

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

23rd Legislative Day

3/5/2013

Clerk Hollman: "House Perfunctory Session will come to order. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on March 05, 2013: recommends be adopted, referred to the floor is Floor Amendments 1, 2, 3, 4, 5, 6, 7, and 8 to House Bill 1156."

Speaker Turner: "All Members shall be in their seats. The House will come to order. We shall be led in prayer today by Pastor Shaun Lewis who is the Illinois State Director of Capitol Commission, serving the political Leaders of Illinois. Pastor Lewis is the guest of Representative Ford. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and the Pledge of Allegiance."

Pastor Lewis: "If you would bow with me in prayer. Father, in Heaven, Your mercies are new every morning. Thank you for creating this day and blessing each of us with another moment of life, may we not squander it but use the time that we're given in a way that most honors You. Pray for our lawmakers today and seek Your word for wisdom and have the courage to apply it that their service be fruitful, that it'd be honorable. Comfort them as they're away from and protect their families. We ask that in Jesus' name, Amen."

Speaker Turner: "We shall be led in the Pledge today by Representative Moylan."

Moylan - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

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

23rd Legislative Day

3/5/2013

one nation under God, indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. I have no excused absences among House Democrats to report."

Speaker Turner: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Davidsmeyer and Kosel are excused on the Republican side of the aisle today."

Speaker Turner: "Clerk will take the record. With 116 Members present, we have a quorum. A quorum is present. Mr. Clerk."

Clerk Hollman: "Introduction of Resolutions. House Resolution 120, offered by Representative Flowers, is referred to the Rules Committee."

Speaker Turner: "Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 121, offered by Representative Beiser. House Resolution 122, offered by Representative Cross. House Resolution 123, offered by Representative Osmond. House Resolution 124, offered by Representative Osmond. House Resolution 125, offered by Representative Cavaletto. And House Resolution 126, offered by Representative Cavaletto."

Speaker Turner: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Members, the Rules Committee will meet immediately. Representative Bost."

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

23rd Legislative Day

3/5/2013

Bost: "Thank you, Mr. Speaker. The Republicans wish to have an immediate caucus."

Speaker Turner: "The Republicans will caucus in Room 115, and the Democrats will caucus in Room 114. The House Revenue Committee will meet at 1:45 in Room 114. The House shall be at ease 'til 2:15. Thank you."

Speaker Madigan: "Speaker Madigan in the Chair. The House shall come to order. Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Sommer is excused for the rest of the day."

Speaker Madigan: "Thank you. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on March 05, 2013: do pass Short Debate, recommends be adopted is Floor Amendment #3 to House Joint Resolution 17 and Floor Amendment #3 to House Resolution 83."

Speaker Madigan: "On page 9 of the Calendar, under the Order of Resolutions, there appears HR83. Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. This is the revenue estimate for the State of Illinois for the upcoming fiscal year. This is the same process that we've used in the last two years. This is the first step in the, hopefully, bipartisan budget-making process of trying to estimate the revenues for the State of Illinois and craft a budget from without that... around that. We had a unanimous vote out of committee. I'd like to compliment the members of our committee who engaged in an open inclusive bipartisan effort to take testimony from anyone and everyone that

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

23rd Legislative Day

3/5/2013

wished to be heard on this issue, and then to arrive at a bipartisan revenue figure. I want to, in particular, thank the Committee Members, those who participated in the hearings. And I would ask for an 'aye' vote."

Speaker Madigan: "Mr. Bradley, could... Mr. Bradley, would you move for the adoption of the Amendment. So, on HR83, Mr. Bradley on the Amendment."

Bradley: "Yes. I would so move for the adoption of House Floor Amendment #3 to House Resolution 83."

Speaker Madigan: "Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments? Are there any further Amendments?"

Clerk Hollman: "No further Amendments."

Speaker Madigan: "On the Resolution, the Chair recognizes Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of this Resolution. You know, for the past two years this chamber has led the way in preparing a budget for the fiscal year. And this is the first step in that process, determining how much revenue we're going to bring in. And my thanks to the Speaker and to Leader Cross for their Leadership in establishing a rational and oh so reasonable way to start, mainly to figure out how much revenue is going to come in. For the freshmen among us, it might be worthwhile to state the significance of this revenue estimate number. If the House passes this Resolution, HR83, stating that the revenue estimate is 35.081 billion that means that the

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

23rd Legislative Day

3/5/2013

Appropriations Committees will have no more than \$35.081 billion to spend. It also means that if the Governor walks into this chamber tomorrow and walks up to that podium and proposes to spend more than \$35.081 billion, then he puts himself at odds immediately with this chamber. A couple of comments, 35.081 billion is a big number, and it's bigger than it was last year by about a billion dollars. So, while the... while the number is big, I believe, that it's reasonable but let's not plan to go out and spend it right away because, my friends, we can't spend it on education or health care or assistance to the developmentally disabled or roads or any other needed service because our pension payment alone goes up by a billion dollars. So, unless we make reforms to the pension system, this billion dollar increase in revenue goes to one place and that's for pensions. I would like to, if I would... I would like to, if you give me a moment, make some comments to my friends on this side of the aisle. Well, maybe more accurately to my section of the House and not just this side of the aisle. Voting in favor of this Resolution in no way indicates any support for the FY14 budget that will be put together nor does it indicate any support on how the \$35 billion might be allocated. All this does is say this is how much money we think is going to come through the front door. There certainly are unknowns out there and maybe those unknowns will be favorable. Depending on what we do with hydraulic fracturing and gaming and telecommunications, maybe the revenues will be higher. Maybe the unknowns will be lower. But you know, while some of us might question the fact that

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

23rd Legislative Day

3/5/2013

the number seems high, and we can't manage our own resources down here, there really is a vibrant economic activity taking place in the State of Illinois. If you'd just look at the front page of Crain's this week, it talks about Chicago, downtown loop Chicago, being the fastest growing urban center in the United States. There really is economic act... activity taking place. That's going to bring in more revenue to the State of Illinois. So, I believe this estimate is reasonable. It's on track. It doesn't have anything to do with spending; it simply talks about how much we're bringing in. I applaud the chairman and the other members of the committee for putting together a reasonable number. And I strongly urge support of House Resolution 83."

Speaker Madigan: "Mr. Pritchard."

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

Speaker Madigan: "Sponsor yields."

Pritchard: "Representative, I know there's a lot of talk about federal sequestration and the impact that might have on our state. Are there any risks in this appropriation that might be reduced further by that sequestration?"

Bradley: "Yes, and actually the sequestration was taken into account in this figure. We had members of our committee, in particular, one member of the committee that really drove down into those numbers to make sure that they were taking a cautious approach making sure the sequestration was being taken into account when deriving a revenue estimate that the state could actually meet. And that was absolutely

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

23rd Legislative Day

3/5/2013

taken into account and the Revenue Committee is confident that the state can meet this number."

Pritchard: "In the last few years, we've taken, in the House, a more conservative number that has come from the Governor's Office of Management and Budget and also, the COGFA report. Why did we go along with the COGFA number this year?"

Bradley: "We drove down into the numbers of the COGFA report, and we determined that the COGFA numbers, unlike in previous years, we believed were accurate and we didn't need to drive down the numbers further. And we are, and I anticipate and I predict, will be below the Governor's number tomorrow."

Pritchard: "Okay. Thank you very much."

Speaker Madigan: "There being no further debate, the Chair recognizes Mr. Bradley to close."

Bradley: "Again, I'd like to compliment everyone for their hard work. I thank you for the questions. And I would ask for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Resolution be adopted?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 100 people voting 'yes', 15 people voting 'no'. The Resolution is adopted. HJR17, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. This is an identical Resolution..."

Speaker Madigan: "Mr. Bradley."

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

23rd Legislative Day

3/5/2013

Bradley: "I'd ask for the adoption of House Floor Amendment #3 to House Joint Resolution 17."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Hollman: "No further Amendments."

Speaker Madigan: "Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. This is an identical Resolution to the previous Resolution just discussed. I would move for the adoption of House Joint Resolution 17, which is simply the Joint Resolution form of the previous Resolution, House Resolution 83."

Speaker Madigan: "You've all heard the Gentleman's Motion and his explanation. And the Chair recognizes Mr. Will Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, W.: "Representative Bradley, again, you said this is identical to just the House Resolution that was passed just previous to this, correct?"

Bradley: "Congrat... or con... Yes. Yes, that's correct, Sir."

Davis, W.: "So, it's my understanding that the Revenue Committee heard, obviously, a num... testimony from a number of different groups and organizations. In addition to hearing from COGFA, you also heard from the Governor's Office as well, correct?"

Bradley: "Yeah. We heard from the Governor's Office, and they were all over the place. We heard from COGFA. We heard from



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

23rd Legislative Day

3/5/2013

the Tax, Budget and Accountability. We heard from the Illinois Policy Institute. We heard from the Chamber, I don't know if that was oral or written. We heard from the Taxpayers' Federation. There was nearly universal support, and initial universal support for this revenue estimate that COGFA put forth."

Davis, W.: "So... so COGFA, the organization that is put together in a bipartisan way to address these types of situations, came up with the revenue estimate that we are using in this Resolution, correct?"

Bradley: "I don't know the genesis of COGFA. I'll take your word for that, but we did adopt the COGFA number this year."

Davis, W.: "Okay. Now, when you talked about the Governor's number being all over the place, were they higher, were they lower?"

Bradley: "Well, they started off low, then they came in with COGFA. This is my best recollection. And then, at the end, it was unclear where they were."

Davis, W.: "Not... Okay. So, they just... again, they were all over the place."

Bradley: "COGFA was consistent. We drove into the COGFA numbers. Everyone seemed to be comfortable with the COGFA numbers and we... we're accepting them."

Davis, W.: "Well... well, thank you very much, Representative. To the Resolution. Ladies and Gentlemen, as you all know, I have been a staunch advocate for revenue in this conversation. Last year, I did not support these Resolutions primarily for the fact that COGFA, who was the

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

23rd Legislative Day

3/5/2013

organization that was designed to do this kind of work, we didn't even feel that their number was appropriate. Now, I... I didn't quite understand that, but I didn't support it because I'm always going to try to advocate for additional revenue. And so, that simply takes me to this revenue, Ladies and Gentlemen, if you start to look at these numbers there will be a lot of pain that will be issued as a result of these numbers. Now, while we are happy that COGFA took a higher number, but we, also, are now recognizing that there are increased spending costs that will come as a result of this process. So, again, I'm going to go back to my original position about revenue. I'm going to support the Resolution because, again, it's using a COGFA number which is, of course, is higher than we were last year, and I appreciate that. But there's still a need for revenue, Ladies and Gentlemen. I don't see why we, as a Body, cannot have meaningful conversation where in funds or wherever dollars exist where we can talk about new revenue. 'Cause right now, just even based on the COGFA number, we will experience... experience \$168 million cut in education. I can't believe that anyone in this chamber wants us to have \$168 million cut to education. That's just based on using the COGFA number. As we start to examine some of the shifts and some additional things that want... that are... that want to be done, it's possibly... possibility that... that cut could now increase an additional \$100 million in just education alone. Ladies and Gentlemen, I don't see why we cannot have a meaningful conversation about more revenue to put into this process so at the very least, we don't have to make

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

23rd Legislative Day

3/5/2013

cuts... the proposed cuts that may come now. Let's at least look at trying to keep the appropriations process flat, maybe that's something that we can agree on, but what it's going to take is enough Members, in the General Assembly, standing up and saying, you're absolutely right. Let's not look to always balance this by making cuts. There are opportunities for revenue, and I strongly encourage all of us to get on board, and let's take a look at where we can find new revenue to put into this process so that we don't have to continue to make cuts and balance this budget on the back of low-income and minority individuals in the State of Illinois. Thank you very much."

Speaker Madigan: "The question is, 'Shall HJR17 be adopted?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 100 people voting 'yes', 15 people voting 'no'. HJR17 is adopted. Mr. Lang in the Chair."

Speaker Lang: "Mr. Clerk, under... on page 2, under the Weekly Order of Business-Third Reading, what is the status of House Bill 1156?"

Clerk Hollman: "House Bill 1156 is or... on the Order of Third Reading."

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

Clerk Hollman: "House Bill 1156, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments #1, 2, 3, 4, 5, 6, 7, and 8 have been approved for

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

23rd Legislative Day

3/5/2013

consideration. Floor Amendment #1 is offered by Representative Acevedo."

Speaker Lang: "Mr. Acevedo. Chair recognizes Leader Currie to handle this for Representative Acevedo. Amendment 1."

Currie: "Thank you, Speaker. This just amends the title of the Bill calling it the Illinois Assault Weapons Act. And I'd appreciate your support."

Speaker Lang: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Smiddy."

Smiddy: "I rise in opposition of this. Will the Sponsor yield?"

Speaker Lang: "Lady yields. Representative, Mr. Acevedo has returned. Why don't we have you yield to him."

Smiddy: "Yes, Sir."

Speaker Lang: "Mr. Acevedo and Mr. Smiddy. Please proceed with your questions, Sir. Mr. Smiddy, did you have a question?"

Smiddy: "Not a question. I wanted to make a statement. I rise in opposition of this due to the fact that I'm going to go on based on the economy in my district. This is a billion dollar industry in Illinois. A quarter of a million... a billion dollars comes out of my district dealing with these weapons. So, I am in strong opposition. And I hope my colleagues will vote against this. Thank you."

Speaker Lang: "Mr. Acevedo."

Acevedo: "Mr. Speaker, so we can prolong... debate. This is just... we're just naming the Bill. We're not arguing the Bill right now. This... I should say this Amendment."

Speaker Lang: "Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is... excuse me. Tho..."

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

23rd Legislative Day

3/5/2013

those in favor will say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #2 is offered by Representative Acevedo."

Speaker Lang: "Leader Acevedo."

Acevedo: "Thank you, Mr. Speaker. Floor Amendment #2 bans possession, sale, delivery, receipt, transfer or purchase of military style weapons including AR-15 series, the weapon used in Auroro... Aurora, Colorado, Columbine High School, and Sandy Hook Elementary School shootings. Mitchell UZ... Mitchell UZI, Beretta AR.70, and AK-47s. It bans assault rifles with a detachable magazine and a folding telescope stock. Includes exemption for law enforcement, military, correctional officers, and manufacturers. Penalties include a Class II Felony of 3 to 7 years, Class I Felony, 4 to 15 years for subsequent offenses. I'd be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. On that question, the Chair recognizes Mr. Phelps."

Phelps: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Phelps: "Representative Acevedo, you know I really respect you, but what we have here today is just a full out attempt to ban every gun in this state. Would you agree with that?"

Acevedo: "No, I don't."

Phelps: "Well, with the language that you have, it simply does that. Amendment #2 is just for rifles. Would you agree that the Ruger 10/22 is a hunting rifle?"

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

23rd Legislative Day

3/5/2013

Acevedo: "A Ruger 2/22? Yeah."

Phelps: "A Ruger 10/22."

Acevedo: "I wouldn't know, Representative. I'm not sure of that."

Phelps: "Well, it is. And in your Amendment, it says it bans guns with thumbhole stocks. And the Ruger 10/22 is probably one of the most least caliber guns out there, a .22 caliber, but that would be banned. So, more than anything, we're really going after the law-abiding gun owner and going after the sportsman. And let me give you some totals, 'cause I'm going to be bringing this up on 2, 3, and 4 especially. There was 1.3 million sportsmen and women... sportswomen in this... in this state. They brought in \$2.34 billion to this... to this state last year alone, 2.3 billion with a b. I don't know why we would want to jeopardize that when we need every cent we can get right now. Also, not to be disrespectful to retired cops, I have friends that are retired cops, but why are retired cops allowed to keep their guns and retired military... but not retired military? Do you know the answer to that question?"

Acevedo: "I... I think you were referring to me, Representative. I'm not retired. I'm just on the legal..."

Phelps: "No, no, no, no. It says in the Amendment retired cops are allowed to keep their guns but not retired military. So, you don't agree that Representative Bost should be able to have a hunting rifle?"

Acevedo: "You... you asked me a couple questions. Let me answer your first one. As far as..."

Phelps: "Yeah. I'd love for you to."

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

23rd Legislative Day

3/5/2013

Acevedo: "Okay. The sportsmen... the DNR is... if they include an event that is held for sportsmen purposes that... they're exempt from that. They're able to use those weapons at that event."

Phelps: "Well, it would just depend, though, on what the interpretation of that judge would say if this gets brought to a lawsuit or a ca... a case. I mean this is so broad. It really bans every rifle in this state."

Acevedo: "Well... well, Representative, it... it's up to the DNR, and as far as I know, they already regulate the assault weapons and the hunting rifles."

Phelps: "Well, we're making DNR pretty much an agency that gets to dictate... another bureaucrat that gets to dictate what guns are legal or not. I... I don't think our sportsmen want that; I don't know why DNR would want that. Do you know the answer to that?"

Acevedo: "Yeah. They... they already do that for hunting purposes, Representative."

Phelps: "No. No. You know, but this... but Representative, this is... the way you have this, and I want everybody to listen, you know we can talk about this all day long, but this bans every rifle in this state. You can't hunt with te... with a 10/22, you can't hunt with a 2/43, a 30-06. You can't coyote hunt at all. And we won't be able to squirrel hunt and won't... I mean, that's a lot of money we're taking away. But let me just say this, why is it also, too, Representative, when police talk about these kind of guns and rifles, they talk about patrol rifles and carbines, but when it's us, it's assault weapons. Why is there... why do

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

23rd Legislative Day

3/5/2013

you differentiate between the terminology? 'Cause in the hearing, cops that get to use these kind of guns are called patrol rifles, but when I use it, it's called an assault weapon."

Acevedo: "I... I believe they're using it for protection of our society and our communities..."

Phelps: "And I think..."

Acevedo: "...compare... compared to other individuals who are using it for mass destruction."

Phelps: "Well, let me just say this. I think it's our choice to be able to protect ourselves and our family with these types of guns as well. So, that... that's..."

Acevedo: "Rep... Rep... Representative..."

Phelps: "...another thing that's going to be mine."

Acevedo: "...we brought that up... we brought that up during the committee hearing, and as I said before, you should know conceal... I mean, concealed and carry. If someone is breaking into your house, and you have a handgun, you'd be able... you should be able to stop them with that. If you need an assault weapon to stop that individual from coming through your door or to protect your family, put the gun down because it don't belong in your hands."

Phelps: "But you shouldn't be able to tell me what I can protect myself and my family with in my own bedroom or in my own home, and that's what you're doing. That's what I'm saying. This... this... we need to really think about this because this has way... goes way too far. Hunting, as we know it, with Amendment 2, 3, and 4 will be gone. Will be gone."



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

23rd Legislative Day

3/5/2013

So, then what am I supposed to tell my sportsmen that are law-abiding gun owners that like to hunt?"

Acevedo: "Yeah. Representative, the DNR already regulates assault weapons, they regulate hunting. So, this is nothing new to you. And I'm sure, Representative, with all due respect..."

Phelps: "No, sure."

Acevedo: "...no kidding, I respect you very much. Yeah... yeah. This would not affect the hunting purposes and this would not affect the sporting events."

Phelps: "Well, and we don't see it that way, and I want to be clear with that. I don't... We don't see it that way 'cause it's depend... there's too many interpretations and too many judges that have different interpretations on this. Do you know if the Ninth Circuit ruled this unconstitutional in California? Do you know the answer to that?"

Acevedo: "I don't know, Representative, but I can find out."

Phelps: "Well, they did. And I want everybody to be clear on that. The Ninth Circuit in California ruled this exact Amendment unconstitutional. So that's another... here comes another court case, more taxpayers spending money. To the Bill. I'm not going to get up here on every Amendment. I know we... we know how we're going to vote, but this is just ridiculous. Hunting, as we know it, will be completely gone. All firearms will be banned with Amendments 2, 3, and 4. I urge a 'no' vote."

Speaker Lang: "Mr. Smiddy."

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

Speaker Lang: "Gentleman yields."

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

23rd Legislative Day

3/5/2013

Smiddy: "What am I supposed to tell the folks in my district where a thousand of my constituents on a daily basis depend on manufacturing of these guns? What am I supposed to tell them with this ban?"

Acevedo: "Two... two points, Representative. First of all, when the ban was un... in effect before, those... those companies survived, and they'll survive again. Secondly, this bans... this exempts manufacturing."

Smiddy: "I understand that."

Acevedo: "So, those people they're not get... lose their jobs. The guns are still going to be made."

Smiddy: "What they're going to do is they have already gotten letters from several states stating that they can move their business over across the river, and they don't have to worry about what Illinois is going to do every time that something happens. So, this is a billion dollar industry in Illinois. We pay taxes, and out of that billion dollars, 250 million of it comes from my district. What am I supposed to say to them when they move across the river, and we lose that revenue?"

Acevedo: "Representative, there... there's... the gun issue is not the only reason why a company would move out of state. There's all different kind of issues, so if you wanted to keep bringing up other issues as far as tax... tax... higher taxes or manufacturing, there's no loss in sales here. I don't get it. I don't get what you're talking about as far as... you're still able to sell to the military. You're still able to sell to the law enforcement, and you're still able to sell to the... for sportsmen purposes."

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

23rd Legislative Day

3/5/2013

Smiddy: "If they're banned in Illinois, we won't be able to purchase them. And if they move, we lose that revenue. We lose those jobs. So, I would urge that my colleagues vote 'no' on this issue."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, Mr. Speaker, I would like to request a Roll Call vote on this and any following Amendments."

Speaker Lang: "That's the plan, Sir."

Mautino: "Okay. That's a... To the Sponsor, a question."

Speaker Lang: "Gentleman yields."

Mautino: "Representative Acevedo, in the... in the filing of the Amendments, you banned the possession, sale, delivery, receipt, transfer, or purchase. So, what... what does that say then to anyone who currently owns what may be classified, under your Bill, as an assault weapon?"

Acevedo: "Well, Representative, yeah... Representative, if you look at Floor Amendment #7, that... that'll be the grandfather provision, and they can answer your questions then."

Mautino: "Well, without that provision... well, I'm opposed to the Amendment anyway that you're doing here, but without that clarification of what happens, I would ask that all vote 'no' on this Bill as well. Because if you adopt this and 7 isn't adopted, then you've made a criminal of anyone who may own or possess any of these weapons whether they be or not be by your definition assault weapon. So, a fatal flaw in your Amendment is you don't address the rights in property of anyone who may already own or possess one of

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

23rd Legislative Day

3/5/2013

these. And then, you make them a Class II felon eligible for 3 to 7 years or a Class I Felony of 4 to 15 years on subsequent offenses for something that they legally bought."

Acevedo: "Represent..."

Mautino: "Do you agree with that statement? Without..."

Acevedo: "Well..."

Mautino: "We're not talking about 7. We're talking about your Amendment."

Acevedo: "Yes. It... it... The intent is for 7 to be adopted, and I would courage... encourage you and to your colleagues sitting next to you who oppose this Amendment to vote for House Floor Amendment #7."

Mautino: "Well then, would you withdraw your Amendment since it is flawed and creates a felony condition for hundreds of thousands of Illinois citizens because by adopting that Amen... that Amendment, you have made them eligible for 3 to 7 years in prison or 4 to 15 years in prison on a multiple... on a multiple possession, I guess."

Acevedo: "I'm not going to withdraw the Amendment."

Mautino: "Okay. Well, then..."

Acevedo: "No."

Mautino: "To the Bill, itself. I do stand in opposition. The Amendment is fatally flawed in that the drafters of the Bill will accidentally create... make felons out of tens of thousands of Illinois citizens. And for that reason, I would ask that you vote 'no' on this... this Amendment. I believe it to be flawed and taking the wrong course of action."

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

23rd Legislative Day

3/5/2013

Speaker Lang: "Mr. Acevedo to close."

Acevedo: "La... Ladies and Gentlemen, I've been working on this legislation for over 13 years. These weapons are not for hunting. These ma... these weapons are made for mass destruction; it's to kill. Remember that, it's to kill a group of individuals all at one time. There's no reason for someone to have, like I said, an extended magazine that shoots over a hundred rounds within a minute. These are weapons that were used to kill innocent... innocent individuals in Colorado, the Columbine High School; innocent... innocent little children in Sandy Hook Elementary School. I'm going to tell you a story about a 14-year-old girl who was in the safest place in the world, laying in her bed, surrounded by her family, her parents are there to protect her, and an assault weapon, a weapon made for mass destruction, is triggered off and she's killed because the rounds went through the wall of her house. And this is exactly what's happening in our communities. This is exactly why we should vote for this Amendment. And I ask for an 'aye' vote. Thank you."

Speaker Lang: "Those in favor of the Gentleman's Amendment will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. Mr. Clerk, please take the record. On this question, there are 52 voting 'yes', 14 voting 'no'. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #3 is offered by Representative Sims."

Speaker Lang: "Representative Sims."

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

23rd Legislative Day

3/5/2013

Sims: "Thank you, Mr. Speaker. I off... I offer House Amendment #3 to House Bill 1156. It bans very... semiautomatic assault weapons and pistols that is a sale, possession, delivery, receipt, and transfer of the semiautomatic assault weapons including the Bushmaster. The Bushmaster assault weapon which was used in the Sandy Hook... Sandy Hook Elementary School shooting and the Fabrique Nationale shooting. Mr. Speaker, I offer it for its adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. There being no debate, those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 54 voting 'yes', 13 voting 'no'. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #4 is offered by Representative Currie."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. As with Amendments 2 and 3, this Amendment would specify particular penalties and prohibit the sale, delivery, receipt, transfer or purchase of particular military style brands of rifles and shotguns. One of these is the TEC-9. It was the TEC-9 that was carried by Dylan Klebold when he and Eric Harris killed 13, themselves, and injured 24 more at Columbine High School on April 20, 1999. This also would ban the GLOCK 19 and other similar weaponry. Let me just tell you about the GLOCK 19. It holds 15, 17, 19, or 33

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

23rd Legislative Day

3/5/2013

rounds of ammunition. It was a GLOCK 19 that killed 5 students, the shooter, and wounded 21 at Northern Illinois University on February 14, 2008. It was a GLOCK 19 that was used in the attempted assassination of then Congresswoman Gabby Giffords, killed 6 and wounded 12 in Arizona and Colorado on January 8, 2011. It was a GLOCK 19 that perpetuated the deadliest shooting... school shooting in American history to date killing 33, wounding 23 at Virginia Tech on April 6, 2007. These weapons have no place in a civil society. These weapons kill. They kill many at once. They're not single shot items. I urge your support for the adoption of Amendment 4."

Speaker Lang: "Lady moves for the adoption of the Amendment. On that question, the Chair recognizes Representative Monique Davis."

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

Speaker Lang: "Lady yields."

Davis, M.: "Representative, is it illegal to manufacture these weapons?"

Currie: "Not in the... in the State of Illinois. It is illegal to manufacture machine guns, I believe, in the State of Illinois, but not these weapons which are semiautomatic military style assault weapons."

Davis, M.: "Is it illegal to sell these kinds of weapons?"

Currie: "Unfortunately, currently it is not illegal to sell them. Under this Amendment, these particular kinds of deadly weapons would no longer be available for sale."

Davis, M.: "They would not be for sale with this Amendment?"

Currie: "Illegal... It would be illegal to sell them."

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

23rd Legislative Day

3/5/2013

Davis, M.: "Repres... To the Bill, Mr. Speaker. I solemnly believe that it is inhumane to sell to average citizens who are not at war or in the service for war to be allowed to purchase them. And I, also, question the ability of manufacturers to manufacture and distribute them in our country to just every... everyday citizens. I urge an 'aye' vote. Thank you."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor of the Amendment will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 53 voting 'yes', 15 voting 'no'. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Floor Amendment #5 has been offered by Representative Zalewski."

Speaker Lang: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. I move for adoption of Floor Amendment #5 to House Bill 1156. The Bill simply reduces the capacity... the availability of... of what are called extended capacity magazines. I'm happy to answer any question, but I ask for the Amendment's adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor of the Amendment will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Please take the record, Mr. Clerk. On this question, there are 57 voting 'yes', 11 voting 'no'. And the Amendment is adopted. Mr. Clerk."



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

23rd Legislative Day

3/5/2013

Clerk Hollman: "Floor Amendment #6 is offered by Representative Cassidy."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. I ask for adoption of Floor Amendment #6 to House Bill 1156. It requires any assault weapon to have a locking device at all times when the firearm is not in the owner's immediate possession. If it does not accept a locking device, it must be stored in a safe."

Speaker Lang: "Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Reboletti."

Reboletti: "Mr. Speaker, to this Amendment and to this process. This is week number two or three of an entire system that is flawed. It is dismissive of how we should be putting legislation together. It's like putting LEGOS together with no real purpose but to find out what we get at the very end. The process is supposed to work by going to a committee where a Bill is filed. It's vetted by the Members of that committee, and that committee makes a recommendation to the floor. And with all due respect to the process as it's been held in Judiciary, we have subject matter testimony which is totally irrelevant to these Amendments. For hours and hours we sat and listened to testimony. Not one Amendment was presented in that committee; it was all brought to the floor. For what? For more shenanigans, for more Roll Call votes, for more mail pieces that could be cited, mail piece #24 can cite this particular vote as to why people didn't want assault weapons on their streets. The City of Chicago has over 500

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

23rd Legislative Day

3/5/2013

murders last year. Did we have a Committee of the Whole? Absolutely not, it wasn't that important. Did any of you call on the Speaker to bring a Committee of the Whole? No. Years prior, hundreds of people murdered, nothing. The assault weapons ban talked about all the time. The Bill hasn't moved. But have we talked about the gang problem in the City of Chicago? We had a task force that was recently put together that couldn't meet because all of the Members couldn't even submit a name for us to meet, and I am now carrying that have.. to have an extension. The murders in the City of Chicago and mostly throughout the state are based off of gangs and drugs and guns are the enforcement mechanism. How is this process helping solve that? And while many of you are having conversations on that side of the aisle, that's fine. I can sit here all day and that's fine too. Why are we not creating legislation the way it was meant to be under our Illinois Constitution, under these House Rules. Why do we continue to play these games of Amendment by Amendment? And what if this Amendment passes, but then, the underlying Bill doesn't pass? What is it then just a bunch of Amendments that have no continuity whatsoever. Why? It is so important that we provide the safest streets and safest schools. Why do we demean this process? Everybody here wants to make sure that their children and grandchildren can get to school safely, that there are no attacks on our schools. And I stand committed with my other colleagues on this side of the aisle to trying to solve these issues. Why can't we have these discussions in an adult fashion? No, we have Roll Calls,

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

23rd Legislative Day

3/5/2013

and we'll see what happens. And then, at the end of the day, this Bill will fail because it won't be able to withstand 60 votes or whatever, if it's 71 depending if it's preemption, I'm not exactly sure. But at the end of the day, this is not about public safety, this is all about politics. And what really bothers me is Leader Currie got on this floor, oh about the very beginning of Session, and told me that this was basically a political free zone. That's odd because this is nothing but a political exercise to have that 'gotcha' moment. I can't imagine one person, here on this House Floor, who doesn't want safe schools, safe streets, and... people free from addiction, the mentally... the people with mental health issues treated. But why are we doing this piecemeal? Why can't we solve the issues like we're supposed to? People file Bills, the Bills go to substantive committees, those committees take a Roll Call vote, and the merits are debated on this floor. I can guarantee you that some of these Bills... I can guarantee that most Members here have never seen those firearms before, wouldn't know what they looked like if it was brought on this floor. I didn't hear any testimony in Judiciary from the Chicago Police Department regarding what guns have been the major problem for them. I do know that they did say less than three percent of the crimes that they have been investigating and dealing with homicides deal with assault weapons. The Chicago Police invited Representative Durkin and others on the committee to come look at these guns in their evidence locker. I, for one, would like to take them up on it before I make a

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

23rd Legislative Day

3/5/2013

substantive decision instead of just throwing a bunch of names of guns into a Bill and say here, vote on this. But no, we don't do that anymore, we simply play political games, 'gotcha', take it or leave it, that's it. It's March. We have a budget address tomorrow, and we're back on guns again. I've been here for seven years now. I'm not sure why we didn't address this last year or the year before. But what I will suggest is that I am more than willing to sit down with any Member or Members of this Body to talk about how do we craft thoughtful legislation that deals with the conceal and carry issue and that deals with the public safety of our schools and our streets. And I would ask all of us to call for an end to these games 'cause they are not solving the problems of the people of the State of Illinois. So, I would ask all of you do not vote, do not join in this anymore. This isn't working, this isn't solving anything, but if this is how we're going to do for the rest of the year, I guess you'll see a lot of more of this. I have no problem telling the people of my district that this is not how it's supposed to be done, this is not what I was taught when I was at Eastern Illinois University in a political science classes. I thought the process worked, but obviously, the process must not work; that's why we're trying a whole new approach, the political approach. And while there's other conversations going on there, that's fine. If this issue was so important, I'm not so... I'm surprised at this... this whole chamber isn't silent, but this is just about games. When we're serious about it, why don't we work together, put

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

23rd Legislative Day

3/5/2013

some groups together and let's talk about it, and come up with a compromised Bill. Whatever happened to that? I guess we're going to do everything line by line now. And I mean, everybody's Bill should just be filed line by line. I'll file a Bill that will just be Amendment by Amendment. But that's okay. The games will continue, then we'll go on to pension games and we'll go on to everything else. How about put all that aside and let's solve the problems of the people. Let's end this now."

Speaker Lang: "Mr. Acevedo on Amendment 6."

Acevedo: "Thank you, Mr. Speaker. To the Bill. I'd like to invite all of my colleagues, since you're so interested in seeing the assault weapons by the Chicago Police Department, I am putting together a tour of the police.. Chicago Police Academy and there you will.. you're able to see every weapon that you've referred to. I.. Unfortunately, Representative, I have seen those weapons working as a Chicago police officer. We can talk about games that we play in this House about poli... this is just a political mailer. This is not games; these are human lives. Yes, the gang issues are correct. The drug dealers, yes, it's correct. What about the people in Aurora? What about the kids in Sandy Hook? What about those little innocent lives that are wasted? Was that a gang member who went in there and shot them kids up? No. Tell that to the families, tell that to a 7-year-old girl who lived down the street from my mom and dad's house who was shot by an assault weapon playing on her dolls on a Sunday where her family comes on over and has a little barbeque. Tell that to the

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

23rd Legislative Day

3/5/2013

grandmother who's going to the store, an 80-year-old grandmother just going shopping for some milk and is gunned down. When you pull... when you pull that trigger, a high-capacity weapon shoots about... can shoot about a hundred rounds a minute. Those bullets have no name on them. Those bullets doesn't say am I... are you a gang member, are you a drug dealer? Those bullets are meant for one thing to kill, and unfortunately, in our communities. it's killing the wrong people. It's kills innocent people. So, this is not a game. This is a process that we come out here to protect our communities, prote... protect this state. And I encourage you all take this very serious. This is not a game. We're talking about human lives, innocent lives, and this needs to be addressed first and foremost. Keep our communities safe."

Speaker Lang: "Those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 58 voting 'yes', 10 voting 'no'. And the Amendment is adopted. Mr. Clerk."

Clerk Hollman: "Amendment #7 is offered by Representative Currie."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. Questions have been raised about the constitutionality of banning the possession of certain items without providing recompense to the owner. What Amendment 7 would do would be to say that anybody who already has one of the weapons that would be

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

23rd Legislative Day

3/5/2013

banned under earlier Amendments to House Bill 1156 would be able to keep those weapons. If they already have them when this goes into effect, they could keep those weapons if they register the specific item with the Department of State Police. I'd be happy to answer your questions, and I'd appreciate your 'yes' votes on Amendment 7."

Speaker Lang: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Dunkin."

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

Speaker Lang: "Lady yields."

Dunkin: "Representative, I commend you for your assault weapons, excuse me, your grandfather posi... provision only with the exception of us going back several months..."

Currie: "I'd like to withdraw the Amendment."

Durkin: "Thank you."

Speaker Lang: "Amendment 7 is withdrawn. Mr. Clerk."

Clerk Hollman: "Amendment #8 is offered by Representative Phelps."

Speaker Lang: "Mr. Phelps."

Phelps: "Mr. Speaker, I'd like to withdraw Amendment #8."

Speaker Lang: "Amendment 8 is withdrawn. Mr. Clerk."

Clerk Hollman: "No further Amendments. Correction. Many notes have been filed on this Bill."

Speaker Lang: "The Bill will be held on the Order of Second Reading. The Chair has three Motions from Members to table Bills. House Bill 1006, Mr. Pritchard. House Bill 1514, Representative Hammond. House Bill 3333, Representative Hammond. All Motions to Table. We'll take these in one vote. Those in favor of the three Motions will vote 'yes';

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

23rd Legislative Day

3/5/2013

opposed 'no'. The 'ayes' have it. And the three Bills are tabled. Mr. Clerk, committee announcements."

Clerk Hollman: "The following committees will meet immediately after Session. The Insurance Committee is meeting in Room 114. Public Utilities is meeting in Room C-1. And the Transportation: Regulation, Roads & Bridges Committee is meeting in Room 413."

Speaker Lang: "And now, Leader Currie moves, allowing perfunctory time for the Clerk, that the House stand adjourned 'til Wednesday, March 6, at the hour of 11:30 a.m. Those in favor of the Motion say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned until Wednesday, March 6, at the hour of 11:30 a.m."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 3417, offered by Representative Senger, a Bill for an Act making appropriations. This is referred to the Rules Committee. Introduction of Senate Bill. Senate Bill 30, offered by Representative Sacia, a Bill for an Act concerning government. First Reading of this Senate Bill. Senate Joint Resolution #2 is offered by Representative Osmond. This is referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."