized by the Chair. Representative Turner in the Chair. The Bill is withdrawn from the record at the Sponsor's request. Representative Turner in the Chair."

Speaker Turner: "Mr. Clerk, House Bill 1273. Representative Willis. Please read the Bill."

Clerk Bolin: "House Bill 1273 is on the Order of Concurrence, a Motion to Concur by Representative Willis."

Speaker Turner: "Representative Willis."

Willis: "This is the trailer that Bill that I earlier spoke about. I would request to have the Amendment accepted and debated on Third Reading, please."

Speaker Turner: "Representative Long, Concurrence right now."

Willis: "I... Okay. I'm sorry. Since it's a Concurrence, I would... what we want to do is... this does a number of things. It puts in a cap for the application renewal fees at \$1 thousand for a 5-year license. It also sets that there will be video surveillances not have to be in effect. We allow them up to the January 1 of 2021. And it clarifies that there will be no video surveillance in bathrooms. It also goes to the extent that we... by request of the department, that the licenses will be set on the dates that the department want to do it, per their policy that they do right now. And I am requesting a Concurrence."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "Mr. Clerk, Rules Report."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on February 28, 2018: recommends be adopted, a Motion to Concur with Senate Amendment 1 to House Bill 772."

Speaker Turner: "Representative Keith Wheeler is recognized."

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

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

Wheeler, K.: "Thank you."

Willis: "Hi, Keith."

Wheeler, K.: "Hi, Kathy. Couple questions."

Willis: "Sure."

Wheeler, K.: "Looking at some analysis based on some estimations, we'll call them, with the limits that are put in place in this trailer Bill regarding the... the amount that the license can be charged. That is set at One thousand. Is that correct?"

Willis: "One thousand for a 5-year license, which makes it to \$200 per year."

Wheeler, K.: "And that... and that fee is charged at the beginning. It's upfront for all 5 years?"

Willis: "What it is, is because there... the department does 5-year cycles. If you... the first time it would be, you know, for the full 5 years. But let's say someone comes in halfway through, it would be prorated accordingly. So, yes."

Wheeler, K.: "Okay."

Willis: "They pay for the remainder of it."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Wheeler, K.: "When you say someone comes in halfway through, tell me... help me understand the term you're talking about, that 5-year term."

Willis: "So, the... my understanding is, the way the department does their licensing, for example, all doctors are sent out their renewals on their license on even number of years."

Wheeler, K.: "Okay."

Willis: "So they would get it on, you know, 2002, 2004, whatever it may be. If you went and applied for a license in 2003, in-between, you would pay half the fee. So that would be how this would go, determining on how the department sets their starting date."

Wheeler, K.: "Okay. And very quickly, I think you may have asked... answered this before, but I'd like to do this to make sure it's all in the same kind of discussion. How did you arrive at that \$1 thousand figure?"

Willis: "We... we just felt that that was a figure that would not put any small business out of business. A \$200 year license seemed to be pretty reasonable for the cost of doing business."

Wheeler, K.: "Okay. I understand. I appreciated... you know, I'm a pretty big small business advocate, so you know why I'm asking these questions on that reason."

Willis: "Right. And that was it. We really wanted to protect small business..."

Wheeler, K.: "Right."

Willis: "...that is really why this trailer came through. It is the intent... my intent is not to put any mom and pop stores out of business at all."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Wheeler, K.: "Okay. Then let... help me understand the next part of my question which is going to be, there's a way you could interpret the language, at least by our analysis, that says that the entity itself would require a license, as well as the individual owners or FFL carriers. Help me understand exactly how you intend for that to be interpreted. Is that one license for the entire entity or is it one license for the entity, plus additional licenses for each person?"

Willis: "No. One license for the entire entity. A previous Bill had various stages of licenses. This Bill does not. This Bill has one license for the shop."

Wheeler, K.: "Okay. So that includes... You're okay? Do want to change..."

Willis: "Yes."

Wheeler, K.: "...that at all?"

Willis: "No."

Wheeler, K.: "Okay. Great."

Willis: "There's a... there's a..."

Wheeler, K.: "I understand."

Willis: "...there's a discrepancy between it's a dealership and a dealer license, but it's one license that's required."

Wheeler, K.: "Okay. So, does it matter how many people work within that store or are... are... maybe part shareholders, in a family business of five? It'd just be one-license to be required?"

Willis: "So, if you are one person, if you are a one person shop, you would have a dealer license. If you are a dealership, where you would have like five or six employees underneath you, you would have a dealership license that would then cover your employees underneath. You would also have to... it's not

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

an additional fee... you would also still qualify as a dealer yourself, but you would also go to the dealership level. There's no additional fee. It's basically an umbrella of one license."

Wheeler, K.: "Okay. I want to... I want..."

Willis: "It's just term..."

Wheeler, K.: "...I wanted to make sure that was clear..."

Willis: "...it's just the technical terms of what we're calling it, a dealer or a dealership."

Wheeler, K.: "Thank you because I read through it and I was lost..."

Willis: "That's why I checked with a lawyer."

Wheeler, K.: "...a little bit there so. Thank you for the clarification there. So then... but the downside of this of having a limit on the fee, which originally I think was set by rule in the original Bill, but now we're going to cap it at a thousand, is to understand if we worked with IDFPR to understand, do they have enough money to actually carry this out based on the amount of money we're actually going to be receiving or does it have to be supplemented by the General Assembly to be able to do this?"

Willis: "I would say, Representative, what we're dealing with is between a rock and a hard place. How do we protect the interests of the small dealerships by making sure that they don't go out of business by charging too high of a fee and making sure that the department has enough to do their job? Because the department could not give me a concrete number of what the cost would be, I wanted to err on the side of our small businesses. We're constantly hearing that Illinois is

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

not being good to its small businesses. This is what we need to do to make sure we don't do that."

Wheeler, K.: "I want you to know I appreciate that intent very much. I just have concerns from looking at the Bill, that we are... we're... we're trying to address an issue that the federal ATF is not getting to these inspections fast enough because they're underfunded, is what we're told. Is that an accurate representation?"

Willis: "That's a very accurate."

Wheeler, K.: "Okay. So I don't want Illinois to do the same thing. To underfund the department who is expected to do these inspections and not have them... have the resources appropriate to do that. It is a rock and a hard place, it is. I understand your intention. I also understand that these departments are going to say, how do we do this without additional funds. And the other concern I have and this is just... I don't know how to address this... is that when they all come through at one time... the Bill becomes effective. Let's say that happens, okay. We're going to have a 90-day period to do a whole lot of inspections within a division of the department that doesn't even exist right now. So there's... I guess, logistically, I look at the Bill and I see problems. I understand the intent, but I... and I don't know how solve the problems or I'd offer it..."

Willis: "Well, trust me..."

Wheeler, K.: "...but I'm..."

Willis: "...I would've liked to have a rolling... rolling license that came in. It was on the request of the department we did it differently."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Wheeler, K.: "Okay."

Willis: "So, that's on them, on that. What I can tell you is that we know that 60... 62 percent of the FFLs that were inspected in 2011 were not compliant with Federal Laws. We're not getting rid of the ATF. The ATF..."

Wheeler, K.: "Right."

Willis: "...will still be doing oversight. But we're adding some more additional resources to help with that oversight."

Wheeler, K.: "Okay. I appreciate it and thank you for answering the questions. To the Bill or to the Concurrence... Motion. Again, I understand that the Sponsor's intention, I just want you to realize I don't think that we're in a place where this is all going to work out the way we want it to or like the Sponsor wants it to. So with that, I unfortunately will be voting 'no'. Thank you."

Speaker Turner: "Representative Mayfield is recognized."

Mayfield: "Thank you so much. Will the Sponsor yield?"

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

Mayfield: "Representative, I'd just like to thank you for being a woman of your word and calling this Bill in the order that you said you would. So, I want to acknowledge that on the floor that you are a woman of your word and you did what you said you were going to do. So I appreciated that."

Willis: "Thank you. I... I... I try very hard. And I apologize for the confusion earlier, but I'm glad we got it worked out."

Mayfield: "I also want to say thank you for working with me and others in this chamber who do have small businesses that we did not want to see go out of business. And adjusting this fee really is going to go a long way in making sure those

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

businesses can keep their doors open. Under the underlying Bill, where it was just an open amount, it could've been anywhere from a thousand to \$10 thousand per year we didn't want to leave that to chance. We wanted to make sure that our businesses would remain successful, keeping their doors open. This Bill does that. It also gives them that 2-year grace period to prepare for the items that are outlined in this Bill. I understand that the changes you've made in regard to when the dollar amount... when the contracts are going to go into effect was at the request of IDPR. I know individuals have stated that they're concerned about how IDPR is going to work this out. Well, we've got 2 years for IDPR to gear up, to do this and then if there's a need for a change, and after the 2 years, we can work on it then, but I think as of right now, we have something that we can definitely work with that will keep the doors to our small business open. So I just want to say thank you. And I recommend an 'aye' vote."

Willis: "Thank you."

Speaker Turner: "Representative Skillicorn is recognized."

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

Speaker Turner: "The Sponsor will yield."

Skillicorn: "Thank you, Representative. Real quick question on the trailer Bill. Is the Department of... Professional Regulation still opposed to it?"

Willis: "They are still opposed because they say that the cost is not high enough. They're happy with the Amendment we put in on the timeline of doing it, but they still say it's not enough money. But again, they have not giving me a true dollar figure to work with. And... you know, as I said earlier, they

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

never really approve any additional licenses. They're always opposed."

Skillicorn: "Yeah."

Willis: "I have one... another Bill that's brought up by the industry and they're against that. So, it's just the way it goes."

Skillicorn: "Well, thank you for the response. One reason I ask is that it's been communicated to us that the Department of Professional Regulation says they only complete 25 percent of these inspections and with the current licensing level. So I want people to consider that and we make a lot of promises here, we can do things, we can pass laws, but if we don't appropriate the funds to do so we're effectively doing nothing. So it's a feel good situation if we can only do 25 percent of it and we don't appropriate it. So, voting for this and not appropriating it is basically the same thing as voting 'no'. So I want the people in the... in the gallery and stuff to know that. If we don't appropriate the funds to do this and this is a license on... you know, with a fee collection only type of department. If we don't appropriate additional funds to do this, it's effectively the same thing as a 'no'. So, to the people in the audience, I want them to know that. But also, I just want to look up... you know, this doesn't seem to be a very popular Bill. When I look up on the General Assembly website, I can see a list of the witness slips. So average, ordinary citizens, people who are involved in the process, even advocates and lobbyists can come in and say if they like it or not. And this particular... I'm going to go back to SB1657, the original Bill, and the proponents; 5,842

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

people. That sounds like a lot of people. But then when I look at the opponents; it's 14,428 opponents. That is almost three to one against this Bill. So, as we... and you know, I'll think about voting for this. I'm just going to ask again for a 'no' vote. You know, we've gone over situations like big box stores. There are special carveouts in this Bill. So there's a definitely a situation where a ma and pa stores have a disadvantage against big box stores. We can rile against Walmart and minimum wage... wages, but unfortunately we're actually legislating them an advantage, a competitive advantage in the workplace. So I'm going to still urge a 'no' vote. And I just want people to remember that it's an unpopular Bill, that there are other issues with it with the Professional Regulation Department. And, you know, this is an unfair Bill and it is not appropriate, so it's not going to do what we expect it to do. Thank you very much."

Speaker Turner: "Representative Davidsmeyer is recognized."

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

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

Davidsmeyer: "So... so we keep... we keep hearing about IDFPR being concerned about being able to implement this. The way that you talk about the ATF currently doesn't have the ability to do it. I... I remember a Bill not too long ago where the State of Illinois decided to regulate and inspect trampoline parks. And the argument for that was a young person was killed on a rollercoaster because we didn't have enough inspectors. And so it doesn't make sense to continue to spread ourselves so thin and do even less. We can't be everything for everybody."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

And I think that you're trying to promise something you cannot deliver. And until you tell us how you're going to pay for it and what you're going to do, this Bill is just a false promise, just like all the other promises that are made under this... under this roof. Until we know that we have the funding, how are you even going to do this?"

Willis: "We have to put faith in the department that they're going to do their best efforts on it. We're also going to have, still, the ATF that will be working in addition to our own resources here in the state. I think it's more of a crime to do nothing and that's what we can't do. We cannot stand by and do nothing."

Davidsmeyer: "It's more of a crime to pretend like you're doing something to fix the problem. These things that you're talking about doing are not fixing the problems, they're not. And..."

Willis: "I have never stated that they're going to fix all of the problems. But we have seen in the 15 states that have done this, it has reduced crime guns. And they have time in order to get their ducks in a row to get this in place where they can implement it and they can be successful. And I hope they are and I will work hard with them to try to make them successful. They have not given me a concrete number of what it's going to cost. And if we want to protect our small businesses, this is the... the figure that I came up with that's going to protect our small businesses and still do the job."

Davidsmeyer: "So you say... you say this is what you came up with. Did you work with the gun dealers on this to... to come up with..."

Willis: "When I talked to the..."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Davidsmeyer: "...you know, the way to get bad actors out of the system?"

Willis: "When I talked to the gun dealers and what we talked about was what would be a reasonable cost. I also looked at what were reasonable costs for other licenses that we did in the State of Illinois. A doctor's license currently is the most expensive license we have; it's \$700. That's for a 2-year license. I didn't..."

Davidsmeyer: "And... and it takes a year and a half to get one; Whereas, if you go to Missouri, you can get one in 30 days. Can... can you name... and this is a line of questioning that you're probably going to hear a lot and you've heard it before... but can you name one thing that the State of Illinois is currently doing well? One thing that we're currently doing well. Not a promise we've made, but something that we're currently doing well. Because we've spread ourselves so thin, we can't focus on anything, right?"

Willis: "Well, I've been informed that we have wonderful staffers here in the House of Representatives, so how about that?"

Davidsmeyer: "We... we do. And I know we do on our side, but... but..."

Willis: "I think they're on both sides."

Davidsmeyer: "...we keep passing these stupid Bills, we can't... we can't... we keep passing promises that we can't fulfill, right? We're... we're giving false hopes to these people in the gallery, saying that we're doing something when, at the end of day, it's not going to accomplish anything. So, I..."

Willis: "Well, I beg to differ with you that."

Davidsmeyer: "...I urge a 'no' vote on this."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "I think we've seen the statistics have shown in the 15 states that have done this, they have been successful. And why can't Illinois be... an additional state that could be successful in that? I put a lot... I think there's a lot of good things in the State of Illinois and I think this will be one that will be a success for us also."

Davidsmeyer: "And... and Chicago, with... with the... some of the strictest gun laws in the nation, is a... a shining example of how well gun laws work. I urge a 'no' vote on this and every Bill coming on guns today."

Speaker Turner: "Representative Willis to close."

Willis: "Thank you. This is the trailer Bill to the Bill that we previously discussed. This Bill is a promise that I made to some of my colleagues. It is a promise I made to some small businesses that I would take into consideration. I urge a Concurrence vote on this. Thank you."

Speaker Turner: "The question is, 'Shall the House concur with House Bill 1273... Senate Amendment 2... Excuse me. Amendment #2 to House Bill 1273?' All those in favor signify by voting 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 64 voting 'yes', 51 voting 'no', 0 voting 'present'. And the House concurs with Amendment #2 to House Bill 1273. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1657. Please read the Bill."

Clerk Hollman: "Senate Bill 1657, a Bill for an Act concerning firearms. Third Reading of the Senate Bill."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "Representative Willis."

Willis: "Thank you, Mr. Speaker. I will go very briefly on this as we have gone and spent a lot of time. One of the things that this Bill is a Bill that has a grassroots effort. We have a gallery that is full of those advocates that want to see this Bill pass because they are part of the 85 percent of Illinois voters that want to see gun dealer licensing in the State of Illinois. We have seen that in the 15 states and the District of Columbia that have put in firearm dealership, that they have seen a 64 percent reduction in straw purchases and crime gun... guns used in crimes. Without debating it much further, I urge an 'aye' vote. I think we've had a very robust debate on this, but I'd be happy to take any further questions. Thank you."

Speaker Turner: "Representative Swanson is recognized for a question."

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

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

Swanson: "Thank you. I know there's been a lot of debate and I stand up to speak about the many gun dealers throughout my district. And one of the major concerns I have, and living in western Illinois where we have a lot of hunting and fishing throughout the districts, the major concern is the Wi-Fi and the capability of being able to capture video to share with the departments. What do dis... What do businesses out in the timbers that don't have Wi-Fi, what... what's their recourse for videoing?"

Willis: "Are you telling me that you have businesses in your area that do not have video surveillance? It doesn't have to be by

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

a Wi-Fi set. It could be... we're not asking them to upload it to a cloud or anything like that."

Swanson: "Okay. I mis... misread this then."

Willis: "So, it could be hardwired into their own premises as part of the security system."

Swanson: "Okay. Thank you. To the Bill. When I look at this legislation, I think of the many small businesses throughout the district and I do this... do see this as being a hindrance with the additional dollars. We've got three businesses in western Illinois that are major impactors within the state. They're gun manufacturers, they're parts manufacturers of guns. Some of these businesses employ over 40 thousand. They employ over a thousand people locally in addition to the over 40 thousand people throughout the State of Illinois that will be impacted because this legislation does have the potential to close them down. Specifically the part about a school district or business moving closer. Each of these gun dealerships over the past several years have expanded tremendously, from being small businesses to now being worldwide producers of weapon systems shipped around the world. Talking with one business, they're very concerned about the language of expansion and businesses moving close to them. Just a simple way of shutting that business down would be to set... to build next to them and close them. The payroll of these three businesses locally is \$45 million. The property taxes of these businesses are over millions of dollars. And to add... as I said, each has expanded and each of have been some very larger contributors to... throughout the district. Many of you had an opportunity to tour these

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

businesses on the 13th of August and see what they do contribute locally. You know, when we look at the second and third order effect of some of these Bills that we're passing, keep in mind, these affect also our businesses within our districts. Thank you very much."

Speaker Turner: "Chair recognizes Representative Halbrook.
Representative Halbrook."

Halbrook: "Thank you, Mr. Speaker. On the class... the previous Bill, HB1273. I'd wish to be recorded as a 'no' vote, please."

Speaker Turner: "The Journal will reflect your request."

Halbrook: "Thank you."

Speaker Turner: "Representative Reick is recognized."

Reick: "Mr. Speaker, I want to renew my request that this vote be verified, please. I understand it's been dropped, so I would like to renew that."

Speaker Turner: "Your request is recognized. Representative McCombie."

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

Speaker Turner: "The Sponsor will yield."

McCombie: "Thank you. This debate today has shown me that several people here in the audience and maybe even some on my own side have not owned, purchased, shot, or been anywhere near a firearm. So, it bothers me when those folks get up and speak. Especially when I hear a statement in particular about as a gun owner who responsibly goes into a store and buys full retail and then supposedly, I can go around the corner and sell that gun in full retail to a criminal. I can't imagine that that actually truly happens as expensive as a firearm is. And I mean no disrespect and anybody that knows

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

me knows that I do not mean any disrespect, so I apologize if it comes off that way. I truly believe... would like to believe that the intent of your Bill, and the Bills previous today, and the Bills that we may hear after this, the intent is not to be hurtful or harmful. However, this is a bad, bad, bad Bill. It adds fees, regulations, costs. It does not do anything to protect small businesses like you keep saying, but it actually hurts it small businesses. It hurts the three manufacturers that are in my region. We used to have four. One of them have already left because of high property taxes and high worker's comps to Iowa, my neighboring state. And it does absolutely nothing, which I believe is the intent, it does nothing to increase public safety, which I think is what the goal of today is. It's what I hope the goal of today is. So my question, I assume that you're going to disagree with my statements that I just made. So my question is, do you see this Bill or the previous two Bills today, do you see a decrease in crime or how many lives do you see saved from these Bills?"

Willis: "If we can save one life, that's enough in my book. 'Cause that one life might be somebody that you truly care about. What I would say though is that we have seen in the seven... in the 15 states that have put in an additional layer of licensing, that they have had a reduction of 64 percent of crime guns. That reduction equals back to a reduction in crime and that will save lives. As I stated before, it is not the golden Bill that's going to save everybody. But if we can save one, two, three, four lives, any of those people could

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

be somebody that you care about and you love and then this Bill has done its purpose."

McCombie: "Well, when you talk about increasing another level of licensing, Illinois has so many levels, more than many of the other states. And so, since you opened that up, I just want to kind of talk about a few of those. The State Police cross references with FOID card databases daily with IDHS mental health admissions. Mental health admissions. Illinois mental health standard is among the toughest in the nation. These are laws in Illinois, clear and present danger where the individual may cause harm to themselves or others. Another current Illinois law, either a voluntary or involuntary admission to a mental health facility, creates a five-year ban on firearm ownership. Another Illinois law already on the books."

Willis: "With all due respect..."

McCombie: "School..."

Willis: "...that doesn't deal with the gun dealer licensing that we're talking about."

McCombie: "...I'm still... I'm still, you brought up the law..."

Willis: "...Okay."

McCombie: "...so I just want to add some of the laws that we already have in place. I think the thing is to saving lives. So these... these are adding another law. Mental health professionals and law enforcement can make a report on a person being a clear and present danger. These are just a few of a gazillion of them here in Illinois. Yesterday after you were in caucus, you folks in caucus for several hours, I'm going to assume discussing some of these Bills. Can I... can I ask, today will

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

we be bringing forth any Bills that are actually going to address the problems and support mental health, education, increase in public safety like a previous Representative brought forth today?"

Willis: "Actually, I have another Bill that may be coming up still this afternoon that will address that. Because as I stated, it's a package. Not one thing is going to solve all of the problems. But I do have another Bill that we may bring up today, we may bring up next week that could affect more mental health oversight... or I wouldn't say oversight... to protect us and make sure that we have better mental health response."

McCombie: "And to the Bill. Guns do not kill people, knives do not kill people, people kill people. People can be bad. This Bill is not going to change that; this Bill is not. It's a horrible Bill and I truly, truly am disappointed in this Body that we have conversations separately without each other and without the experts that are actually in this industry. I beg the Body to vote, especially those on my side, to please, please, please stop being reactive and let's truly have a conversation and be better for Illinois like we all say that we want to do. Thank you."

Speaker Turner: "Representative Ammons is recognized."

Ammons: "Thank you, Mr. Speaker. To the Bill. Senate Bill 1657, gun dealer licensing. This is a Bill that we have debated for a couple of years since I have been in the chamber. And I heard a number of reasons why gun dealers shouldn't be licensed. But I've been in the chamber when we had discussions about licensing people who braid hair. People who have been doing it for hundreds and hundreds of years have to go and

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

get a license to braid hair in the State of Illinois. And there was so little debate on why that was problematic that the chamber must have moved, probably in 5 or 10 minutes to deal with that issue. Everybody was okay with making the licensing requirements on hair. Everybody's okay making licensing requirements if I have to dig something up in my own yard. I have to go get a license from the city to dig up something in my own yard, that's okay. But when it comes to... and I am a FOID cardholder, I go to the gun range on Route 45 in Champaign County. I have taken my children, my father-in-law is a hunter and a... a community person who really, really believes in the right to bear arms. But this is really not about the right to bear arms or the Second Amendment, this is good legislation. This is good government legislation. And many of the things that I heard were on the document I received from the NRA as to why we should vote 'no' on all four of these Bills. I have heard, and I tried to look up and I didn't have time, to see how many people receive money from the NRA in this chamber. How many people receive money from the NRA in this chamber who has spouted their fact sheet on why we should vote 'no' on these Bills? This is not the time. This Bill is a small step. I don't believe it's going to stop all of the incidents of gun violence throughout the State of Illinois, but it certainly will go a long way to track whose doing what with those guns. When I go to gun range and I decide to purchase a weapon of any kind, I have to turn over my FOID card, I had to be fingerprinted, I had sign in, I had to show the driver's license for every person that was with me. More than the person who was selling me the actual item.

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

That is unacceptable. So, if I have to get a license to braid hair, to do a perm, to dig up my own yard, the least we can do is to require licensing. Now, I am with you when you say that there shouldn't be an exemption for big box stores; I agree with you on that. I actually don't believe it should be an exemption; I think it should be across the board. For everyone who sells in the State of Illinois, to have a license. Just like I have to do to drive a car. If I take my car and run someone over this afternoon, they can take my license plates down and they know it was me. It is as important for something that can take the life of another human being. That we can track how it happened and make sure that people that come across from Danville, Illinois... I mean, Danville... from Indiana side into Danville that sell out of their trunks. That we can crack down on that illegal distribution. Let me just remind you that every shooting that we've experienced, mass shootings, have been by people who legally purchase these weapons. And they had every right to have them. But they don't have the right to use them to kill innocent people in our communities. The least we can do is thank Representative Willis. Thank you so much. For taking up one of the most important issues of our time. Thank you so much. Thank you for being courageous enough 'cause this is courage to stand up against a lobby like the NRA and the people that espouse their position. Thank you so much for understanding that a person like me who is not afraid of guns, who's not afraid of a FOID card, who understands why people have the Second Amendment. Thank you so much for being willing

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

to stand in the gap anyway and to run a Bill like this for the people of Illinois. And I urge an 'aye' vote."

Speaker Turner: "Chair recognizes Representative Bryant."

Bryant: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Turner: "Sponsor will yield"

Bryant: "Just... question. Representative, does it require a license to be a firearms dealer, presently?"

Willis: "You have to have a federal license, not a state license."

Bryant: "Does it take a federal license to braid hair?"

Willis: "I... not a hair braider, I don't think so."

Bryant: "Okay. Thank you."

Speaker Turner: "Chair recognizes Representative Wheeler."

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

Speaker Turner: "Sponsor will yield."

Willis: "Hi, Barb."

Wheeler, B.: "This is fun, isn't it? I'll be brief because I recognize the importance of that. The last speaker had just mentioned something about the shameful NRA and fundraising efforts. My question to our staff was will this department have to add employees in order to do this... in order to fulfill this Bill?"

Willis: "We don't know because they have not told me for sure what the cost would be. They have stated they would have to train employees to do this, but whether they can cross-train from something else, we don't know."

Wheeler, B.: "Okay. Our staff had just mentioned to me that it's very possible that they're going to have to create an entire division in order to fulfill the requirements of this Bill. Now, in..."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Willis: "We're creating jobs then."

Wheeler, B.: "...to the Bill. In regard to one of my caucus Members that said this is a... not a Second Amendment Bill. No, I agree with him. It's not a Second Amendment Bill. This is a big government Bill, huge government Bill. And if my staff is correct and they have to create an entire division, then I might not say it's an NRA Bill. I might actually say this is a union Bill. So, if you want to start looking at D2s, shall we look at union contributions? I vote 'no'."

Speaker Turner: "Representative Willis to close."

Willis: "Thank you, Mr. Speaker. After a long debate, I think we've listened to many, many people give us the pros and cons of this. The bottom line is, this is not a knee jerk reaction Bill. My counterpart in the Senate has worked on this Bill for over a decade. I have been his partner in this for over two years. This is a Bill that now is the time to pass it. This is a Bill that can show that the State of Illinois is not going to just stand up on the House Floor and gives us a moment of silence in un... un... terrible, terrible, terrible deaths and mass shootings across the state. It is time for the State of Illinois to show that we can act and this is the Act that we need to do. We know that in the 15 states that have passed gun dealer licensing, they have shown a reduction in crime guns, which correlate to a reduction of crime, which correlates to a reduction of death by guns. This is what we need to do. It is now the time. Please vote 'aye'."

Speaker Turner: "Members, please be at your seats and vote your switch. Representative Reick has requested verification. The question is, 'Shall Senate Bill 1657 pass?' All in favor vote

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. With 64 voting 'yes', 52 voting 'no', and 0 voting 'present'. Representative Reick. Representative Reick. Excuse me, excuse me. Representative Reick, would you like to persist with your verification? He would. Clerk, please read the votes in the affirmative."

Clerk Hollman: "A poll of those voting in the affirmative. Representative Ammons; Representative Andersson; Representative Andrade; Representative Arroyo; Representative Breen; Representative Daniel Burke; Representative Kelly Burke; Representative Carroll; Representative Cassidy; Representative Chapa La Via..."

Speaker Turner: "Mr. Clerk, he'd like to withdraw his Motion. Thank you. With 64 voting 'yes', 52 voting 'no', and 0 voting 'present', Senate Bill 1657 is declared passed... having received a Constitutional Majority, is declared passed. On page 2 of the Calendar, we have House Bill 1468, Representative Carroll. Mr. Clerk, please read the Bill."

Clerk Hollman: "House Bill 1468, a Bill for an Act concerning criminal law. This Bill is read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Carroll, has been approved for consideration."

Speaker Turner: "Representative Carroll."

Carroll: "Thank you very much, Speaker. I don't know how I follow that up, but I will try my best. I stand before you today asking for your support on House Bill 1468..."

Speaker Turner: "Representative..."

Carroll: "I'm sorry."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "...can we just adopt the Amendment and discuss it on Third?"

Carroll: "Okay."

Speaker Turner: "Okay. Great."

Carroll: "Thank you. Sorry."

Speaker Turner: "Representative Carroll moves that the House adopt Floor Amendment #1 to House Bill 1468. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Turner: "Third Reading. Mr. Clerk, please read House Bill 1468."

Clerk Hollman: "House Bill 1468, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Turner: "Representative Carroll."

Carroll: "Thank you. Sorry about that. All right. I'm very excited about this. So, I stand before you today asking for your support of House Bill 1468. I was shocked to learn that there's a 72-hour waiting period for handguns in the State of Illinois, but not for long guns like rifles, shotguns, and assault weapons, like the AR-15. In the case of these weapons, there's only a 24-hour waiting period. Similar Bills to this have bipartisan support nationally. This Bill would also would apply to... would apply the same restrictions to gun shows and out of state... or out of state guests. On a personal note, as a father I hate the fact that I live in a country where I have to kiss my children, Asher and Brooke, twice before going to school. What are we doing to keep our children safe? When will we end the thoughts and prayers and focus on action and

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

results? This is a step in offering solutions to our biggest challenges with guns. Thank you."

Speaker Turner: "Seeing no debate, The question is, 'Shall House Bill 1468 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 79 voting 'yes', 37 voting 'no', 0 voting 'present', House Bill 1467, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, under the Order of Resolutions, we have House Resolution 648, offered by Representative Ford. Mr. Clerk."

Clerk Hollman: "House Resolution 64, Floor Amendment #1, offered by Representative Ford, has been approved for consideration."

Speaker Turner: "Representative Ford."

Ford: "Thank you, Mr. Speaker. Please adopt House Amendment #1. And it simply adds a department to the task force."

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #1 to House Resolution 648. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments."

Speaker Turner: "Third Reading. All right. Representative Ford on House Resolution 648."

Ford: "Thank you, Mr. Speaker and Members of the House. House Resolution 648 simply reconstitutes the Firearm Public Awareness Task Force. I move for the adoption of House Resolution 648. It's clear that we still need more discussion

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

on firearms and guns in the State of Illinois. And that's the attempt of this Resolution."

Speaker Turner: "Gentleman moves for the adoption of... On that, we have a question. Representative Davidsmeyer."

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

Speaker Turner: "Sponsor will yield."

Davidsmeyer: "So, does this... does this encompass like all violence or is it just a group to go after guns, period?"

Ford: "I'm sorry, I don't understand."

Davidsmeyer: "I didn't get a chance to look at the Amendment or the Resolution."

Ford: "There's... there's a board of 21 members and there's a list of organizations."

Davidsmeyer: "Okay. So, what... what is the ultimate goal of this commission or task force?"

Ford: "Well, I mean, it's about having the best gun laws in the State of Illinois. It's violence. I don't..."

Davidsmeyer: "It's not about fixing gun violence; it's about gun laws."

Ford: "Well, I mean, it's about making sure..."

Davidsmeyer: "It's about restricting Second Amendment rights. Not about fixing all the problems that we've been having as a community."

Ford: "It's not about restricting any rights. It's about looking at the gun laws that we have on the books. Every... there would be members from the NRA appointed to the task force. So, it'd be a fair process by which we review all of the gun laws and best practices in the State of Illinois."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Davidsmeyer: "And I'll... you know, I'll say we do a lot of task forces in here and it ends up being a great headline for somebody to say, hey, look what I'm doing. But do we... do they ever accomplish anything?"

Ford: "Well, this one we... this is a reconstitute of one that we did when we passed the conceal-carry Bill."

Davidsmeyer: "And did we use the recommendations from that commission... that task force?"

Ford: "We did. And we had experts come in. Yes."

Davidsmeyer: "Okay. Well, I guess why not go ahead, but I don't... I don't think that this going to fix anything. I think that we, as Legislators, need to be adults and have honest conversations. And not just go after guns, not just go after mental health. But go after... go after all of it as a whole. And... you know, I think we're not looking at family life, we're not looking at all these things that need to be approached. We're just going after guns and it's just frustrating as somebody's who's a law-abiding person that the focus is all on guns themselves. So, I understand what you're trying to do. I just hope it actually accomplishes something for once."

Speaker Turner: "Representative Ford to close."

Ford: "Thank you very much. I move for the passage of House Resolution 648."

Speaker Turner: "The question is 'shall House Resolution 648 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 88 voting 'yes', 24 voting 'no', 0 voting 'present', House Resolution 648, having received the

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Constitutional Majority, is hereby declared passed. That's it. On page 4 of the Calendar, under the House Bills on Third Reading, we have House Bill 4163, offered by Representative Moeller. Mr. Clerk, please read the Bill. Mr. Clerk, please move this Bill back to the Order of Second Reading and read the Bill."

Clerk Hollman: "House Bill 4163, a Bill for an Act concerning employment. This Bill is read second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Moeller, has been approved for consideration."

Speaker Turner: "Representative Moeller on Floor Amendment #1."

Moeller: "Thank you, Mr. Speaker. House Bill 4163 is this year's version of the Equal Pay Act-No Salary History Bill that the House considered last year both during regular Session and during Veto Session, and which was supported with substantial bipartisan majorities in the House."

Speaker Turner: "Representative, we're adopting the Amendment right now. Are you going over the Amendment?"

Moeller: "Okay."

Speaker Turner: "Are you going over the Amendment? Okay."

Moeller: "Yes. So, and the Amendment simply eliminates one paragraph from the Bill, that was objectionable to some of the business groups that had considered the legislation and other Legislators and it... it essentially eliminates a paragraph that would give employees the ability to contest a business practice if they found that that business practice led to an inequity. And it was somewhat confusing language, so we've eliminated that paragraph. But it does not substantially impact the substance of the Bill."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "Representative Breen, are you okay with us adopting the Amendment and then discussing it on Third Reading?"

Breen: "I'd like to ask about the Amendment."

Speaker Turner: "Go right ahead, Sir."

Breen: "Thank you. And... Representative, I just want to make sure, this Amendment still doesn't prevent an employer from being sued over a wage differential that is not necessarily tied to sex discrimination."

Moeller: "Right. The current Act does... the current Act provides that an employer cannot discriminate based on gender, the existing Act. So yes, this does not eliminate the possibility of a company that is paying women less than men for equal work from being sued."

Breen: "But... and... and just so I'm clear. The Amendment does not remove any objection from any of the business groups who have opposed the Bill, either. Right?"

Moeller: "Not entirely. It does eliminate one of the objections that they had."

Breen: "Just an objection to that particular paragraph you've rejected..."

Moeller: "One objection that they had, correct."

Breen: "...you've removed. Okay. But it... I'm just saying because under the current law, you can sue for sex discrimination or any other Illinois Human Rights Act discrimination. Your Bill changes that so that you can be sued for any factor that is unexplained. So, when the differential in pay is unexplained..."

Moeller: "No."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Breen: "... you can then bring a lawsuit."

Moeller: "No, that's not what our Bill does and that's not what eliminating this paragraph does."

Breen: "So, but again this doesn't remove the opposition of the various business groups, et cetera, their general opposition to your underlying measure."

Moeller: "This doesn't eliminate all of the objections that they had. But it eliminates one of the objections that they had..."

Breen: "All right. Thank you."

Moeller: "...as I had stated previously."

Speaker Turner: "Lady moves for the adoption of Floor Amendment #1 to House Bill 4163. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. A fiscal note has been requested and not filed at this time."

Speaker Turner: "Mr. Clerk, please hold this Bill on the Order of Second Reading. Representative Gabel, for what reason do you seek recognition?"

Gabel: "Point of personal privilege."

Speaker Turner: "Please proceed."

Gabel: "Thank you. I just want to remind everyone that we are having a Green Caucus meeting today, after Session ends in Room 100 of the Capitol. So, please join us."

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

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

Speaker Turner: "Please proceed, Sir."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Ford: "Mr. Speaker, every year this time, the end of Black History Month, I always like to pay homage to the slaves that helped build this country. And most recently, in the country and in the State of Illinois, we've seen a lot of discussion about different abuses. But when we think about the about the abuses that slaves endured throughout the years and how it impacted African-Americans in this country, we can truly respect the feelings that women and people are having in the State of Illinois and across the country, because we recognize the impact that slaves had to endure throughout the years. So, at this moment, the last day of Black History Month, I ask that we join together and stand in a moment of silence to pay our respect for all the slaves that helped construct this country and make this country as great as it is. So, please join me in standing and respecting the slaves that helped build this country."

Speaker Turner: "The Body will take a moment of silence. Thank you, Representative Ford. On page 4 of the Calendar, under Senate Bills on Second Reading, we have Senate Bill 193, offered by Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk Hollman: "Senate Bill 193, a Bill for an Act concerning regulation. This Bill was read a second time on a previous day. Amendment 1 was adopted in committee. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Turner: "Representative Hoffman. Floor Amendment #2."

Hoffman: "Yes. I would just ask that we move it to... adopt it and move it to Third Reading."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 193. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "No further Amendments. But a state mandates note has been requested, not filed at this time."

Speaker Turner: "Representative Hoffman."

Hoffman: "Yes. That note was requested some time ago. For whatever reason it wasn't filed. But I move that it be ruled inapplicable."

Speaker Turner: "Breen, would you like to speak on the Motion?"

Breen: "Sure."

Speaker Turner: "Go right ahead."

Breen: "Will the Sponsor yield?"

Speaker Turner: "Sponsor will yield."

Breen: "Representative, you're creating a new unit within the Attorney General's Office as I understand it. Is that right?"

Hoffman: "We're giving the Attorney General the authority to create it."

Breen: "Right. But it's a new..."

Hoffman: "We're not mandating it."

Breen: "...it creates the Worker Protection Unit, within the Office of the Illinois Attorney General. So, it's a new unit. But it... we're talking about a... what's it a state mandate fiscal. How is that not applicable? There's a mandate there."

Hoffman: "The... well, we're giving them the authority to create it. If the Attorney General doesn't want to create it, they don't have to create it. So, we're not mandating that they create it."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Breen: "I think we... well, again, as we read the Bill it says creates. And so, there is going to be some sort of a... it seems some of a cost or..."

Hoffman: "Well, let me just say this. The note... the request for the note I believe was filed way back during the Veto Session I believe. And it wasn't filed. Okay. You can't just stop our legislative process because whoever's required to fill out the state mandates note doesn't file the note. And it isn't a mandate. It's allowing the Attorney General to create the unit."

Breen: "Well, it says... again, all the... just look at... look at the Bill. It seems like we should have some idea of what we do. I mean, I know we like to file Bills and run them very quickly; and this Bill kind of popped up. I know today was gun day and all of a sudden we're talking about Worker Protection Unit within the Illinois Attorney General's Office. Again, I respectfully urge that we not waive this note. We should know fully about what our Bills are doing, instead of moving them through so quickly without being fully aware of their consequences. Thank you."

Speaker Turner: "Gentleman moves that the state mandates note be deemed inapplicable. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 65 voting 'yes', 48 voting 'no', 0 voting 'present', the note is deemed inapplicable. Mr. Clerk."

Clerk Hollman: "No further notes have been requested."

Speaker Turner: "Third Reading. Representative Demmer."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Demmer: "Thank you, Mr. Speaker. Please let the record reflect that Representative Ives is excused for the remainder of the day."

Speaker Turner: "Journal will reflect your request. Thank you. Mr. Clerk, Senate Bill 193. Please read the Bill."

Clerk Hollman: "Senate Bill 193, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Turner: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In our state, we have what I would call an underground economy which forces employees to work in unsafe conditions and gives businesses an unfair advantage by them not paying their taxes and not following the Prevailing Wage Law, the Employee Classification Act, the Minimum Wage Law, the Day and Temporary Labor Services Act, and the Wage Payment and Collection Act. Currently, we rely on the Department of Labor to... to handle these complaints. I believe that it's necessary and it should rise to the level of giving the Attorney General the authority to not only investigate these... these complaints, but also to enforce and defend all criminal or civil legal proceedings regarding these matters. Whether it's the Prevailing Wage Act, the Employee Classification Act, the Minimum Wage Law, the Day & Temporary Labor Services Act, or the Wage Payment & Collection Act. This would indicate that the Attorney General has the authority to investigate. It has the authority to bring actions. Would have the authority to get monetary damages that would be paid to the state and restitution to employees who have been a victim of the violations of this Act. I ask for a favorable Roll Call."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "Representative Breen is recognized for further discussion."

Breen: "Thank you, Mr. Speaker. To the Bill. We've discussed this previously... I believe before in the Veto Session or before that... this is a massive expansion of the Attorney General's Office at the expense of the business community in this state. This is yet another of these Bills that shows that there is no recognition within certain groups within this General Assembly that people are fleeing our state... businesses are fleeing our state. And adding to the Attorney General's power, a roving ability to require any business to file a statement or a report under oath, issuing subpoenas willy-nilly whenever the Attorney General's Office feels it's, you know required for them to aid in their investigation. They don't even have to go to court for it. This is a... an incredible power grab and it violates the due process rights of the people of the state and our businesses. I mean... we've had, what I'm told, in a state of 13 million people at least for now, nine violations over the last three fiscal years in the entire state. And we are now going to create a large, new division within the Attorney General's Office, which we know is going to cost a lot of money. We know it's going to impose all sorts of burdens on folk. You know, it would be nice if maybe we could focus on the Attorney General's ability to deal with corruption or things that maybe the Attorney General should properly be dealing with at this time. We should not be imposing more burdens and a... pretty much a roving license to open up the books and records of every business in the State of Illinois just totally at the whim of one elected

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

official. Ladies and Gentlemen, this is opposed by every business group that does good things in Illinois, that creates jobs here that employs our constituents, that is going to help rebuild Illinois at some point, once folks realize that folks are fleeing because of the policies enacted by this General Assembly. I respectfully and vigorously urge a 'no' vote."

Speaker Turner: "Representative Andersson is recognized."

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

Speaker Turner: "Sponsor will yield."

Andersson: "Thank you. So, Jay, it looks like this covers the Prevailing Wage Act, the Employee Classification Act, the Minimum Wage Law, the Day and Temporary Laborers Services Act, and the Wage Payment and Collection Act. Is that correct?"

Hoffman: "That's correct."

Andersson: "Okay. Each and every one of those already have penalty clauses for violations and there's the ability to prosecute those. Why do we need to have this additional layer?"

Hoffman: "Well, first of all, if I could just go back to the previous speaker regarding the cost. There already is a Workplace Rights Bureau that was in... within the office of the Attorney General. They would take over this function. So, the cost would be minimal at best. And I can tell you that though... right now, it's... it's the opinion... our opinion that the Department of Labor doesn't have the manpower to properly investigate these violations. So, currently the Department of Labor would do the investigation. Then if there's something that's found and they can't figure it out or they can't come

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

to some agreement with the employer, then they'll refer it.
Okay. LaShawn, I'm sorry."

Andersson: "Thank you."

Hoffman: "Then they'll refer it. This would give them the power, the Attorney General, to also assist and make sure that these things are being investigated. To get records and then possibly take action in order to enforce it."

Andersson: "Thank you for the answer to that. To the Bill. In my opinion, this is a... the existing laws is a valid chain of command, if you will. In other words, the DOL investigates as they are charged to do. If they find violations, they can refer. And by the way, it's not nine violations. That's the ones that were founded. That doesn't mean there... they've only investigated nine there could be quite a few more. We're jumping the gun. We're going too quickly. And if you're saying that DOL doesn't have the manpower to do it, I'm not at all convinced that AG's Office does, because, as the previous Representative spoke, I think they're pretty busy and I think they got a lot of things on their plate as well. Seems to me that the logical way is what we already have. Which is to say, let DOL do the initial and then advance it up the chain as is appropriate. So with respect, I got to disagree with your Bill and urge a 'no' vote. Thank you though."

Speaker Turner: "Representative Wallace is recognized."

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

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

Wallace: "So, we've already gone over this multiple times. But it seems like this Bill will affect five different Acts and it's all about worker protection, correct?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Hoffman: "It would not add the Acts, the Acts exist. But it is totally about worker's protection and trying to ensure that if there's a violation of the Act the people who violate the Act are brought to justice."

Wallace: "Okay. Thank you. To the Bill. I think this is very fitting. Especially as we just had one Bill paused because of a fiscal note being filed upon it. That was there and introduced in order to create an environment in which women are paid equally. I think this discussion is also somewhat out of touch with the context of the statements that were just made about Black History Month and individuals who were enslaved and their labor never paid for. And tomorrow we enter Women's History Month and we know that far too often women continue to be stuck in low-wage jobs, continue to be stuck in the jobs that do not provide the same types of protection that they need to have in order to have full lives as mothers and parents. So I'm trying to understand. Aside from just being all about what we deem here as anti-business, what would be the opposition of protecting the people of Illinois who drive the economy by contributing their labor and by making sure that they are given equal pay, making sure that they are not injured on the job, making sure that all of the things that we would want in work conditions are in place. I don't know why anybody would be opposing that, especially when we look at the history of labor in our country. We must stand and protect the workers of our state and this is one way to do that. I understand the point about powers within one particular elected body, but the resources are still scarce, I don't see that there would be willy-nilly subpoenaing as

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

was mentioned by one speaker. I think that this is a way for us to be able to create a culture in which workers who are being taken advantage of or who are being abused have an avenue to speak out when they find that there is a wage discrepancy or when they find that there are some other unfair labor practices. And I think that is what we should be encouraging in our state. So with that, I encourage an 'aye' vote."

Speaker Turner: "Representative Keith Wheeler is recognized."

Wheeler, K.: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, we talk frequently in this building about building an economy, building companies here that would hire people. And yet, we're putting more legislation in effect that targets effectively those people with additional investigative bodies with additional authority. To subpoena, for lack of a better term, willy-nilly. This is not how we build an economy; this is not how we create more jobs. We aren't protecting workers any better than we did five minutes ago. Let's get back to the idea of actually working together to improve the business climate in Illinois. Let's forego this Bill, vote 'no', and let's work together on something that will be positive. Thank you."

Speaker Turner: "Representative Hoffman to close."

Hoffman: "Well thank you Mr. Speaker. Let me just say, it's my feeling that this is actually a pro-business and pro-employee Bill. And here's why. Because if you're following the laws and your business is paying prevailing wage, under the law, following the law of the employee classification, the minimum wage and the others. If you're following that law, you're at

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

an unfair disadvantage to a business who isn't and that's a fact. And people who are in business who follow the rules will tell you that. That they have a tough time competing with businesses that don't. So, in that way, I believe it is exactly the opposite of what has been portrayed. This is not meant to be an investigate... investigative... investigating individuals action. But is really intended to investigate and address patterns and conduct by businesses in the state which have resulted in workers working unsafe conditions and which have given businesses the ability to avoid taxes and be fair to their employees. I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall Senate Bill 193 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 69 voting 'yes', 47 voting 'no', 0 voting 'present', Senate Bill 193, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 4163. Representative Moeller. Please read the Bill."

Clerk Hollman: "House Bill 4163, a Bill for an Act concerning employment. This Bill is read a second time on a previous day. Amendment... Floor Amendment #1 was adopted previously. A fiscal note has been requested but not filed on this Bill at this time."

Speaker Turner: "Representative Moeller, do you have a Motion?"

Moeller: "Thank you, Mr. Speaker. I'd like to make a Motion to rule the fiscal note inapplicable."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Speaker Turner: "The Lady has moved that the fiscal note be deemed inapplicable. Representative Breen, would you like to speak?"

Breen: "Yeah. We respectfully contend that the Lady's motion is inappropriate and should be voted 'no' and 'no' too."

Speaker Turner: "The Lady moves that the House fiscal Note be deemed inapplicable. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On a count of 66 voting 'yes', 47 voting 'no', 0 voting 'present', The fiscal note is deemed inapplicable. Representative Moeller. Mr. Clerk... Excuse me, Mr. Clerk."

Clerk Hollman: "No further Motions have been filed."

Speaker Turner: "Third Reading. Mr. Clerk, please read House Bill 4163 for a third time."

Clerk Hollman: "House Bill 4163, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Turner: "Representative Moeller."

Moeller: "Thank you, Mr. Speaker. Thank you, Members of the House. Again, this is the same Bill that we introduced last year that received substantial bipartisan support and passed both the House and the Senate. It would prohibit employers from asking for prior wage information during the hiring process and it would strengthen the existing Equal Pay Act to ensure that employers are not discriminating against women, women of color, based on pay. Be happy to answer any questions and address any concerns that Members may have."

Speaker Turner: "Chair recognizes Representative Breen."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Breen: "Thank you, Mr. Speaker. To the Bill. We've debated this previously but I want to really talk more just from my experience as an attorney dealing with the court system and the like. The issue is that we currently have a law banning paying folks differently on the basis of sex. That is this law that's already in place. This Bill changes that law in a very particular way and this is... I know other folks will talk about other parts of this. I'm just most concerned as an attorney that when you look at the way that the court cases will be brought... new court cases will be brought. And the employer is going to have to justify every single difference in the rate of pay between every employee in the business. And I'm not concerned about the big businesses that have very distinct wage scales and what have you. In fact, the Bill says, well, if you've got a seniority system that'll work. A merit system, that'll work. A system that measures earnings by quantity or quality of production, so be it. Those are more for... for the most part larger enterprises. I'm more worried about the small business that is going to have to justify every single differential. Because the factor... they're going to have to prove, hire a lawyer and prove that the difference in pay is not based on or derived from a differential in compensation based on sex or another protected characteristic. So, if it's not a sex or protected characteristic, then it has to be job-related with respect to the position consistent with a business necessity and it accounts for the entire differential. There's no definition for those terms and it's going to require a lot of litigation. So, I guess as my brethren and sistren at the Bar are going

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

to get a lot more business out of this... would get more business out of this Bill. It is not good practice for our small businesses, who are the creators of job in this state. Again if you lose a case under this, you get tagged for attorney's fees. I believe there are penalties as well down the road. And for that reason, very specifically I find this Bill very, very, problematic because it's hitting at the part of our business community that creates the most jobs. Thank you, Mr. Speaker."

Speaker Turner: "Chair recognizes Representative Ammons."

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

Speaker Turner: "Sponsor indicates the she will yield."

Ammons: "Thank you. Representative, can you explain to us, and I know this not your first time attempting to pass this Bill, what your legislative intent for this Bill is?"

Moeller: "The legislative intent is to finally end the... the wage gap that exists between men and women in the state which is on average, about 20 percent. Women, on average, make 20 percent less than men for equal work. Women of color, the gap is even... is substantially higher. And in 2018, it's wrong that we have women making less than men for equal work and this Bill is intended to address that."

Ammons: "So, it is your intention to utilize this Bill to bring economic equality to women in the State of Illinois."

Moeller: "Yes, absolutely."

Ammons: "Thank you very much. To the Bill. As the Sponsor has spoken to this Bill and demonstrated not with hyperbole but with factual information that's available to every person in this chamber. If you are unsure whether this Bill is needed,

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

you simply need to read the *2018 Inequality Report* that tells you that the inequality that is created by wage gap disparities, not inconsequential to families who are struggling to make ends meet. It is quite interesting that many of the folks that are opposed to income equality are those who don't have to deal with the disparity. I'll say that again for those who missed it. Those who are opposed to this type of wage parity Bill, and that is what it is, those folks don't have to worry about income inequality. And don't have to worry about the disparity that results in choosing between rent and power, power and water, food or transportation. We have to bring this up to the 21st century. Let me just say this in closing. That we are at a point in this country where women are being treated as second class citizens back to 1950s level. And it is incumbent upon us to deal with this in the area of sexual harassment, in the area of economic disparaging wages between women and men, between races. We have to deal with this in Illinois. It is our responsibility and duty, and this is one step in the right direction towards that goal. If you believe that women are indeed equal in 2018, then you will be voting 'yes' on this Bill. That is the standard for today's Bill. If you believe that women are equal in 2018 and they deserve economic parity, then you will be voting 'yes' on this Bill. Thank you, Sponsor, for it and I urge an 'aye' vote."

Speaker Turner: "Representative Batinick is recognized."

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

Turner: "The Sponsor will yield."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Batinick: "Let me say that everybody on this side of the aisle definitely agrees that in 2018 we should have equal work for equal pay. I believe the board there says equal pay then it says back grade wage history, so I want to ask you a couple questions. I know we've gone back and forth on this previously. My understanding is that the Bill isn't necessarily gender-related, it's just job, you know, there could be two men or two women at the same job where there could be job discrimination, it's not necessarily gender-based. Is that correct, Representative?"

Moeller: "The Equal Pay Act and the legislation before you is being proposed to eliminate the gender wage gap that discrepancies in pay are not lawful if they are related to differences in gender. So, yes, it is gender-based."

Batinick: "Okay. But my understanding was that if you have two people, two guys or two women at a small business they could still use this Bill to sue if they don't feel they're being paid the proper amount. Is that not correct?"

Moeller: "No."

Batinick: "Yeah. Okay. I'm being told that the underlying Bill... that's it. The underlying language. Let me... let me get to a little bit more specific questioning. So to Equal Pay Act, my question is, my concern of the Bill is the part about banning the question of asking previous salary. We've gone back and forth on this before and I would like you to explain to me how not asking anybody about their salary history, what the evidence is that that is somehow going to close the gap that you're referring to. 'Cause I see in my mind I see scenarios where it has the opposite effect, but I'd like to hear from

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

you why you think... what evidence you have? What statistics... what you've shown that shows that this is effective?"

Moeller: "Statistics have shown that women, on average, make about six percent less than... in their first job out of school or entering the workforce than men in equal positions. And if you are basing future pay on prior wages that have... or start out unequal, then you're perpetuating that discrimination, that inequity, throughout a woman's career. And on average women make... lose ten years in wages compared to what their male counterparts do over a lifetime. Statistically, women make less about approximately \$400 thousand less over their careers than their male counterparts. So if you are using prior wage information to determine future wages, you're carrying discriminatory wage practices through a woman's career and that is the in..."

Batinick: "Right..."

Moeller: "...and that's the intent, that's the purpose behind not asking and not using prior wage information for future wage negotiations."

Batinick: "And let me get to that. You used a great word, you used the word intent. What I'm looking at is there's a lot of times where we've done things that have had good intentions that have actually been counterproductive. So I'm asking what study had... can you cite where this was done where it has been helpful in closing the wage gap?"

Moeller: "Well, last year, you referenced, or the last time we debated this Bill, you referenced a *Harvard Business Review* study pertaining to this issue, and that study by the *Harvard Business Review* recommended that employers not ask for prior

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

wage information during a negotiation with candidates... with job candidates because of the fact that inequities may be perpetuated as part of the wage negotiation. That was a study that you brought to the General Assembly yourself. This is..."

Batinick: "Okay. Well... are you finished?"

Moeller: "Yeah."

Batinick: "Okay. So let me be specific about that study. That was the opinion of the person who said the study. The study stated that women who do not discuss wage history actually get paid less than women who do discuss wage history in the interview. So there's the study and then there's opinion. My issue is... I'm going to go to the Bill 'cause we can... it's been a long day we can beat this up back and forth. I can think of a lot of scenarios and I've read other scenarios where people had opposite opinions. We can't vote on Bills based on the name on the board. I wish I could wave a magic wand and say that this is going to ... this is going to create equal pay. There's a lot of things that I can cite that have caused unequal pay. I think one of the things that we've learned in this... I was in Pensions & Personnel Committee, and I heard somebody testify, a woman testify, that they reported sexual harassment in a campaign and they were fired. Let me tell you, being fired from a job because you reported sexual harassment is a way to have your wages depressed, unfortunately, and that's unfortunately what probably happened in that scenario. Somebody who's afraid to take a business trip with a creepy guy and doesn't want to stay after hours is a way that things can be depressed. We have one study that we know of, everybody can look it up and read it for

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

themselves, *Harvard Business Journal*, look up salary history. The data, we have very little data on this issue and the data actually says that it's counterproductive. The opinion of the author on how to solve it is an opinion. The only data we have is that this is counterproductive. I have to vote for what I feel is actually in the underlying Bill, not what's on the name of the Bill. I think the Bill is well intended. We have no evidence, however, that this intention is actually going to help solve the problems, and I think there's things right in front of our face that can help solve the problem. That's the reason I urge a 'no' vote. Thank you very much for your time. Thank you, Representative, for indulging me."

Speaker Turner: "Representative Wheeler is recognized."

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

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

Wheeler, K.: "Representative, you and I have discussed this Bill on a number of occasions, in committee and on the floor, and I appreciate our discussions about this. I know that your intentions are to do something that will help solve a problem. Referring to my previous... the previous speaker, our colleague from Plainfield, trying to find something that substantiates that what the Bill does in reality will actually effect the purpose of the Bill. It's still missing for many of us... for all of us 'cause there really isn't any data that supports linking a wage history question with a gender gap question. We haven't seen that yet. I don't know if that'll happen because of Massachusetts and the fact that they have started the process, but I understand and I just want to put it on the record that we've discussed this. So with that I want to

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

ask you a couple of questions for the record. Number one, is it possible for a worker... what's a remedy for a worker who feels that they're not being paid equally under this Bill? Can they turn to litigation?"

Moeller: "Under our current Act, they can turn to litigation, yes. If they feel that they are being discriminated against based on gender, they can bring a suit, a complaint."

Wheeler, K.: "Right and that's current."

Moeller: "And that's under our existing 2003 act."

Wheeler, K.: "Right. Okay. And your adding different pieces to clarify what can and can't be used for them?"

Moeller: "We're strengthening the language so that any differences in pay have to be based on a business necessity and not based on gender."

Wheeler, K.: "Okay. So the door's still open to litigation which we talked about. You mentioned earlier the... a wage gap of 20 percent that we're trying to close."

Moeller: "Correct."

Wheeler, K.: "We've had testimony in committee when comparing apples to apples, job descriptions, the same for men and women that it's closer to five or six percent, which is still unacceptable. But I'm trying to understand really how much we can close the target with what you're trying to do."

Moeller: "Yes. Was there a question there?"

Wheeler, K.: "I'm sorry?"

Moeller: "There are different studies that... the data that... I see seen from AAUW, the National Women's Law Center, other organizations that are devoted to studying gender and economic equality all peg it around 20 percent and that's for

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

white women compared to white men. For African- American women and for Latino women the gap is even wider."

Wheeler, K.: "Okay. But then going back to what you mentioned.. I just want to make sure I understood the number right you said for first- time workers, the gap is about six percent?"

Moeller: "That's in the first job."

Wheeler, K.: "Right. So, there's a situation where there's no wage history whatsoever?"

Moeller: "On average, yes."

Wheeler, K.: "Okay. 'Cause I guess that's what I'm trying to figure out where the built- in bias would come from. And I'm trying to understand, you know, you may grow and you suggest that it's the case, but with no wage history there's already something built into it. So I guess I don't see how the Bill that we're trying to do today, is actually going to close that gap. So there's other issues we have to contend with. And that's why I offered to you in committee. Is let's step away from this particular version of the Bill. We can discuss Massachusetts, that's something that the business community I think brought to you and agreed that they would be willing to follow that approach. One that does have an affirmative defense for employers that they're doing something that they're closing the gap; members haven't met yet, but they're on their way. That's not something you're willing to discuss, if I understand right."

Moeller: "I have discussed that version or that language with IRMA in particular, and the language that they've offered, I feel and the advocates who work in this field feel that that would actually weaken the existing authority.. the existing

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

protections that we have right now in the state. It would set us back in terms of pay equity because a company... if a company was paying a women less than her male counterpart, for equal work not based on anything else but gender, but could prove through a self-assessment that they were making progress towards minimizing the gender gap then they would have an affirmative defense and wouldn't be liable for the discriminatory pay practices that they have in place. We feel that that is detrimental to women in the state and would be a step backward, not a step forward. And when we already are experiencing unacceptable discrimination and discrepancies in pay between women and men, why we would make it easier for companies to pay women less and shield them from liability doesn't make any sense. So, that's the difficulty we had with the language that IRMA and.. has brought to us. We're willing to continue to discuss how we can address some of their other concerns with the Bill, but that language in itself is the most problematic."

Wheeler, K.: "Okay. And I guess that's where we see it differently. Representative, you're taking the situation that doesn't exist for a company who is doing something that is improving the situation, they're closing the gap. On the way to that closure, you would penalize them."

Moeller: "But there shouldn't be a gap... there shouldn't be a gap now. It's been illegal to pay women less than men..."

Wheeler, K.: "We agree with that part."

Moeller: "...for equal work for 50 years. There's no reason that there should be a gap. And..."

Wheeler, K.: "Okay. So, it's already illegal now..."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Moeller: "And the only... if it's based on gender. There is no reason that there should be a gap if it's solely based on gender. Right now that is illegal..."

Wheeler, K.: "I'm pretty..."

Moeller: "... and to give companies protection from liability in a practice that is currently illegal is taking the state backward when it comes to gender equality. So why we would do that as a state, when we already have an income disparity, doesn't make any sense."

Wheeler, K.: "Okay. Yeah. I guess, we're looking at is you've got a company who has been made aware of a problem that they have, they go to the process of solving that problem, and then we catch them and say you've got a problem and you're doing the right thing but sorry we're going to penalize you anyway. I guess the whole point is, are we going to collaborate with the business community and close this gap, or are we going to say yes there was a mistake made in your processes in your business and we're just going to make sure that you pay for it. And I guess that's the underlying difference between what we see in this chamber all the time. We've got to do a better job of finding a way to work together and collaborate rather than making this so penalty oriented."

Moeller: "Representative, respectfully, I understand that, but when... tell that to a mother who finds out that she is making less than a male colleague for the same work that the company who's paying her less because of her gender should have time to cure that... that inequity, that unfairness."

Wheeler, K.: "I guess that's... and I'm going to cut you off for a second, because that's a part I guess I'm frustrated with as

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

an employer myself. You're making it an accusation. I just... I can't find in my own mind in reality with all my experiences that I'm going to purposely pick out and say I'm going to pay you less because you're women or I'm going to pay less because of some other factor. It just... I guess..."

Moeller: "You're complying with the law. You're a good business owner."

Wheeler, K.: "I am... Exactly."

Moeller: "I would hope that all of our businesses behaved similarly, but they're not because women are still getting paid less than men for equal work."

Wheeler, K.: "Okay. With that, I want to say to the Bill and I want to work with you on this in the future on something that we can collaborate on that will have the impact. Ladies and Gentlemen, this is a Bill that assumes that wage history is going to solve a problem that is built into the system apparently, based on the data that was given today. This Bill will not solve the problem unfortunately. And with that, I respectively urge a 'no' vote."

Speaker Turner: "Chair recognizes Representative Carroll."

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

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

Carroll: "I stand in support of this Bill. Let me tell you something, my wife is the smartest woman in the world, not that she married me, because she just is. And she's an attorney and she has worked her rear-end off to get to where she is in her career. And I will tell you right now, she was grossly underpaid for a long time for the work that she did, that was similar to what the men in her office did and she's

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

a winner and she brings in a lot of businesses. It's unfair to her that she makes less money than her peers because of her gender. So I stand in support of you and we need to... we need to make sure, that women in this state are protected and earn the same money as men. Thank you very much."

Speaker Turner: "Chair recognizes Representative Davis."

Davis: "Thank you for calling me, Mr. Speaker, I kept getting up and down. Will the Sponsor yield?"

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

Davis: "Thank you. Representative, I think you know what question I'm going to ask, so I just want to make sure I get it on the record."

Moeller: "Yes."

Davis: "So your Bill suggests that an employer cannot ask, particularly a woman, about their pay history relative to them making a decision about either giving them a job or how much they are going to pay that individual for a job, correct?"

Moeller: "Correct."

Davis: "Okay. So my concern has been, and again, I just want to make sure I get it on the record, was if someone's sitting... if I'm the employer and someone is sitting in front of me and they offer me a resume that has their pay history on it, or in the midst of a conversation they open the door to talk about the pay history, they make a reference to what they were paid before, can I then now ask questions about that individual's pay history?"

Moeller: "You can ask if... you... the employer and the candidate can always negotiate and discuss pay. The only thing that would

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

be illegal under this Bill, if it were to pass, is that an employer cannot ask an applicant what their prior wages were and cannot go back to a prior employer to confirm a prior wage. But there is nothing prohibiting candidates from voluntarily providing a discussion about wage information... about a wage negotiation."

Davis: "Right. Okay."

Moeller: "And if that includes the candidate bringing in what they made in a prior employment, without being asked or coerced into providing that information, then that's allowed."

Davis: "Right. And again, and I thank you for that. And I want to be clear, so again, and this probably happens probably under most circumstances when the... it's a high paying job. Because individuals want to be paid what they're worth based on their past experiences. And so I have seen resumes that will have pay history on it. So again, if I'm the employer and I receive a resume with someone's pay history on it..."

Moeller: "Correct."

Davis: "...I can then ask questions about their pay history?"

Moeller: "To the candidate, yes."

Davis: "To the candidate."

Moeller: "Yes."

Davis: "You're right. I can't go to their previous employer and verify anything. We trust that the information they've provided is accurate, if you will. So I can't go back and ask, but if that individual, the candidate, hands me a document that speaks to their pay history that allows me then to be able to ask questions, correct?"

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Moeller: "Yes, correct."

Davis: "Thank you very much."

Speaker Turner: "Chair recognizes Representative Morrison."

Morrison: "Thank you, Mr. Speaker. To the Bill. Again, we respect the intentions of the Bill, but... and there have been good comments during this debate. I recall seeing an article in the *Wall Street Journal* just a couple of days ago and I think it would be helpful for this debate. Headline was *Germany's Booming Economy Leaves Female Workers Behind* and essentially what they talked about in the article was there are cultural factors that can influence the data, and they specifically cited the numbers of women who are choosing to work part-time, or due to other factors like tax rates or laws dealing with taxes where the female in a family would be choosing to work part-time or not work at all. And I just thought I'd leave with this quote. At the end of the article, it just said... this was a quote by Anja Lauria, a mechanical engineer, she said, 'If you can juggle a family and a part-time job, you are regarded with respect. If you work full-time then you may hear the occasional criticism.' And again, so while we definitely want to pay equal amounts for equal work, there are other factors that are skewing the data and that's why this Bill is problematic. Thank you."

Speaker Turner: "Representative Andersson is recognized."

Andersson: "Thank you, Mr. Speaker. I'll speak to the Bill. The... well, let me first begin by saying that I rise in full support of the Bill. I think it is an excellent opportunity for us to right significant wrongs. Some of the questions that I've heard, where individuals have opposed the Bill is, will it

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

work? We don't have enough studies. Okay. It's a legitimate question, but I tell you what we can know, is that the equal pay laws have been in effect for 50 years. They aren't working. So what we do right now doesn't work. Does this commonsense proposal suggest that it might do something to close that wage? I think it does. I don't need a study to tell me that because I live it. I'm a small business owner myself. We don't use this kind of data because, you know what, it's not relevant. What's relevant is experience. What's relevant is credentials. What's relevant is references. Sales data for how good a salesperson you are, if that's your business, your rankings, where... where you fit in the world. Those are relevant. But asking what you got paid at your last job, isn't. Quite frankly, there could be gaps in your employment history and that is true of both men and women. We just went through 2008 to 2018, one of the worst fiscal crises in the country, maybe in the world. People lost jobs for a while, that effects their salary history. Should we be judging them and paying them when they were unfortunate enough to lose their job, or they're out for whatever reason, less? I think the answer is no. And quite frankly, the concern about will there be litigation over the matter, well sure. If you're violating the law, there should be. There should be no right without a remedy. That is a fundamental truth in our jurisprudence. If there's a right there needs to be a remedy and if they're doing it wrong, they need to be held accountable and that's what the legal system in for. And this concept that if... that we're not being collaborative in the Bill 'cause we don't allow a defense of 'I'm working on it'

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

'cause that's the defense is 'I'm working on it', nothing stops them from working on it right now. They just can't use that as an affirmative defense to avoid being held liable for something that is fundamentally wrong. In this day in age, it is clear, members, it is clear that equality we're not there yet. We're not there for women, we're not there for people of color, we're not there for the LGBTQ community, we are not there and we need to do things to advance the ball. Not saying we really appreciate the intent of the Sponsor, but, 'cause typically when you say 'but', that means everything you said before that, doesn't really matter because you're about to say why we can't do it. Ladies and Gentlemen, there's no 'but' in this statement. We need to pass the Bill. We need to advance women's rights and all peoples' rights with this Bill. Thank you very much."

Speaker Turner: "Representative Cassidy is recognized."

Cassidy: "Thank you, Mr. Speaker. One of the first opponents of this Bill pointed out that we already... that we've had an Equal Pay Act on the books for a while and we come back and make repairs all the time. We pass laws with all the best of intentions, we figure out what we might have done better, and we come back and we do that and this Bill represents that. And to the speaker that was worried that it might cause litigation costs to employers, I have a very, very handy piece of advice. Don't violate the Equal Pay Act and you won't find yourself paying all those legal fees. Pay women the same way you pay men and we won't have a problem. Please vote 'yes' on this Bill."

Speaker Turner: "Representative Moeller to close."

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Moeller: "Thank you, Mr. Speaker. We had a lengthy debate. We know that there is a problem in Illinois. We know that there is still a wage gap, even opponents of this Bill have acknowledged it. This is a step in the direction to fix that and you know, women's issues have been in the spotlight lately when we talk about women who are vulnerable in the workplace or women who may be subject to harassment in the workplace. Economic power gives these women the ability to not have to tolerate those types of situations. So economic.. women's economic power is at the center of protecting women and empowering them in all aspects of their lives. So I would hope that we can all agree that we, as a state, can do better. We can close the wage gap in 2018; we can work with our business community to do that. And I think this Bill is the step in the right direction. And I'd ask for an 'aye' vote. Thank you."

Speaker Turner: "The question is, shall House Bill 4163 pass? All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. With 87 voting 'yes', 24 voting 'no', and 0 voting 'present', House Bill 4163, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcements."

Clerk Hollman: "Committee announcement. In addition to the cancelations that are listed on your sheet of paper, the pink sheet of paper, the Higher Education Committee has also been canceled. Higher Education has also been canceled. Meeting immediately after Session is Labor & Commerce in 114, Economic

STATE OF ILLINOIS
100th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

2/28/2018

Justice in Room 115, Energy and the International Trade & Commerce in C-1, Appropriations - Public Safety in Room 118."
Speaker Turner: "And now allowing perfunctory time for the Clerk, the House... Leader Curries moves that the House adjourn until Thursday, March 1, 11:00 a.m. Thursday, March 1 at 11:00 a.m. All in favor say 'aye'; all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House is adjourned.